

PLANNING COMMISSION CONDITIONS OF APPROVAL

601 EAST MICHELTORENA STREET
REZONE, TENTATIVE SUBDIVISION MAPS, MODIFICATIONS

REVISED

~~AUGUST 17~~SEPTEMBER 14, 2006

[Mitigation Measure Numbers are shown in parentheses at the end of conditions imposed to reduce environmental impacts; those from the Initial Study are shown in italics (*AQ-1*); those from the EIR in standard font (AQ-1).]

- I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:
- A. **Recorded Agreement for Five-Lot Final Map.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property" which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits, and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
 2. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Architectural Board of Review (ABR).
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. **Maintenance of Drainage System.** Owner shall be responsible for maintaining the drainage system in a functioning state. Should any of the project's surface or subsurface drainage structures fail or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building permit is required to authorize such work.
 5. **Approved Development.** The development of the Real Property approved by the Planning Commission on ~~August 17, 2006~~ is limited to five lots and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

6. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
7. **Oak and Specimen Tree Protection.** The existing oak and specimen trees proposed to be retained on-site shall be preserved, protected, and maintained, subject to review and approval by the Architectural Board of Review. Per the Tree Protection Plan, ~~T~~the following provisions shall apply to any oak and specimen trees to remain on the property:
 - a. No irrigation systems shall be installed within the drip line of any oak tree.
 - b. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak or specimen tree.
8. **Street Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
9. **Storm Water Pollution Control Systems Maintenance.** The Owners of each lot shall maintain the drainage system, storm drain water interceptor, and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director. The Owner shall provide verification of maintenance provisions through a signed statement, as part of the project application, accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred.

B. Recorded Agreement for Condominium Project Final Map. Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property" which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
2. **Ownership Unit Affordability Restrictions.**
 - a. Nineteen (19) dwelling units, to be designated by the Owner, are density bonus unit that are within the first 25% of the density bonus approved on the Real Property and shall be designated as Affordable Middle Income Units and sold only to and occupied only by households who qualify as Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. However, Owner may choose to restrict some or all of these units as Moderate Income Units or as Middle Income units as defined in the City's Affordable Housing Policies and Procedures. Owner may restrict ownership of these units to Owner's employees according to policies and procedures to be developed by Owner and approved by the Community Development Director. The maximum sale prices upon initial sale shall not exceed the following:

1-bedroom = \$237,800

2-bedroom units = \$294,400

3-bedroom duplex or luxury units = \$351,200

- b. Twenty-three (23) dwelling units, to be designated by the Owner, are density bonus units that are above the first 25% of the density bonus approved on the Real Property and shall be designated as Affordable Upper-Middle Income Units and sold only to and occupied only by households who qualify as Upper-Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. However, Owner may choose to restrict some or all of these units as Moderate Income Units or as Middle Income units as defined in the City's Affordable Housing Policies and Procedures. Owner may restrict ownership of these units to Owner's employees according to policies and procedures to be developed by Owner and approved by the Community Development Director. The maximum sale prices upon initial sale shall not exceed the following:

1-bedroom units = \$325,000

2-bedroom units = \$399,000

3-bedroom = \$473,200

- c. Thirty-nine (39) dwelling units, to be designated by the Owner, are not density bonus units but are units that the Owner wishes to restrict as affordable units under the City's policies. These units shall be designated as Affordable Upper-Middle Income Units and sold only to and occupied only by households who qualify as Upper-Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. However, Owner may choose to restrict some or all of these units as Moderate Income Units or as Middle Income units as defined in the City's Affordable Housing Policies and Procedures. Owner may restrict ownership of these units to Owner's employees according to policies and procedures to be developed by Owner and approved by the Community Development Director. The maximum sale prices upon initial sale shall not exceed the following:

1-bedroom units = \$325,000

2-bedroom units) = \$399,000

3-bedroom units = \$473,200

The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for at least forty-five (45) years from the initial sale of the affordable unit. No

affordable unit may be rented prior to its initial sale, subject to approval of a waiver by the Community Development Director.

3. **Approved Development.** The development of the Real Property approved by the Planning Commission on ~~August 17, 2006~~ _____ is limited to 115 dwelling units, 254 parking spaces, and the improvements shown on the Tentative Subdivision Map, site plans, and landscape plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
4. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages and uncovered parking spaces be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the parking spaces were designed and permitted.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **Trash and Recycling.** Adequate space shall be provided and maintained for trash and recycling purposes.
 - e. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain all common area BMP's to ensure their continued effectiveness.
 - f. **Site Drainage Facilities Maintenance.** The Owner(s) shall maintain all common area drainage facilities to ensure their continued effectiveness.
 - g. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
5. **Transportation Demand Management.** The following alternative mode incentives shall be incorporated into the project to reduce traffic impacts caused by the project. Owner shall be responsible for insuring that all tenants comply with the provisions of the approved Transportation Management Plan.
 - a. **Resident Shuttle Program.** The project applicant shall implement and operate a shuttle program designed to serve project residents and to reduce the project's peak hour trip generation. The objective of the program shall be to reduce the

proposed project's significant cumulative contribution of traffic to the intersections of:

- Anapamu Street/Laguna Street
- Arrellaga Street/Garden Street, and
- Mission Street/Bath Street.

Prior to the issuance of building permit for the Cottage Hospital Foundation Housing project, the project applicant shall submit a proposed Project Resident Shuttle Program Plan to the City Public Works Department for review and approval. At minimum, the following elements shall be specified by the Plan.

- (1) Operation Hours. At minimum, the shuttle program shall provide service during the A.M. and P.M. peak traffic hours, and during shift changes at Cottage Hospital. The plan shall indicate the specific hours that the shuttle service is to be provided.
- (2) Shuttle Routes. Routes to be used by the shuttle to transport project residents to Cottage Hospital, and other Cottage Health Systems facilities ~~and locations in downtown Santa Barbara~~ shall be described. To the extent possible, proposed shuttle routes shall avoid intersections that operate at unacceptable levels of service during peak hour periods. A procedure for obtaining City approval to modify proposed shuttle routes to accommodate the needs of project residents that wish to participate in the program shall also be included in the Plan.
- (3) Shuttle Ridership Monitoring. The Project Resident Shuttle Program Plan shall include a monitoring program to quantify ridership characteristics. Shuttle ridership and peak hour trip reduction data shall be provided to the Public Works Department within six months of the start of the shuttle program and once annually thereafter.

The Project Resident Shuttle Program Plan shall also contain a range of measures that may be implemented to increase participation in the shuttle program ~~should the monitoring data indicate that the program is not reducing the proposed project's peak hour trip generation characteristics sufficiently to reduce its cumulative traffic impacts to a less than significant level~~. Such additional measures may include, but are not limited to: expanding the shuttle service times and/or routes to make it more convenient for program participants, or offering ~~financial or~~ other incentives to program participants, ~~or expanding the program to neighborhood residents that also commute to Cottage Hospital or Cottage Health Systems facilities~~.

- (4) Shuttle Bus. The type and size of vehicle(s) to be used to implement the shuttle bus program shall be specified.
- (5) Program Implementation. A shuttle program shall be initiated in accordance with the provisions in the approved Project Resident Shuttle

Program Plan before more than 75% of the ~~proposed~~ affordable residential units are occupied. (TRF-1a)

- b. **Bicycle Parking.** Thirty-three bicycle parking spaces shall be provided. The required bicycle parking facilities shall be distributed throughout the project site. (TRF-3a)

C. Design Review for the Condominium Project. The following is subject to the review and approval of the Architectural Board of Review (ABR), unless otherwise stated:

1. **Historic Landmarks Commission (HLC) Review.** The following is subject to review by the HLC:
 - a. **Historic Plaque.** A commemorative display for the education of the public detailing the history of St. Francis Hospital shall be integrated within the open space area located at the corner of Micheltoarena and Salsipuedes Streets. All text for the display shall be written by a City-qualified Historian and approved by the HLC. Additionally, at least one of the art pieces from the former St. Francis Hospital shall be incorporated into the on-site display, if available. (C-7)
 - b. **HLC Courtesy Review.** Advisory comments shall be provided by the HLC to the ABR regarding the Santa Barbara Cottage Hospital Foundation Workforce Housing Project with respect to the architectural style of the project and its compatibility with the neighborhood and the design of the commemorative display area. (C-8)
2. **Tree Removal and Replacement.** With the exception of fruit trees, All trees removed, except fruit trees and street trees approved for removal without replacement by the Parks and Recreation Department, shall be replaced on-site on a one-for-one basis with a minimum 15-gallon size tree of an appropriate species or like species. Street trees proposed for removal shall be replaced per Parks and Recreation Department requirements.
3. **Tree Inventory and Relocation.** A further inventory of existing specimen trees on the project site ~~should~~ shall be performed by a qualified arborist, noting health of the trees and suitability for transplanting or removal. Based on the arborist's recommendations, as reviewed by the City Arborist, the City would make a final determination regarding which trees can be feasibly transplanted or need to be removed. The existing trees shall be relocated on the Real Property and shall be fenced and protected during construction. (B-1) (BIO-1a)
4. **Tree Protection Measures.** The landscape plan and grading plan shall include the following tree protection measures:
 - a. **Fencing.** Fencing or protective barriers around the trees during construction.
 - b. **Landscaping Under Trees.** Landscaping under the trees that is compatible with the preservation of the trees.

- c. **Arborist's Report.** Include a note on the plans that recommendations/conditions contained in the arborist's report referenced in Condition C.3 shall be implemented.
- d. **Tree Protection and Replacement Plan.** The applicant shall submit a tree protection and replacement plan with project landscape plans for City approval. The plan shall identify trees to be preserved, measures to be taken during grading and construction to protect trees, measures for replacement of trees in the event of inadvertent damage or loss, and irrigation and maintenance plans. Trees shall be maintained for the life of the project. The tree protection plans shall incorporate the following measures (B-2) (BIO-1b):
- (1) Prior to grading, temporary protective fencing (4 feet high) shall be installed three feet outside the dripline of all trees to be preserved. Trees in close proximity may be fenced as a group. All fencing shall be maintained during the entire construction period. (B-2) (BIO-1b)
 - (2) No grading shall occur under any oak or specimen tree dripline. Grading within the dripline during construction of this area shall be minimized and shall be done with light (one ton or less) rubber-tired equipment or by hand. If use of larger equipment is necessary within the dripline of any oak, it shall only be operated under the supervision and direction of a qualified Arborist. (B-2)
 - (3) A qualified Arborist shall be present during any grading or excavation adjacent to or beneath the dripline of any oak tree. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound. Any thinning or root pruning and trimming shall be done under the direction of a qualified Arborist.
 - (4) Heavy equipment shall not be used or parked within three (3) feet of oak tree driplines, except where approved by a qualified arborist, and after protective fencing has been installed. Soil, rocks, or construction material shall not be stored or placed within the dripline of oak trees. (B-2) (BIO-1b)
 - (5) Landscaping provided under the oak tree(s) shall be compatible with preservation of the trees as determined by the ABR. No irrigation system shall be installed under the dripline of any oak tree.
 - (6) Specimen trees slated for preservation that are inadvertently damaged (25% or more of root area) or lost due to construction processes shall be replaced prior to issuance of occupancy permits. Tree replacement shall be according to the following replacement ratios: Oak Trees – 10:1 (using 5-15 gallon saplings); other native trees and ornamental species at 3:1 with replacement trees at no less than ¼ the diameter of the existing tree). The applicant shall submit an annual report on establishment and success of replacement trees. (B-2) (BIO-1b)

- (7) Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.

~~5. Useable Common Open Space. Adequate usable common open space shall be provided in a location available to all units within the development.~~

~~65.~~ **Pedestrian Pathway.** A designated pedestrian pathway shall be provided to all units from the sidewalk through the use of a different paving material.

~~76.~~ **Minimize Visual Effect of Paving.** Textured or colored pavement shall be used in paved areas of the project to minimize the visual effect of the expanse of paving, create a pedestrian environment, and provide access for all users.

~~87.~~ **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.

~~98.~~ **Crime Analyst Plan Review.** The Developer shall meet with the City Police Department Crime Analyst prior to ABR Preliminary Approval to determine how lighting, locking mechanisms, egress and fencing can be designed and installed to reduce the potential number of calls for police service from occupants of the Real Property.

~~109.~~ **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.

~~104.~~ **Permeable Paving.** Incorporate a permeable paving system for the project driveways and parking areas that will allow a portion of the driveway runoff to percolate into the ground, except as necessary to meet Fire Department weight requirements. Materials must be approved by the Transportation Manager.

D. Public Works Submittal Prior to Final Maps Approval. The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Final and Parcel Maps for the project:

1. **Final Maps Submittal and Timing.** The Owner shall submit to the Public Works Department for approval, Final Maps prepared by a licensed land surveyor or registered Civil Engineer. The Final Maps shall conform to the requirements of the City Survey Control Ordinance. The Final map for the five-Lot subdivision shall be recorded prior to the Final Map for the Condominium Project. Completion of conditions specific to the condominium development shall not delay recordation of the five-lot subdivision.

2. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.
3. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project.
4. **Hydrology Report.** The Owner shall submit a hydrology report justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event and that runoff discharge rates shall not exceed the estimated current rates and that runoff discharge rates shall not exceed the estimated current rates.
5. **Storm Drain Design Standards.** The Owner shall incorporate storm drain design recommendations in the drainage study prepared April 17, 1998 and revised March 15, 2004. The Engineered drainage study prepared by Penfield and Smith shall be reviewed and approved by the Building and Safety Division, and by the Public Works Department.
6. **Utility Undergrounding.** The Owner shall underground all utilities to the subject site and remove all non-transmission line utility poles.
7. **Land Development Agreement.** The Owner shall submit an executed Agreement for Land Development Improvements, prepared by Engineering Division staff, an Engineer's Estimate, signed and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
8. **Dedications.** Easements as shown on the approved Tentative Subdivision Map, subject to approval by the Public Works Department:
 - a. All street purposes along the proposed Salsipuedes Street extension in order to establish a 60-foot wide public right-of-way.
 - b. All street purposes along California Street in order to establish an additional one-foot wide public right-of-way to widen the sidewalk.
9. **Proof Easements Abandoned.** Show evidence that easements have been modified or abandoned as shown on the tentative map.
10. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way (easement).
11. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.

The following conditions apply only to the condominium project:

12. **New Public Street.** The Owner shall submit C-1 public improvement or building plans for construction of a new public road to public standards for that portion of land

extending north of the present end of Salsipuedes Street, between Micheltoarena and Arrellaga Streets. As determined by the Public Works Department, the improvements shall include construction of a 34-foot wide Right-of-Way, 20-foot wide paved width public road to City standards (widened where public parking is recommended by Transportation Planning and Operations), and the following: roadway shall be retrofitted if not satisfying traffic rated loading conditions; realignment and construction of 5 foot wide City standard sidewalk on project side of road only; 4 foot wide parkway strip with additional 2-foot clearance where on street parking occurs both sides of road; drought-tolerant parkway landscaping; street trees as approved by the City Arborist; driveway apron designed to meet Title 24 requirements; curbs; gutters; two-way access ramp; slurry seal entire width of road along entire subject property frontage; underground utilities; connection to City water main, City sewer main, and City storm drainage system; supply and install City residential standard dome street lights as required by the City Street Light Master Plan; install electrical pedestal meter to service street lights (one for every three new lights); provide directional/regulatory traffic control signs as directed by Public Works; storm drain stenciling; and provide adequate positive drainage from site. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist. The public improvement plans shall be prepared by a registered civil engineer or licensed architect and reviewed and signed by the City Engineer.

13. **Off-Site Public Micheltoarena Street Improvement Plans.** The Owner shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on Micheltoarena Street. The C-1 plans shall be submitted separately from plans submitted for a Building permit. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: 6-foot wide sidewalk and 6-foot wide parkway; drought-tolerant parkway landscaping; driveway apron modified to meet Title 24 requirements; curbs; gutters; two-way access ramp(s); slurry seal the entire width of the street along subject property frontage; underground service utilities; connection to City water and sewer mains; public drainage improvements with supporting hydrology report for drainage pipe, curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection (provide off-site storm water BMP plan), etc.), including removal of existing drain outlet at the northwest corner of Micheltoarena and California Streets; supply and install one residential dome standard street light(s), consistent with the City Street Light Master Plan, at the Corner of Micheltoarena and California Streets; coordinate with City staff to retire light standard on existing utility pole, preserve and/or reset survey monuments and contractor stamps, supply and install directional/regulatory traffic control signs, storm drain stenciling pollution prevention interceptor device, off-site biofilter/swale sized per drainage calculations, new street trees and tree grates as approved by the City Arborist; and provide adequate positive drainage from site. Existing private sewer laterals serving the property shall be repaired before new dwellings are occupied. Any existing sewer laterals identified to be abandoned, shall be disconnected at the sewer mainline connection. A licensed plumber shall verify if the

property requires a backwater valve. If existing lateral already has a backwater valve, then it shall be inspected. The building plans, drainage calculations, and hydrology report shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.

14. **Off-Site Public California Street Improvement Plans.** The Owner shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on California Street. The C-1 plans shall be submitted separately from plans submitted for a Building permit. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: 7-foot wide sidewalk and 5-foot wide parkway; drought-tolerant parkway landscaping; driveway apron modified to meet Title 24 requirements; remove and replace concrete curbs with sandstone curbs where sandstone curbs are prevalent and as recommended by the Architectural Board of Review; gutters; two-way access ramp(s); asphalt concrete; concrete pavement on aggregate base; slurry seal the entire width of the street along subject property frontage; underground service utilities; connection to City/private water and sewer mains; public drainage improvements with supporting hydrology report for drainage pipe, curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection, storm drain manhole (provide off-site storm water BMP plan), etc.); supply and install one residential dome standard street light(s), consistent with the City Street Light Master Plan, in the vicinity of the proposed new driveway; coordinate with City staff to retire light standard on existing utility pole, preserve and/or reset survey monuments and contractor stamps, supply and install directional/regulatory traffic control signs, storm drain stenciling pollution prevention interceptor device, off-site biofilter/swale sized per drainage calculations, new street trees and tree grates as approved by the City Arborist and provide adequate positive drainage from site. Existing private sewer lateral(s) serving the property shall be repaired before new dwelling(s) is occupied. Any existing sewer lateral(s) identified to be abandoned, shall be disconnected at the sewer mainline connection. A licensed plumber shall verify if the property requires a backwater valve. If existing lateral already has a backwater valve, then it shall be inspected. The building plans, drainage calculations, and hydrology report shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.

Condition for Five-Lot Final Map:

15. **Off-Site Public Grand Avenue Street Improvement Plans.** The Owner shall submit building plans for construction of improvements along the property frontage on Grand Avenue. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: 6-foot wide sidewalk and 4-foot wide parkway; drought-tolerant parkway landscaping; driveway aprons modified to meet Title 24 requirements; unused driveway aprons removed and replaced with appropriate curb, gutter and sidewalk; curbs; gutters; two-way access ramp(s); asphalt concrete; concrete pavement on aggregate base; slurry seal the entire width of the street along subject property frontage; underground service utilities;

connection to City water and sewer mains; public drainage improvements with supporting hydrology report for drainage pipe, curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection (provide off-site storm water BMP plan), etc.); preserve and/or reset survey monuments and contractor stamps; supply and install directional/regulatory traffic control signs and storm drain stenciling; pollution prevention interceptor device; off-site biofilter/swale sized per drainage calculations, new street trees and tree grates as approved by the City Arborist and provide adequate positive drainage from site. Existing private sewer lateral(s) serving the property shall be repaired before new dwelling(s) is occupied. Any existing sewer lateral(s) identified to be abandoned, shall be disconnected at the sewer mainline connection. A licensed plumber shall verify if the property requires a backwater valve. If existing lateral already has a backwater valve, then it shall be inspected. The building plans, drainage calculations, and hydrology report shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.

E. Public Works Requirements Prior to Building Permit Issuance. The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.

1. **Recordation of Final Maps and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department. Completion of conditions specific to the condominium development shall not delay recordation of the five-lot subdivision.
2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
3. **Storm Drain Operation and Maintenance Plan Required.** The Owner shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing filters, etc.) for the operation and use of the storm drain system. The Plan shall be approved by the Creeks Division, Building and Safety Division, and the Public Works Department.

F. Community Development Requirements Prior to Building or Public Works Permit Application/Issuance. The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:

1. **Project Environmental Coordinator Required.** Submit to the Planning Division a contract with a qualified representative for the Owner, approved by the Planning Division, to act as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the Mitigation Monitoring and Reporting Program (MMRP) to the City. The contract shall include the following, at a minimum:
 - a. The frequency and/or schedule of the monitoring of the mitigation measures.
 - b. A method for monitoring the mitigation measures.

- c. A list of reporting procedures, including the responsible party, and frequency.
- d. A list of other monitors to be hired, if applicable, and their qualifications.

The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in the MMRP, including the authority to stop work, if necessary, to achieve compliance with mitigation measures.

2. **Construction Site Monitor.** Construction contractors shall designate a monitor for the dust control program. The monitor's work schedule shall include holiday and weekend periods when work at the project site may not be in progress. The name and telephone number of such persons shall be provided to the Santa Barbara County APCD prior to the issuance of a grading permit. (AQ-1k)
3. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of demolition or construction activities, the contractor shall provide written notice to all property owners, businesses, and residents within 450 feet of the project area. Surrounding area homeowners associations shall also be notified, and notices describing planned development activities shall be posted at the access locations to the project site. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, required noise and air quality conditions applied to the project, the name and phone number of the Project Environmental Coordinator (PEC), Construction Site Monitor, and Contractors, site rules and Conditions of Approval pertaining to construction activities (including noise and air quality conditions, and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division. (N-1b)
4. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
5. **Solid Waste Management Plan.** A solid waste management plan identifying measures for reuse, source reduction, and recycling shall be developed for construction and operation of the project, and submitted to the City's Environmental Analyst and the County's Solid Waste Division for review and approval prior to building permit issuance. (PS-1) (SW-1a)
6. **Archaeological Monitoring Contract.** Submit to the Planning Division a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all ground disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance in the areas identified in the Phase 1 Archaeological Resources Report

prepared for this site by Larry Wilcoxon, dated 1992. The contract shall be subject to the review and approval of the Planning Division.

The archaeologist's monitoring contract shall include the following provisions: If cultural resources are encountered or suspected, work shall be halted or redirected by the archaeologist immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, preparation of further site studies and/or mitigation.

If the discovery consists of possible human remains, the Owner shall contact the Santa Barbara County Coroner immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. The Owner shall retain a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, the Owner shall retain a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization. (C-1 – C-4) (CUL-1a, CUL-1c, CUL-1d, and CUL-1e)

7. **Park Commission Tree Removal Approval.** Submit to the Planning Division verification of approval from the Park Commission for the removal of two (2) street trees with a trunk diameter greater than four (4) inches at a point twenty-four (24) inches above the ground.
8. **Arborist's Monitoring.** Submit to the Planning Division a contract with a qualified arborist for monitoring of all work subject to the approved Tree Preservation and Relocation Plan during construction. The contract shall include a schedule for the arborist's presence during demolition, grading, and construction activities, and is subject to the review and approval of the Planning Division.
9. **Earthwork, Foundation, and Structural Design.** The applicant shall implement all recommendations specified in the geology report prepared by URS (February 26, 2004). These recommendations include:
 - a. Foundation and earthwork elements of the final design documents (i.e., plans, specifications, and cost estimate) shall be based on a geotechnical investigation tailored to meet the specific requirements of this project. The investigation shall include a sufficient number of borings or other subsurface explorations to allow evaluation of the geotechnical conditions in the area of proposed construction.

The results of the investigation shall be presented in a report prepared under the supervision of a qualified geotechnical engineer.

- b. Due to the potential for groundwater seepage at higher elevations in the older alluvium, all below-grade earth-retaining walls shall be designed to resist hydrostatic pressure and to prevent infiltration of water into interior building spaces.
 - c. Seismic design of all proposed structures shall be in accordance with the currently adopted model building code or more restrictive recommendations made by the project structural engineer and agreed to by the City. Existing structures that will be incorporated into the proposed development shall be re-evaluated for compliance with current seismic design requirements.
 - d. All foundations shall be supported on firm native soil or approved, properly compacted fill material. For planning purposes, it is assumed that all structural fill will be compacted to at least 95% relative compaction per ASTM D1557.
 - e. Overexcavation will be required in areas where foundations or structural fill would otherwise be supported on existing unengineered fill or soft/loose native soil. The actual depth of overexcavation will depend on building locations, pad elevations, and foundation depths. However, for planning purposes, average overexcavation depths of five feet and two feet may be assumed in areas of unengineered fill or soft/loose native soil, respectively.
 - f. Existing fill consisting of nonexpansive granular soil should be usable for structural fill if cleaned of deleterious material and properly recompacted.
 - g. All site grading activities related to structures or pavement, in addition to the compaction of all fill material, shall be observed and tested by a representative of the geotechnical engineer of record for the project. (G-1) (GEO-1a)
10. **Soils Report.** Submit to the Building and Safety Division a soils report.
11. **Building Demolition Hazardous Materials Management.** The applicant shall conduct a comprehensive survey of buildings to be demolished for hazardous materials, including sampling and analytical testing of all suspect lead and asbestos-containing materials, and materials that may contain mercury and PCBs. A plan shall identify measures for materials handling to minimize exposure to workers, the public, or environment, and proper disposal/recycling recommendations. Certified removal contractor(s) shall prepare a work plan for the removal of all identified hazardous materials prior to the issuance of a demolition permit for City approval. At minimum, the plan shall address the following hazardous material management elements:
- a. Identification of suspect materials.
 - b. Survey and assessment of the existing buildings.
 - c. Scope of work development for hazardous material removal.

- d. Hazardous material removal and disposal.
 - e. Quality control.
 - f. Post Remediation Sampling and Assessment. (*H-1*) (HAZ-1a)
12. **Hazardous Material Removal Certification.** Prior to the issuance of a demolition permit for the proposed project, the project applicant/contractor shall provide to the Planning Department a certification indicating that surveys of the buildings to be demolished have been conducted by appropriately licensed personnel to detect the presence of asbestos, lead-based paint, mercury and PCBs. It shall also be certified that all identified asbestos, lead-based paint, mercury and PCB materials have been removed from the project site in accordance with applicable local, state, and federal regulations. The certification shall identify the contractor(s) that conducted the surveys and material removal work, the transporter that removed the materials from the site, and the recycling/disposal facilities that accepted the waste material. (HAZ-1b)
13. **Potential Lead-based Paint Contamination.** If areas with concentration of lead paint or dust that exceed applicable threshold standards are identified in any on-site building, soil adjacent to the building(s) shall be tested for the presence of lead. The location and number of samples shall be determined by the Santa Barbara County Fire Department – Protection Services Division. If necessary, lead-related soil contamination shall be remediated to the satisfaction of the Protection Services Division prior to the issuance of a demolition permit for the proposed project. (HAZ-1c)
14. **Hazardous Materials Safety.** Measures to protect workers and neighbors, contain exposure, provide for proper disposal, and remediate from any hazardous material contamination shall be implemented in accordance with local, state, and federal regulations. (HAZ-1d)
15. **Soil Remediation.** Adherence to the URS Remediation Work plan for Diesel Contaminated Soil dated April 20, 2004 as conditioned by direction and requirements provided by the County Fire Department, Protection Services Division, relating to remediation activities for the underground tanks shall occur prior to new residential construction on the property. Additional Fire Department conditions include:
- a. Following removal of the USTs and appurtenant facilities, verification soil samples shall be collected, at a minimum, below the former UST locations (two samples/tank), below each dispenser, and below all pipeline joints and at any location where stained soil or petroleum odors are observed. The report containing the results of the remediation and verification work shall be submitted to the County Fire Department, Protection Services Division, within 60 days after the completion of site work.
 - b. Following removal of contaminated soil, a workplan shall be submitted to the County Fire Department, Protection Services Division, for a minimum of one boring to be placed at the location of the formerly contaminated area to document that groundwater is greater than 50 feet below the contaminate soils.

If water is encountered within 50 vertical feet of the former contamination, a workplan shall be submitted to the County Fire Department with recommendations to determine the local groundwater gradient and to verify the absence of UST related groundwater contamination at the site. The workplan shall be submitted to the County Fire Department no later than 30 days after completion of soil removal activities.

- c. UST removal permits shall be obtained from the County Fire Department, Protection Services Division, prior to initiation of site work. Notify the County Fire Department at least 72 hours prior to any beginning site work. (H-2) (HAZ-2a)
16. **Bus Stop Improvement Bond.** Prior to the occupancy of the proposed project, the project applicant shall submit to the City of Santa Barbara Public Works Department Transportation Division, Public Improvement securities in an amount sufficient to provide bus stop improvements and as outlined in a separate Cost Estimate Summary (including but not limited to shelters, benches, trash receptacles, and required road improvements) submitted to Public Works staff for both sides of Salsipuedes Street. The amount of the securities shall be reviewed and approved by the City and MTD. After providing the securities to the City, if it has been determined within a one-year period that bus stop improvements adjacent to the project site are not warranted, the securities shall be released. (TRF-6a)
17. **General Construction Activity Permit.** In addition to the Erosion/Sedimentation Control Plan required under Condition G.54 below, prior to the issuance of a demolition, grading, or building permit for the proposed project, the applicant or project developer shall comply with the requirements of the State General Permit for Storm Water Discharges Associated with Construction Activity. Compliance shall include providing the City with a copy of the Notice of Intent to obtain coverage under the NPDES Construction General Permit, and a copy of the subsequent Waste Discharge Identification Number issued by the RWQCB. Compliance with the General Permit also requires the preparation of a SWPPP that identifies how potential water quality impacts associated with demolition, grading, and construction operations will be minimized and controlled. A copy of the SWPPP shall be kept at the project site and be available for City review. (WQ-1a)
18. **Recorded Affordability Covenant.** Submit to the Planning Division a copy of an affordability control covenant that has been approved as to form and content by the City Attorney and Community Development Director, and recorded in the Office of the County Recorder, which includes price restrictions as specified in Section B.5. above.
19. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment that states that, prior to disturbing any part of the project site for any reason, except for hazardous materials and underground storage tank removal, and after the Building permit has been issued, the General Contractor shall schedule a conference to review site conditions, construction schedule,

construction conditions, archaeological procedures, and environmental monitoring requirements. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, the assigned Building Inspector, the Planning Division, the Property Owner, the Archaeologist, the Architect, the Arborist, the Landscape Architect, ~~the Biologist, the Geologist,~~ the Project Engineer, the Project Environmental Coordinator, the Contractor and each subcontractor. (C-3)

20. **Final Planning Commission Resolution Submittal.** The final Planning Commission Resolution shall be submitted, indicating how each condition is met with drawing sheet and/or note references to verify condition compliance. If the condition relates to a document submittal, describe the status of the submittal (e.g., Final Map submitted to Public Works Department for review), and attach documents as appropriate.

G. Building Permit Plan Requirements. The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape, and tree protection elements, as approved by the ~~(Architectural Board of Review)~~ ~~_(Historic Landmarks Commission)~~, outlined in Section C above.
2. **Pre-Construction Conference.** Prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, archaeological procedures, arborist monitoring, and other environmental monitoring requirements, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Building Division, Planning Division, the Property Owner Archaeologist, Architect, Arborist, Landscape Architect, ~~Biologist, Geologist,~~ Project Engineer, Project Environmental Coordinator, Mitigation Monitors, Contractor and each Subcontractor. (CUL-1b)
3. **Mitigation Monitoring and Reporting Requirement.** Note on the plans that the Owner shall implement the Mitigation Monitoring and Reporting Program (MMRP) for the project's mitigation measures, as stated in the Environmental Impact Report for the project.
4. **Erosion Control Plan.** The applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the *Procedures for the Control of Runoff into Storm Drains and Watercourses* and the Building and Safety Division *Erosion/Sedimentation Control Policy* (2003). The erosion control plan shall specify how the required water quality protection procedures are to be designed, implemented, and maintained over the duration of the development project. A copy of the erosion control plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site. At a minimum, the Plan shall include the following elements:
 - a. Minimize the area of bare soil exposed at one time (phased grading) and schedule grading to occur during the dry season.

- b. Install silt fences, sand bags, waddles, silt devices or other BMPs where necessary around the project site to prevent offsite transport of sediment.
- c. Bare soils shall be protected from erosion by applying heavy seeding, within five days of clearing or inactivity in construction.
- d. Construction entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- e. Establish fuel and vehicle maintenance staging areas located away from all drainage courses, and design these areas to control runoff.
- f. Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents should not be discharged into sanitary or storm sewer systems. Washout from concrete trucks should be disposed of at a location not subject to runoff and more than 50 feet away from a storm drain, open ditch or surface water.
- g. Storm drain inlets shall be protected from sediment-laden waters by use of inlet protection devices such as gravel bag barriers, filter fabric fences or other approved materials and/or systems. Sediment control measures shall be maintained for the duration of the project development period and until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
- h. Construction entrances and exits shall be stabilized using gravel beds, rumble plates, or other suitable measures to prevent sediment from being tracked onto adjacent roadways. Any sediment or other materials tracked off site shall be removed the same day using dry cleaning methods.
- i. At minimum, the erosion control plan prepared for the proposed project shall address the design, implementation, installation, and maintenance of each of the following water resource protection strategies:
 - De-Watering Operations
 - De-silting Basins
 - Potable Water Irrigation
 - Paving and Grinding
 - Sandbag Barriers
 - Spill Prevention/Control
 - Solid Waste Management
 - Storm Drain Inlet Protection
 - Stabilize Site Entrances and Exits
 - Illicit Connections and Illegal Discharges
 - Water Conservation
 - Stockpile Management
 - Liquid Wastes
 - Street Sweeping and Vacuuming

- Concrete Waste Management
 - Sanitary/Septic Waste Management
 - Vehicle and Equipment Maintenance
 - Vehicle and Equipment Cleaning
 - Vehicle and Equipment Fueling (*W-I*) (WQ-1b)
5. **Prepare a Structural Crack Survey and Video Reconnaissance.** Prior to the issuance of demolition permits, the applicant or its designee shall prepare a structural crack survey and video reconnaissance of neighboring structures whose occupants wish to participate in the survey. The purpose of the survey shall be to document the existing condition of neighboring structures within 100 feet of the project site property line and more than 20 years old. After each major phase of project development (demolition, grading and construction), a follow-up structural crack survey and video reconnaissance of neighboring structures within 100 feet of the project site shall be conducted to determine whether any new cracks or other structural damage consistent with project-related vibrations have occurred. The City and project applicant shall review the results of both pre- and post-construction surveys to determine whether any new structural damage resulted from project-related construction activities. The project applicant shall be responsible for the cost of repairing damage to structures within 100 feet of the project site resulting from project-related construction activities. (N2-a)
6. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that uses the existing natural drainage patterns and leads towards improvement of the quality and/or rate of water run-off conditions from the site. The Owner shall install bioswales, catch basins, storm drainage interceptors or clarifiers on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and minimize storm water pollutants of concern from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed interceptors or clarifiers shall be reviewed and approved by the Public Works Department and the Building and Safety Division. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition I.B.12, above, which shall include the regular sweeping and/or vacuuming of parking areas where interceptors and clarifiers are located and a catch basin cleaning program.
7. **Technical Reports.** All recommendations of the technical reports, as approved by the Building and Safety Division, shall be incorporated into the construction plans.
8. **Fire Sprinkler System.** A fire sprinkler system shall be provided, as required by the Fire and Building Codes.
9. **Fire Alarm System.** A fire alarm system shall be provided pursuant to City requirements.
- ~~10. **High Fire Hazard Construction.** High fire hazard construction requirements shall be met.~~
101. **Emergency Evacuation Plan.** Provide an emergency evacuation plan subject to approval by the Fire Department.

- 1~~12~~. **Green Building Techniques.** Owner shall design project to strive to meet Santa Barbara County Built Green Two-Star Standards.
- 1~~23~~. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers shall be provided on the Real Property and screened from view from surrounding properties and the street. Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.
- 1~~34~~. **Commercial Dumpsters.** Commercial dumpsters shall be provided, including an equal area for recycling containers. Dumpsters shall not be placed within five feet (5') of combustible walls, openings or combustible roof eaves lines unless sprinkler coverage is provided.
- 1~~45~~. **Project Directory.** A project directory, (including map and parking directional signs) listing all units on-site shall be indicated on the project plans. This directory shall be placed in a location or locations approved by the Fire Department, shall meet current accessibility requirements, and is subject to Sign Committee Approval.
- 1~~56~~. **Private Road/Driveway Improvements.** The proposed private road/driveway shall be constructed to the standards provided in the Subdivision Design and Improvement Standards or the Zoning Ordinance Standard (§28.90.001), as appropriate, and as approved by the Public Works Director or the Chief Building Official, as appropriate.
- 1~~67~~. **Tandem Parking Space Assignment.** The proposed parking plan for the Workforce Housing project shall be revised to indicate that each pair of proposed tandem parking spaces are to be assigned to the same residential unit. (TRF-2a)
- 1~~78~~. **Bicycle Parking Spaces.** The site plan for the proposed project shall be revised to provide secure bicycle parking facilities for at least 33 bicycles. If feasible, enclosed (i.e., bike locker) facilities shall be provided. The required bicycle parking facilities shall be distributed throughout the project site. (TRF-3a)
- 1~~89~~. **Sandstone Curb Recycling.** Any existing sandstone curb in the public right-of-way that is removed and not reused shall be salvaged and sent to the City Corporation Annex Yard.
- 1~~920~~. **Storm Drain Markings.** Stenciled information shall be printed on all curb storm drains warning of the direct connection to the creek and ocean. (W-2) (WQ-2a)
- 2~~01~~. **Site Runoff.** All project runoff waters from areas such as the access roads, roofs, or driveways shall be captured on-site and conducted, via the proposed permanent erosion control systems, to prevent increased site runoff. (W-3) (WQ-2b)
- 2~~12~~. **Pedestrian and ADA Circulation.** The internal circulation of the project shall be revised to provide at least one access connection between the northern and southern portions of the project site to the extent required by California Title 24 Accessibility standards. (TRF-5a)

- 223. **Utilities.** Provide individual water meter, electric meter, gas meter, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point at least five feet (5') outside the building foundation.
- 234. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, subject to the approval of the Water Resources Management Staff.
- 245. **Project Site Perimeter Barrier.** To minimize construction noise exposures resulting from prolonged demolition, grading and construction activities at the project site, a temporary solid fence or similar barrier constructed of material approved by the City shall be provided along the project site property line at the following locations when demolition, grading and exterior construction operations are occurring:
 - a. Micheltorena Street Between California and Salsipuedes Streets.
 - b. California Street between Micheltorena Street and the northernmost boundary between project Development Areas 1 and 4.
 - c. Arrellaga Street between Salsipuedes Street and the driveway onto the project site at the terminus of Arrellaga Street.

The noise barrier shall be designed by a licensed engineer and shall be at least eight feet in height. The noise barrier requires the issuance of a building permit. All gates in the barrier shall be provided with approved sound blocking or absorbing material. (N-1c)

- 256. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform. (AQ-1m)

Signed:

		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- H. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field for the duration of the project construction.

1. **Hazardous Materials Safety.** Measures to protect workers and neighbors, contain exposure, provide for proper disposal, and remediate from any hazardous material contamination shall be implemented in accordance with State regulations. (*H-4*)
2. **Construction Notification to Neighbors.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notification to property owners and residents within 450 feet of the project area, to surrounding area homeowners associations, and posted at the access to construction site. The notice shall provide a construction schedule, required noise and dust control conditions applied to the project, and the name and telephone number of the Project Environmental Coordinator and Construction Site Monitor who can address questions and problems that may arise during construction. (*N-2*) (AQ-1k)
3. **Construction Dust Complaints.** The site development contractor shall provide a phone line that can be used by project area residents to register dust-related complaints at the project site. The phone line shall be answered between the hours of 8 a.m. and 5 p.m., and recorded by an answering machine at other times. The phone number and an explanation of what the phone number is for shall be posted at construction site entrances located on Arrellaga, Salsipuedes, Micheltorena, and California Streets. The phone number of the Santa Barbara APCD shall also be posted. The contractor shall be responsible for implementing feasible dust control measures in a timely manner in response to complaints that are received. A log shall be kept at the project site to document complaints that are received and actions implemented in response to individual complaints. A construction team member/responsible party shall return all complaint phone calls within one business day. (AQ-1l)
4. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose. All construction/demolition waste generated by the Workforce Housing project shall be salvaged for reuse or be transported to an appropriate off-site recycling facility. Indicate on the plans the location of 40 yd. rolloff container for collection of demolition/construction materials. (SW-1b)
5. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
6. **Construction Related Traffic Routes.** Truck traffic related to the construction and related traffic controls will be limited to the routes specified by the City of Santa Barbara and agreed upon during the contractor's detailed noise mitigation plan. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods. Temporary traffic control measures, such as but not limited to appropriate signage, flag-persons, barriers, etc shall also used to minimize construction-related traffic conflicts. Truck traffic through residential neighborhoods

shall be as limited as possible, subject to approval by the Public Works Director. (*N-5d & T-1*) (N-1n & TRF-7a)

7. **Construction Equipment Air Quality Controls.** The following measures shall be carried out to reduce diesel particulate and ozone precursor emissions:
 - a. **Diesel Engines.** Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated “clean” diesel engines) shall be utilized to the maximum extent feasible. (AQ-2a)
 - b. **Engine Size.** The engine size of construction equipment shall be the minimum practical size. (AQ-2b)
 - c. **Equipment Use Management.** The number of pieces 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. (AQ-2c)
 - d. **Equipment Maintenance.** Construction equipment shall be properly maintained per the manufacturer’s specifications. (AQ-2d)
 - e. **Engine Timing.** Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. (AQ-2e)
 - f. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment. (AQ-2f)
 - g. **Diesel Emission Reduction.** Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by the EPA or California shall be installed, if available. (AQ-2g)
 - h. **Diesel Equipment Replacement.** Diesel powered equipment shall be replaced by electric equipment whenever feasible. (AQ-2h)
 - i. **Minimize Employee Trips.** Construction worker trips shall be minimized by requiring carpooling and by providing for lunch opportunities on-site. (AQ-2i)
 - j. **Low VOC Coatings.** Low volatile organic compound (VOC) architectural coatings shall be used whenever feasible. (AQ-2j)
 - k. **Low Sulfur Fuel.** All diesel-powered equipment shall use ultra-low sulfur diesel fuel when available. (AQ-2k)
 - l. **Bio-diesel.** To the extent feasible, diesel-powered construction equipment and vehicles used on site shall be fueled using bio-diesel fuels. (AQ-2l)
8. **Haul Routes.** The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Public Works Director.
9. **On-Site Vehicle Speed Control.** On-site vehicle speeds shall be limited to 15 miles per hour or less. (AQ-1d)

10. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1 st *
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th *
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25 th *

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number. (N-1 & N-5b) (N-1a)

11. **Construction Activity Scheduling.** Demolition, grading and construction activities in each proposed project site development areas shall be scheduled to minimize the occurrence of simultaneous construction operations that have the potential to result in excessive noise generation. For example, concrete breaking demolition activities should not occur in more than one development area at a time. (N-11)
12. **Minimize Equipment Use.** Equipment use for demolition, grading and construction activities shall be minimized, and the simultaneous operation of equipment within a proposed project development area shall be limited to the extent possible. (N-1m)
13. **Delivery and Storage of Materials and Equipment.** All deliveries of material and equipment will occur on-site within the gates located within the construction barricades and only during the hours specified by the City on weekdays, unless otherwise authorized under Condition H.10 above. The queuing of construction vehicles outside the site specified hours will be strictly prohibited. Vehicles delivering materials and equipment to the site shall be operated in strict conformance with regulations established by the United States Department of Transportation and all State and Local requirements. The vehicles shall all utilize mufflers and other devices to minimize noise levels. All materials and equipment will be stored on-site and within the confines of the construction barricades, unless otherwise authorized. (N-5c)

14. **Construction Equipment Mufflers and Shields.** All construction equipment used on the site, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. Sound control devices and techniques, such as noise shields and blankets, shall be employed as needed to reduce the level of noise to surrounding residents. (N-3) (N-1d)
15. **Construction Staging Areas.** Only designated and City-approved construction equipment and material staging areas shall be used. All staging areas shall be located a minimum of 50 feet from the perimeter of the project site. (N-4) (N-1e)
16. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction equipment shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. If parking is provided off-site, a shuttle service between the parking area and the project site shall be provided.
 - b. Storage or staging of construction materials and equipment within the public right-of-way is prohibited except within the extension of Salsipuedes Street, unless otherwise authorized. (TRF-4a)
17. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving, or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. At a minimum, this shall include wetting down disturbed areas in the late morning and after work is completed for the day. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph. Increased watering frequency shall be required whenever necessary to prevent visible dust emissions from leaving the project site. Disturbed areas must also be kept moist during weekends and days when no construction activities are occurring. (AQ-1a & 1b)
18. **Stockpiled Material.** Stockpiles of soil and demolition material shall be located as far from the perimeter of the projects site as possible. Stockpiles shall be kept covered, moist, or treated with soil binders to prevent dust emissions from leaving the project site. (AQ-1c)
19. **Dust Emissions From Loading.** Stockpiled soil and demolition material shall be sprayed with water prior to and during loading into transport vehicles or containers.

The amount of water applied shall be sufficient to prevent visible dust emissions from leaving the project site. (AQ-1e)

20. **Wind Erosion Control.** After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind erosion of soil. This may be accomplished by:
 - a. Seeding and watering until grass cover is grown;
 - b. Spreading soil binders;
 - c. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
 - d. Other methods approved in advance by the Air Pollution Control District. (AQ-1i)
21. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin. (AQ-1f)
22. **Construction Noise and Vibration Complaints.** The site development contractor shall provide a phone line that can be used by project area residents to register complaints about noise and vibration at the project site. The phone line shall be answered between the hours of 8 a.m and 5 p.m., Monday through Friday, and recorded by an answering machine at other times. The phone number and an explanation of what the phone number is for shall be posted at construction site entrances located on Arrellaga, Salsipuedes, Micheltoarena and California Streets. The contractor shall be responsible for implementing feasible noise and vibration control measures in a timely manner in response to complaints that are received. A log shall be kept at the project site to document complaints that are received and actions implemented in response to individual complaints. (N-5a) (N-1f)
23. **Noise Complaint Resolution.** In response to verified complaints regarding excessive construction-related noise, the City may require the applicant/project developer to implement a noise monitoring program. The noise monitoring program shall be designed and conducted to ensure that feasible and appropriate noise reduction and control measures are identified and implemented so that construction-related noise levels at sensitive receptors (residences) adjacent to the project site do not exceed the following levels.
 - a. Noise exceeding 70 dBA shall not occur for than five minutes at a time, nor for more than 15 minutes per hour.
 - b. Noise exceeding 75 dBA shall not occur for more than one minute at a time, nor for more than five minutes per hour.
 - c. Noise exceeding 85 dBA shall not occur for more than 1 minute per hour.

The results of all required noise monitoring, along with a description of actions implemented to conform with the above noise standards, shall be provided to the City

Planning Department. Noise monitoring at receptor locations may be required until it has been demonstrated to the satisfaction of the Planning Department that effective noise abatement and control measures have been implemented and the noise standards described above have been achieved. (N-1g)

24. **Delivery and Storage of Materials and Equipment.** All deliveries of material and equipment will occur on-site within the construction site barricades and only on weekdays during the hours specified by the City. Construction vehicles shall not be allowed to queue outside the project site before the specified hours. Vehicles delivering materials and equipment to the site shall be operated in strict conformance with regulations established by the United States Department of Transportation and all State and Local requirements. The vehicles shall all use mufflers and other devices to minimize noise levels. All materials and equipment shall be stored on-site and within the confines of the construction barricades. (N-5c) (N-1h)
25. **No Worker Access to the Neighborhood.** All workers will be required to park on-site (i.e. behind the construction barricades or in designated off-site parking areas that are outside of the entire residential area surrounding the site. Workers will also be required to remain in designated on-site areas during all breaks and workers will not be permitted to gather off-site during the course of proposed demolition and construction. (N-5e)
26. **Radios and Alarms.** No radios, music playback equipment, musical instruments, or automobile or truck alarms shall be permitted on the project site. (N-5f) (N-1i)
27. **Vehicle Noise.** Except as otherwise required by law for backing up or emergencies, all vehicle horns shall remain silent. (N-5g) (N-1o)
28. **Limitations on Catering Trucks.** Catering trucks providing service to workers at the site will be required to park within the site at all times. Catering trucks shall not be permitted to park on the street nor to sound their horns near or within the site. (N-5h) (N-1j)
29. **Loitering.** Loitering of any kind will not be permitted at any gate, on the jobsite or any street, whether before, during or after work hours, on weekdays or on weekends. (N-5i)
30. **Limited Site Access.** Access to the site shall be limited to areas approved by the City of Santa Barbara. The gate(s) shall incorporate the same method of noise shielding as the required site perimeter barriers and shall be kept closed except for vehicle passage. (N-5j) (N-1p)
31. **Portable/Stationary Equipment.** When portable or stationary equipment, such as but not limited to generators, air compressors and wood sawing stations are required on the project site, the equipment shall be located as far from the project boundaries as possible. If it is necessary to locate portable/stationary equipment within 200 feet of the project perimeter, methods to provide noise shielding for that equipment shall be implemented. This may include but is not limited to: providing a three or four sided enclosure which is lined with a sound absorbing material between the equipment and

- the property line, or locating the equipment so that noise shielding is provided by existing or new structures located on the project site. (*N-5k*) (*N-1k*)
32. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible to minimize areas exposed to wind erosion. Additionally, building pads shall be installed as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector. (*AQ-1j*)
 33. **Gravel Pads.** Gravel pads shall be installed at all vehicle access points to the project site to minimize tracking of dirt or mud onto public roads. (*AQ-1g*)
 34. **Street Sweeping.** Arrellaga, Micheltorena, Salsipuedes, and California Streets shall be inspected daily throughout the project development period to determine if there are project-related accumulations of mud, dirt or silt on the roads. Affected road segments shall be cleaned of such mud, dirt, or silt by the use of a street sweeper or watering truck. (*AQ-1h*)
 35. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division and the Regional Water Quality Control Board (California Storm Water Best Management Practices Handbooks).
 36. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractors and Project Environmental Coordinator's (PEC) name, contractors and PEC's telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
 37. **Tree Protection.** All trees not indicated for removal on the site plan shall be preserved, protected and maintained, in accordance with the Tree Protection Plan and any related Conditions of Approval.
 38. **Tree Protection.** Notes on the grading plan that specify the following:
 - a. No grading shall occur under the driplines of the existing tree(s).
 - b. A qualified Arborist shall be present during any excavation adjacent to or beneath the dripline of the tree(s) which (is) (are) required to be protected.
 - c. All excavation within the dripline of the tree(s) shall be done with hand tools.
 - d. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.
 - e. No heavy equipment, storage of materials or parking shall take place under the dripline of the tree(s).
 - f. Any root pruning and trimming shall be done under the direction of a qualified Arborist.

39. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

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

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility undergrounding and installation of street trees.
3. **Fire Hydrant Replacement.** Replace existing nonconforming type fire hydrant(s) with commercial-type hydrant(s) described in Standard Detail 6-003.1 Paragraph 2 of the Public Works Department Standard Details.
4. **Backwater Valve and Backflow Devices.** Provide approved backwater valves and backflow devices placed on the property side of consumer's service pursuant to Santa Barbara Municipal Code Section 14.20.120.
5. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.

~~6. **Noise Measurements.** Submit a final report from a licensed acoustical engineer, verifying that interior and exterior living area noise levels are within acceptable levels as specified in the Noise Element. In the event the noise is not mitigated to acceptable levels, additional mitigation measures shall be recommended by the noise specialist and implemented subject to the review and approval of the Building and Safety Division and the Architectural Board of Review (ABR).~~

7.6. **Existing Street Trees.** Submit a letter from a qualified arborist, verifying that the existing street tree(s) have been properly pruned and trimmed.

8.7. **Ownership Affordability Provisions Approval.** For all dwelling units subject to affordability conditions obtain from the Community Development Director, or Director's designee in the City's Housing Programs Division, written approval of the following: (a) the Marketing Plan as required by the City's Affordable Housing Policies and Procedures; (b) the initial sales prices and terms of sale (including financing); (c) the eligibility of the initial residents; and (d) the recorded affordability control covenants signed by the initial purchasers which assure continued compliance with the affordability conditions.

9.8. **Archaeological Monitoring Report.** A final report on the results of the archaeological monitoring shall be submitted to the Planning Division within 180 days of completion of the monitoring or prior to the issuance of the Final Inspection, whichever is earlier. (CUL-1f)

10. **Tree Preservation Monitoring Contract.** As required under Condition I.C.4.d above, evidence of a contract with a qualified arborist shall be submitted for annual review and reporting of the status of the preserved and relocated trees on-site, consistent with the Tree Preservation and Relocation Plan. If any such trees die within the first five years of occupancy, they shall be replaced as outlined in said Plan. (BIO-1b)
11. **Mitigation Monitoring Report.** Submit a final construction report for mitigation monitoring.

J. Litigation Indemnification Agreement. In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors (“City’s Agents”) from any third party legal challenge to the City Council’s denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively “Claims”). Applicant/Owner further agrees to indemnify and hold harmless the City and the City’s Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City’s sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City’s Agents from independently defending any Claim. If the City or the City’s Agents decide to independently defend a Claim, the City and the City’s Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:

The Planning Commission's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110 or the provisions of the California Subdivision Map Act.