Agenda Item B.1
PUBLIC HEARING
Meeting Date: April 28, 2025

TO: Planning Commissioners

SUBMITTED BY: Peter Imhof, Planning and Environmental Review Director

PREPARED BY: Lisa Prasse, Current Planning Manager
Brian Hiefield, Associate Planner

SUBJECT: Sywest Industrial Building and Final Environmental Impact Report located at 907 S. Kellogg Avenue; APN 170-190-035; Case No. 17-121-DP

RECOMMENDATION:

1. Adopt Resolution 25-____ entitled "A Resolution of the Planning Commission of the City Of Goleta, California, recommending that the City Council of the City of Goleta, California: 1) Adopt environmental findings pursuant to the California Environmental Quality Act, 2) Certify the Sywest Industrial Building Project Environmental Impact Report (Sch #2023040690), 3) Adopt the Mitigation Monitoring And Reporting Program, and 4) Adopt a Statement of Overriding Consideration for Alternative 2: 100-foot Streamside Protection Area Setback at 907 S. Kellogg Avenue, Goleta; APN 170-190-035; Case No. 17-121-DP"

2. Adopt Resolution 25-___ entitled "A Resolution of the Planning Commission of the City Of Goleta, California, recommending that the City Council of the City of Goleta, California, approve the Alternative 2: 100-foot Streamside Protection Area Setback Development Plan for the Sywest Industrial Warehouse Building Project and deny the Original Project At 907 S. Kellogg Avenue, Goleta; APN 170-190-035; Case No. 17-121-DP"

APPLICANT

Bill Vierra and Robert Atkinson
Sywest Development and Goleta Gardens LLC,
a California limited liability company, by: Syufy
Properties, Inc., a California corporation
150 Pelican Way San Rafael CA 94901

JURISDICTION

The City is the lead agency for the project under CEQA, and the City Council will be the decisionmaker for the entirety of the Project. The Planning Commission's role is as a recommending body regarding the adequacy of the environmental analysis contained within the Final EIR, the proposed Statement of Overriding Consideration and the merits of the Project. As the matter will automatically be reviewed by the City Council, an appeal process is not applicable.

BACKGROUND:

Location and Applicable Regulations

The 11.77-acre project site is located at 907 South Kellogg Avenue (Assessor's Parcel Number 071-190-035) in Goleta, California. The project site was historically used as a drive-in movie theater. In addition, a public market was previously hosted on Sundays on the project site. Operations of the public market and drive-in theater ceased in September 2022.

In accordance with Section 17.01.040(E)(4) of the Goleta Municipal Code (GMC), the applicant and the City of Goleta (City) entered into a Development Agreement on May 18, 2021 (which was ratified by the Coastal Commission on April 6, 2022). On September 17, 2024, the City Council approved an extension of the Development Agreement to December 31, 2025. The Development Agreement permits the continued use of prior zoning standards until either the date when the City obtains a certified Local Coastal Program or December 31, 2025, whichever occurs earlier.

Under the Development Agreement, the project is subject to the requirements of the previous Zoning Code (Article II, Coastal Zoning Code) and City regulations/procedures that were in place prior to the adoption of Title 17 rather than the City's current Zoning Code. For this reason, the Design Review process and height methodology that were in effect prior to the adoption of Title 17 also apply. Under the applicable height methodology, the height of the building is measured from the finished grade[1] rather than the existing grade prior to the start of development. As part of the Development Agreement, the applicant has granted a license agreement to the City, allowing the City maintenance access across the project site to San Jose Creek, which the City may sublicense to the Santa Barbara County Flood Control District.

Although the previous Zoning Code does not include specific development standards related to Streamside Protection Area (SPA) buffers, General Plan Conservation Element Policy CE 2-2, *Stream Protection Areas,* which requires a 100-foot buffer to San Jose Creek, is still applicable to the proposed project. Policy CE 2-2 specifies that the City can approve a reduction in the SPA buffer (to no less than 25 feet) based on a site-specific assessment if: 1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and 2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.

[1] The finish grade indicates the final surface elevation of sidewalks, lawns, driveways, or other improved surfaces after completion of construction or grading operations.

The project site has a General Plan/Coastal Land Use Plan designation of Service/Industrial (I-S) and, prior to adoption of Title 17 (Zoning Code) in April 2020, the site was zoned Light Industry (M-1) and Service Industrial-Goleta (M-S-GOL) (Article II, Coastal Zoning Code).[2] Specifically, the southern two-thirds of the site is zoned M-1 and the northern third of the site is zoned M-S-GOL.

Project Objectives

The primary objectives for the proposed project are as follows:

- To develop a project with long-term viability through design by providing sufficient square footage with flexibility of interior size and arrangement for up to 4 tenant spaces with 6 loading docks.
- To develop a project with sufficient height (up to the 35-foot maximum) to accommodate a variety of potential tenant needs that are consistent with the General Plan/Coastal Land Use Plan designation of Service/Industrial and zoning designation of Light Industry (M-1) and Service Industrial-Goleta (M-S-GOL).
- Attract local employment opportunities in the industrial sector and generate new property tax revenue for the City.
- Optimize economically beneficial reuse of a previously developed, disturbed, and underutilized site within the City with existing infrastructure and access on a site that has significant land use limitations, including airport, hydrologic, and flooding constraints, that limit compatible uses on the site.
- Provide a permanent critical access easement to the flood channel for the City of Goleta and the Santa Barbara County Flood Control District.

On February 28, 2023, the Design Review Board (DRB) reviewed photo simulations, supporting site plans, and elevations for the project. The project completed *Conceptual* review to the DRB's satisfaction, with comments regarding the use of landscaping and building design and color to reduce visual impacts from SR 217, neighborhood compatibility, driveway sight distance, using landscaped areas in the stormwater retention design, and tree selection. Alternative 2: 100-foot SPA buffer, as discussed below, further addresses these issues due to its larger setback and additional room for landscaping and/or habitat restoration. After Council action, if the Project is approved, the design and other architecturally related components will return to DRB for Preliminary and Final reviews.

Given the nature of the project, an environmental impact report (EIR) has been prepared, which analyzes the anticipated impacts that could result from the project. The Draft EIR was circulated for a 45-day public review period from October 10, 2024 through November 25, 2024, and identified significant and unavoidable impacts in several issue areas, namely, aesthetics, biological resources, land use and planning, and utilities and service systems. The Draft EIR analyzed three alternatives, including Alternative 2: 100-foot SPA buffer, which reduced the Class 1 significant and unavoidable biological resources impact identified in the EIR to less than significant.

[2] While the current zoning on the site is Service Industrial, under the Development Agreement the project is subject to the requirements of the previous Zoning Code (Article II, Coastal Zoning Code).

Native American Consultation

On April 25, 2018, the City of Goleta sent AB 52 consultation request letters to local Native American contacts identified by the Native American Heritage Commission (NAHC). The letters were sent shortly after the project application was deemed complete in accordance with Government Code Section 65352. Native American tribes that were sent consultation letters include the Santa Ynez Band of Chumash Indians, the Barbareño/Ventureño Band of Mission Indians, and the Coastal Band of the Chumash Nation. The City did not receive any requests for Native American consultation in 2018.

In response to the Notice of Preparation released for the Project, the Santa Ynez Band of Chumash Indians requested consultation on May 18, 2023, five years after the formal consultation request was sent by the City. City of Goleta staff met with the Santa Ynez Band of Chumash Indians on July 24, 2023 to discuss the project, although this meeting was not required under AB 52 and does not constitute formal consultation. Additional information on the requirements of tribal consultation as it relates to the project is included in the Sywest Final EIR, Section 4.14.2, *Regulatory Setting*, and Section 4.14.4, *Impact Analysis.*

PROJECT DESCRIPTION

Original Project Design

The proposed project involves the demolition of the existing freestanding movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, an agricultural storage box storing flattened carboard boxes, and removal of one of the dewatering wells. The project involves the construction of a 70,594-square foot industrial warehouse building with 60,939 square feet of landscaping, 101 parking spaces, and six loading zones. The industrial warehouse building could be divided into up to four sections and would be available for use by up to four tenants. The building would include 7,198 square feet of office area, which would be located inside the main entrance. An electrical room would be located at the northern corner of the building. Two steel doors would be constructed on the southwest and northeast sides of the building, and four steel doors would be located at the northwest side of the building and provide additional access to the building. Table 1 provides additional details about the proposed project. The original project proposed observation of a 25-foot Streamside Protection Area buffer (reduction of 75 feet), to the minimum allowed in General Plan/Coastal Land Use Plan (GP/CLUP) Conservation Element Policy CE 2.2.

Table 1 Project Characteristics

General Information	
Address	907 South Kellogg Avenue
APN	071-190-035
Height/Stories	35 feet above finish grade to top of parapet
Lot Area	11.77 acres total 6.75-acre development area
Industrial Warehouse Building	
Tenant Area 1	14,280 sf
Tenant Area 2	18,180 sf
Tenant Area 3	17,980 sf
Tenant Area 4	20,154 sf
Total Building Footprint	**70,594 sf**
Parking	
Standard	96 spaces
Accessible	5 spaces
Total Spaces	**101 spaces**
Total Square Feet	**113,193 sf**
Landscaping	
Total Landscaping Area	**60,939 sf**
Sidewalks	
Total Sidewalk Area	**4,910 sf**
Loading Zones	
Total Loading Zones	**6 zones**

sf = square feet

Access to and from the project site would be provided from South Kellogg Avenue via an existing access road that runs along the northeast project boundary. This existing access road would be resurfaced. The east curb of the driveway connecting the existing access road to South Kellogg Avenue would be widened in order to provide adequate maneuvering area for delivery trucks to enter and exit the project site. In addition, a slope at the southern portion of the project site would be graded to match adjacent grade and install improvements to the driveway connecting to South Kellogg Avenue designed to allow access to the undeveloped portion of the site. Subsurface utilities for the project will be placed beneath the access road.

The proposed project would include a surface parking lot to the southeast of the proposed building. The parking lot would include 96 standard, uncovered and 5 accessible, uncovered parking spaces. In addition, the proposed project would include 10 bicycle parking spaces. Pedestrian access to and from the project site would be provided via a sidewalk, which would start at South Kellogg Avenue and extend to the proposed parking lot.

Stormwater runoff from the majority of the project site, consisting of the paved and landscaped areas of the parking lot and southern portion of the development area, would

be directed to a detention basin, which would be constructed at the southern border of the development area. The proposed detention basin would function as both a filtration and detention basin and would discharge to a hydrodynamic separator. A new 18-inch outfall would be constructed in the existing San Jose Creek concrete channel wall in order to discharge overflow into the San Jose Creek. Stormwater runoff from the northeastern portion of the project site would be directed to a vegetated drainage swale located along the eastern side of the entry driveway prior to discharge to the existing storm drain outlet located approximately 115 feet south of the intersection of South Kellogg Avenue and the entry driveway. A catch basin inlet filter would be installed at the existing storm drain outlet to treat stormwater.

The project site is within a mapped 100-year floodplain. Between four (4) to six (6) feet of fill would be used to elevate the proposed building two (2) feet above the 100-year floodplain elevation. Development of the proposed project would require approximately 600 cubic yards (CY) of soil cut and approximately 38,000 CY of soil fill.

Existing vegetation within the development area, including the ice plant along the southwestern project boundary, laurel sumac shrubs behind the movie screen, and palm trees next to the concession stand, would be removed. The proposed landscaping would be comprised of native and climate-appropriate plants, including trees and palms, shrubs, grasses, groundcovers, and vines. Plant species in the preliminary plant palette include, but are not limited to, California sycamore, island oak, saltbush, coast sunflower, and elderberry. Landscape treatments would be provided in the proposed detention basin, along the parking lot, along the driveway connecting to South Kellogg Avenue, and at the exterior of the proposed building.

Proposed lighting at the project site would consist of a combination of exterior building-mounted wall packs and pole-mounted fixtures in the proposed parking lot. All lighting would use light emitting diode (LED) fixtures and would include semi- and fully cut-off light fixtures.

The industrial warehouse building would be leased to a single or multiple tenants (up to 4) and would provide space for a variety of conforming uses allowed in accordance with the project site zoning, including indoor warehousing and storage, wholesaling and distribution, and construction and material storage. On-site uses would not include cold storage or storage of hazardous materials. The industrial warehouse building would operate Monday to Saturday from 7:00am to 6:00pm. An estimated 75 employees would occupy the project site daily. No specific tenant(s) have been identified to occupy this building at this time.

Prior to construction, a 20-foot by 20-foot (400 sf) temporary staging area would be established in the San Jose Creek bed below the new storm drain outfall. Sandbag and plastic sheeting would be lowered by crane into the creek bed and a temporary cofferdam would be built in the 400-sf staging area in the creek bed to prevent water or the creek from entering the outfall construction area. The cofferdam would also prevent dirt, concrete rubble, and wet cement from coming into contact with surface water in the creek and prevent fish and other aquatic dependent species from entering the area during

construction. No heavy equipment would be used or operated within this staging area in the creek bed.

Alternative 2: 100-foot SPA Buffer

As analyzed in the Draft *EIR*, Alternative 2 would include similar components as the proposed project and would be constructed on the same project site. However, the layout and shape of the proposed industrial building would be reconfigured and the location on the project site would be shifted to the northwest and southwest in order to avoid development within the San Jose Creek 100-foot SPA buffer, to the extent feasible, and would also be 63 feet further from State Route 217 compared to the proposed project. Development within the 100-foot SPA would be limited to access road improvements, installation of the underground utility trench, and the addition of landscaping, which would consist of native California riparian and upper wetland habitat. Like the proposed project, the square footage of the industrial warehouse would be 70,594 sf. Due to the reconfigured footprint of the proposed building, an additional 1,600 cy of fill would be required to elevate the building above the floodplain compared to the proposed project. Like the proposed project, Alternative 2 would require demolition of the existing movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, and the agricultural storage box.

DISCUSSION:

Staff is recommending approval of Alternative 2: 100-foot "Streamside Protection Area Setback" Development Plan for the Sywest Industrial Warehouse Building Project, as it reduces the significant and unavoidable biological resource impacts to less than significant and reduces the visual impacts of the project, although it does not completely remove the visual impacts (see good cause discussion below). Therefore, this Discussion section focuses on the merits of Alternative 2.

General Plan/Coastal Land Use Plan (GP/CLUP) Consistency

Staff has prepared both a General Plan and Zoning Consistency analysis for Alternative 2, which are provided as Exhibits B and C to Attachment 2. As outlined in those documents, Alternative 2 can be found consistent with the applicable policy and zoning regulations with the acceptance of a good cause finding relating to aesthetics. Alternative 2 would be consistent with 46 of the 50 applicable GP/CLUP land use policies. Potential policy inconsistency could arise due to visual impacts from the proposed building's height. However, staff is recommending a good cause finding for any potential visual impacts, given the subjective nature of visual impacts and the floodplain constraints associated with this site.

Sywest Final EIR Mitigation Measures BIO-1 through BIO-4 in Section 4.3, *Biological Resources*, and Mitigation Measure NOI-1 in Section 4.11, *Noise*, would reduce Alternative 2's impacts involving conflicts with land use policies that were adopted for purposes of reducing environmental impacts to the extent feasible. Mitigation Measures BIO-1 through BIO-4 would reduce potential impacts to special status species, and Mitigation Measure NOI-1 would reduce project construction noise. These mitigation measures would reduce impacts

involving conflicts with the GP/CLUP Conservation Element policies, as they would minimize potential impacts to protected environmental resources within the GP/CLUP.

Alternative 2 would limit development within the San Jose Creek 100-foot SPA buffer to access road improvements, installation of the underground utility trench, and the addition of landscaping, which are allowable uses within the SPA buffer. Accordingly, Alternative 2 would reduce development within the 100-foot SPA buffer in comparison to the original project and would therefore provide increased protection for ESHAs and SPAs and would allow for restoration of San Jose Creek in compliance with GP/CLUP Policy CE-2.6.

Alternative 2 includes sight distance improvements to the driveway, making the interface between the project site and Kellogg Avenue safer. Project conditions require approval of a Deficiency Plan for the Kellogg Ave/Hollister Ave. intersection to ensure it operates at LOS C or better in the build-out (future) setting. In addition, the payment of Development Impact Fees, including transportation fees, is required as a condition of approval. For these reasons, the project is consistent with GP/CLUP Transportation Element policies.

As indicated below in the Environmental Analysis Section, the project could have a significant unavoidable impact on aesthetics given the height of the building in relationship to mountain views from the Highway 217. If the Council chooses to approve the project, then a Statement of Overriding Considerations as explained later in the report will be needed. Further, the City Council will need to make a good cause finding[3] regarding the aesthetics in order to find the project consistent with the General Plan. The good cause finding is discussed later in this report as well.

Zoning Consistency

Similar to the original project, Alternative 2 proposes the development of an industrial warehouse building that would be consistent with the permitted uses in the City's former M-1 zone. Alternative 2 would be consistent with the setback, coverage, height, and landscaping requirements within the M-S-GOL and M-1 zones. Alternative 2 would:

- observe the required front setback, which is at least 50 feet from the centerline and 20 feet from the right-of-way of South Kellogg Avenue. The building will be approximately 400 feet from the edge of the right-of-way at the entrance driveway;
- be setback more than 10 feet from the side and rear property lines;
- provide 25% landscaping where a minimum of 10% is required;
- cover 48.6% of the site with development, where no more than 50% is allowed.
- have an overall height of approximately 35 feet measured from the finished grade to the top of the parapet, which is consistent with the MS-GOL and M-1 zoning standards; and
- Provide 92 parking spaces, where 82 parking spaces are required.

[3] "Good cause" in this context may be found where a project will result in a better site or architectural design, will result in better resource protection, will provide a significant community benefit and/or does not create an adverse impact to the community character, aesthetics or public views (2006 GP/CLUP Glossary).

Other applicable Policies and Standards

As with the original project, Alternative 2 would be subject to the requirements of the previous zoning code (Article II, Coastal Zoning Code). Section 35-97.2, Applicability of District Boundaries as a Guide for Environmentally Sensitive Habitat Overlay Districts of the previous zoning code states that, if the project site is determined to be outside of this district, then the regulations of the overlay district shall not apply. A small portion of San Jose Creek to the southeast of the project site is located within the ESHA Overlay District. Alternative 2 would include utility development within 50 feet of this area. Section 35-97.19 of the previous Zoning Code states that no structures shall be allowed within stream corridors when located in the ESHA Overlay District. However, because the utility trench would be subsurface, it is not considered structural development and Alternative 2's utility trench would be consistent with the previous Zoning Code. The remainder of Alternative 2 is greater than 50 feet from the ESHA Overlay District.

The project site is located within the Airport Influence Area of Santa Barbara Airport. Alternative 2 does not conflict with the safety and noise policies of the 1993 Santa Barbara Airport Land Use Plan. Further, the project would comply with the Airport Land Use Plan (ALUP) development standard of a maximum intensity of 25 people per acre, as Alternative 2 would employ up to 75 people daily which would represent an intensity of up to 6.37 people per acre. The project site is located in the 60-65 dB CNEL noise contour for the Santa Barbara Airport; however, industrial land uses are classified as compatible in this contour in the 1993 Santa Barbara County ALUP. Alternative 2 would not conflict with the safety and noise policies of the 1993 Santa Barbara County ALUP.

Public Services

All the service agencies have indicated that adequate infrastructure exists to serve the site. Goleta Water District determined the project site has adequate historic water credits for its forecasted demand associated with the project. As a condition of approval, the project will be required to obtain a Can and Will Serve Letter from the Goleta Water District prior to project completion. Goleta Sanitary District and Santa Barbara County Fire Department have also confirmed that they have capacity to support this Project. For these reasons, the project can be found consistent with GP/CLUP Public Facilities policies.

Traffic

The applicant has provided a Traffic Study, dated July 24, 2024, that documents the estimated traffic anticipated to be generated by this project. Generally, the volume of traffic anticipated will be accommodated within the existing streets capacity. However, there was a queuing issue identified in the southbound lanes of Kellogg Ave, north of the Kellogg Ave./Hollister Ave. intersection in the cumulative (build-out) setting. It was determined that this queuing issue could be resolved with lane reconfiguration and striping, implemented through a Deficiency Plan. With the implementation of the Deficiency Plan for the Kellogg Avenue/Hollister Avenue intersection, the project will maintain LOS C or better after construction. As stated in the findings, the adjacent streets and highways are adequate and properly designed to accommodate the additional traffic anticipated to be generated by this project. No new streets are proposed to be created with this project and internal circulation within the project will be provided via driveways. Further, the project has been conditioned to

repair/restore any street damage resulting from the soil export and construction activities associated with the development of the project. Alternative 2 includes sight distance improvements to the driveway, making the interface between the project site and Kellogg Avenue safer.

Good Cause Justification

Due to the height of Alternative 2's proposed industrial building 35 feet above the finish grade, Alternative 2 could impair views of the Santa Ynez Mountains and foothills experienced from the SR 217 local scenic corridor for a few seconds of passing the site in a northbound direction and therefore could be potentially inconsistent with the following GP/CLUP policies:

- Policy LU 1.8: New Development and Neighborhood Compatibility
- Policy VH 1.1: Scenic Resources
- Policy VH 2.2: Preservation of Scenic Corridors
- Policy VH 2.3 Development Projects Along Scenic Corridors

For policy exceptions to be granted, a good cause finding must be made. This good cause finding can be made for Alternative 2 based on:

a. The DRB reviewed photo-simulations of the original project. The DRB also reviewed supporting site plans and elevations for the original project. The original project completed *Conceptual* review to the DRB's satisfaction on February 28, 2023, with comments regarding the use of landscaping and building design and color to reduce visual impacts from SR 217, neighborhood compatibility, driveway sight distance, using landscaped areas in the stormwater retention design, and tree selection that will be incorporated into the final design. Alternative 2 further reduces visual impacts from SR 217 due to its larger setback and allows room for additional landscaping and the potential for habitat restoration. The building is designed to meet finished floor requirements for development in a flood plain, while still maintaining consistency with zone district building height requirements, thus meeting good cause findings for architectural design, resource protection, community character, aesthetics, and public views.

b. Alternative 2 will preserve and expand the existing industrial employment center in the area and will help provide a well-rounded mix of industries and economic activities in order to provide a wide range of employment activities that will provide critical jobs and tax revenue for the City. In addition, Alternative 2 provides a permanent access easement to San Jose Creek for the City of Goleta and Santa Barbara County Flood Control, thus meeting good cause findings for community benefit.

Overall, the Project Objectives described in the Project Objectives section above help support these good cause findings through building and site design for long-term viability, and the reuse of a previously disturbed, but underutilized site.

While feasible mitigation is unable to be implemented to completely remove Alternative 2's potential impact on scenic views, the good cause findings described above allow for an exception to these policies to be granted for Alternative 2.

Development Plan Findings

The project is subject to Development Plan findings described in Article II, Coastal Zoning Ordinance, Section 35-174.7 (see Attachment D.).

In general, the project site is adequate in size, shape, location, and physical characteristics to accommodate the intensity of Alternative 2 as all of the setbacks, parking, building coverage, building height, and landscaping requirements can be met on the 11.71-acre site.

Further, Alternative 2's environmental impacts have been fully analyzed, and the environmental impacts will be mitigated to the maximum extent feasible as described in the Sywest Final EIR, Mitigation Monitoring and Reporting Program ("MMRP"), and Statement of Overriding Considerations.

Additionally, the adjacent streets and highways are adequate and properly designed to accommodate the additional traffic anticipated to be generated by this project. No new streets are proposed to be created with this project and internal circulation within the project will be provided via driveways. Further, the project has been conditioned to repair/restore any street damage resulting from the soil export and construction activities associated with the development of the project. Alternative 2 includes sight distance improvements to the driveway, making the interface between the project site and Kellogg Avenue safer. Project conditions require approval of a Deficiency Plan for the Kellogg Ave/Hollister Ave. intersection to ensure it operates at LOS C or better in the build-out (future) setting.

Also, there are adequate public services to serve the Project. The local agencies and districts have adequate personnel and capacity to serve the Project. The local agencies have provided conditions of approval which have been incorporated into Attachment 2, Exhibit D to ensure that the project complies with these agencies' requirements.

Additionally, Alternative 2 will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood and will not be incompatible with the surrounding areas. It would be served by the appropriate water and wastewater districts and would have safe and adequate vehicular access for users of the Project and emergency vehicles. Further, the type and intensity of Alternative 2 is consistent with the GP/CLUP Land Use designation for the site and would provide employment opportunities for the community. The adjacent streets of South Kellogg Avenue, Hollister Avenue, and Highway 217 all have capacity to handle the increase in traffic volume.

Based on the Statement of Overriding Considerations and good cause findings, the City acknowledges the importance and breadth of the potential General Plan inconsistencies associated with the project, but the benefits of Alternative 2 outweigh the significant environmental effects of this policy inconsistency and a good cause finding can be made for an exception to applicable GP/CLUP Land Use and Visual and Historic Resources policies, supported by Project Objectives. Therefore, with the GP/CLUP and Zoning consistency described above, the project can meet the required findings for approval of the Development Plan.

ENVIRONMENTAL REVIEW

EIR Process

As the lead agency for this project, the City determined that an EIR would be necessary to study the potential impacts of the Project. On April 26, 2023, the City sent to the Office of Planning and Research and each responsible and trustee agency a Notice of Preparation ("NOP"), stating that an Environmental Impact Report (State Clearinghouse #2023040690) would be prepared. The City held a scoping hearing on May 17, 2023 on the scope of the environmental review and the City received eight comment letters from the NOP.

Following the NOP, the Draft EIR was prepared, incorporating comments received in response to the NOP. The analysis within the Draft EIR determined that mitigation measures were required to mitigate impacts to a less than significant level for the following areas:

- Geology and Soils (mitigation measures: geotechnical design considerations, drainage improvements)
- Hazards and Hazardous Materials (mitigation measures: asbestos abatement, lead-based paint abatement, groundwater investigation and disposal, soil remediation, Site Management Plan)
- Hydrology and Water Quality (mitigation measures: Tidewater Goby & Southern California Steelhead habitat protection, geotechnical design considerations, groundwater investigation and disposal) and
- Noise (mitigation measure: Construction Noise Control Plan).

A Mitigation and Monitoring and Reporting Program (MMRP) has been prepared for the Project and is included as Exhibit A to Attachment 1.

The Draft EIR further concluded that despite the incorporation of all feasible mitigation measures, the proposed Project would nonetheless result in significant and unavoidable impacts relating to the following areas:

- Aesthetics (project-level impacts)
- Biological Resources (project-level impacts)
- Land Use (project-level impacts), and
- Utilities and Service Systems (solid waste) (project-level and cumulative impacts).

The City Council will need to adopt a Statement of Overriding Considerations for these significant and unavoidable impacts.

The Draft EIR was released for public review for a minimum of 45 days between Oct. 10, 2024 through November 25, 2024. During the public review and comment period, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others pursuant to State CEQA Guidelines Section 15086, and held an Environmental Hearing Officer (EHO) meeting on October 29, 2024. At the EHO meeting, comments from two individuals were received and the City received 10 written comment letters on the Draft EIR during the public comment period.

Alternatives Considered

Three alternatives to the Project were considered and are described in detail in the Draft EIR (https://www.cityofgoleta.org/your-city/planning-and-environmental-review/ceqa-review/sywest) and in Attachment 1 to this staff report. The reader is directed to those documents. The alternatives selected for detailed analysis within the Draft EIR focus on alternatives that could reduce the Project's significant environmental impacts, while still meeting most of the basic Project objectives. The three alternatives were:

- Alternative 1: No Project
- Alternative 2: 100-foot SPA buffer with the same size and height building in a similar location on the site
- Alternative 3: A contractor's storage yard as an alternative use that is permissible with the land use designation.

Both Alternatives 2 and 3 reduced some but not all the significant and unavoidable impacts identified in the Final EIR. Alternative 2's visual impacts remained significant while the impacts to biological resources were reduced. There would be marginal increases to greenhouse gas and energy use. Alternative 2 would not worsen any significance conclusions in comparison to the original project.

Alternative 3's impacts related to per-capita generation, such as impacts related to population and housing, public services, and utilities and service systems would be less in comparison to the proposed project. Additionally, Alternative 3 would result in less air pollutant emissions, greenhouse gas emissions, and operational noise in comparison to the original project. Due to the low visual profile of Alternative 3, Alternative 3 would reduce the proposed project's significant unavoidable impacts related to aesthetics to less than significant. However, due to the location of Alternative 3 on the project site, which would require a reduction in the 100-foot SPA buffer to 25 feet, Alternative 3 would have a significant and unavoidable impact on biological resources, the same as the original project. Alternative 3 was determined to be the environmentally superior alternative. However, since Alternative 2 more closely aligns with the Project Objectives and reduces some significant impacts, staff is recommending Alternative 2 for adoption.

Final EIR

Following the close of the public review period, the Final EIR has been prepared. The Final EIR includes Responses to the Comments received and minor revisions to the text of the Draft EIR where appropriate based on the comments received. None of these revisions, outlined in Section 15088.5 of the CEQA Guidelines (California Code of Regulations Title 14) of the Final EIR, rise to the level warranting recirculating of the Draft EIR. The comments and the Responses to the Comments are provided in Section 7 of the Final EIR. The Draft EIR and Final EIR are available on the City's website at: [https://www.cityofgoleta.org/your-city/planning-and-environmental-review/ceqa-review/sywest].

Pursuant to Public Resources Code Section 21092.5, the City provided copies of its responses to the commenting public agencies at least ten (10) days prior to the Planning Commission's consideration of the Final EIR and the Project on April 28, 2025.

CEQA Resolution

Attachment 1 to this staff report is a Resolution recommending certification of the Final EIR, adoption of CEQA findings, adoption of the Mitigation Monitoring and Reporting Program (MMRP), and adoption of the Statement of Overriding Considerations (SOC).

Certification of the EIR. The Final EIR has been completed in compliance with CEQA. The Planning Commission is being asked to recommend that the City Council certify the Final EIR consistent with State CEQA Guidelines Section 15090.

CEQA Findings State CEQA Guidelines Section 15091 provides that no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more of the following findings for each of the project's significant effects:

1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3) Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Exhibit A to Attachment 1 is the Findings of Facts and contains the following Sections:

- Section I – Introduction of the Findings of Fact Document
- Section II – Findings for Impacts that do not require mitigation measures
- Section III – Findings for Impacts that are less than significant with inclusion of mitigation measures
- Section IV – Findings for Impacts that cannot be fully mitigated to less than significant level
- Section V – Findings regarding Cumulative Impacts
- Section VI – Findings regarding Irreversible Environmental Changes
- Section VII – Findings regarding Growth Inducing
- Section VIII – Findings regarding Alternatives
- Section IX – Adoption of SOC.

Mitigation Monitoring and Reporting Program. When making CEQA Findings of Fact, CEQA requires the lead agency to also adopt a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. (State CEQA Guidelines,

§ 15091(d).) A Mitigation Monitoring and Reporting Program ("MMRP") has been prepared for Alternative 2 and is included as Exhibit C to Attachment 1.

Statement of Overriding Considerations (SOC)

Pursuant to State CEQA Guidelines Section 15093(a), the City must balance, as applicable, the economic, legal, social, technological, or other benefits of Alternative 2 against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of the project outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable. While recognizing that the unavoidable adverse impacts are significant under CEQA thresholds, the City nonetheless finds that the unavoidable adverse impacts that will result from Alternative 2 are acceptable and outweighed by specific social, economic and other benefits of Alternative 2.

In making this determination, the factors and public benefits specified below were considered. The substantial evidence supporting the various benefits can be found in the findings outlined in Attachment 1, which are incorporated by reference into this staff report. The following social, economic, and environmental benefits of Alternative 2, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

- By facilitating goods movement, Alternative 2 would contribute to local, regional, statewide, and national economic growth, supporting supply chain efficiency and commerce.
- Alternative 2 is projected to generate a net positive fiscal balance for the City, promoting long-term economic stability and public service funding.
- The implementation of Alternative 2 would create significant temporary and permanent employment opportunities, improving the jobs-housing balance within Goleta and the surrounding region.
- Approximately 75 new jobs would be created under Alternative 2, bolstering local employment and enhancing economic opportunities for Goleta residents.
- Alternative 2 would provide a balanced mix of industrial, warehouse, and office land uses, enhancing economic vitality and land use diversity in the Project area.
- Alternative 2 would optimize the economically beneficial reuse of a previously developed and underutilized site, leveraging existing infrastructure and addressing the site's unique constraints, including proximity to the airport, hydrologic conditions, and flooding risks.
- Alternative 2 would provide a permanent critical access easement to the flood channel, benefiting the City of Goleta and the Santa Barbara County Flood Control District by supporting essential flood management operations.
- By situating new jobs within close proximity to residential areas within Goleta's urban boundary, Alternative 2 would improve access to employment and support community livability.
- Alternative 2 would reduce vehicle miles traveled, as the site benefits from its location in a dense urban area with existing residential and commercial uses, improved transit access, and opportunities for multimodal transportation.

Environmental Conclusion

The Final EIR prepared in connection with the Project sufficiently analyzes the Project's potentially significant environmental impacts, as well as the three alternatives to the Project, examining the environmental impacts of each alternative as well as the ability of the alternatives to meet Project objectives.

Alternative 2: 100-foot SPA buffer would include demolition of the same existing drive-in theater structures and construction of the same sized storage warehouse, but the layout and shape of the proposed industrial building would be reconfigured and the location of the project site would be shifted to the northwest and southwest in order to avoid development within the San Jose Creek 100-foot SPA buffer to the extent feasible.

In contrast to the Project, Alternative 2: 100-foot SPA buffer would reduce the Project's significant and unavoidable impact to biological resources to a less than significant impact by complying with the 100-foot SPA buffer and still fulfill all the Project objectives.

The Planning Commission is asked to consider the above information and if it concurs, to adopt Attachment 1 to the staff report, thereby recommending to the City Council certification of the Final EIR, the adopting of the CEQA findings, the adoption of the SOC, and adoption of the MMRP.

CONCLUSION

Alternative 2 is consistent with the land use designations (GP/CLUP and Zoning) adopted for the site in terms of use, density, and the development standards for the site (i.e., setbacks, building coverage, building height, etc.). The project will provide valuable jobs for the community and contribute meaningful tax revenue to the City. Additionally, the way Alternative 2 is situated on the site provides for additional native landscaping and the potential for habitat restoration along San Jose Creek. Staff supports the adoption of the Statement of Overriding Considerations for the significant and unavoidable environmental impacts and supports the good cause findings for the visual impacts to the SR 217 view corridor.

Therefore, staff recommends that the Planning Commission recommend approval of Alternative 2 to the City Council, as outlined in the attached Planning Commission Resolutions and their accompanying Exhibits.

PUBLIC NOTICE

On April 17, 2025, notice of the availability of the Final EIR and the Planning Commission hearing was published in the Santa Barbara Independent, notice was mailed to residents and property owners within 1000' radius of the site, and an electronic notification was sent to all interested parties as well. On April 11, 2025, the site was posted as well.

LEGAL REVIEW BY: Winnie Cai, Assistant City Attorney

APPROVED BY: Peter Imhof, Planning and Environmental Review Director

ATTACHMENTS:

1. A Resolution of the Planning Commission of the City Of Goleta, California, recommending that the City Council of the City of Goleta, California: 1) Adopt environmental findings pursuant to the California Environmental Quality Act, 2) Certify the Sywest Industrial Building Project Environmental Impact Report (Sch #2023040690), 3) Adopt the Mitigation Monitoring And Reporting Program, and 4) Adopt a Statement of Overriding Consideration for Alternative 2: 100-foot Streamside Protection Area Setback at 907 S. Kellogg Avenue, Goleta; APN 170-190-035; Case No. 17-121-DP

Exhibit A	Findings of Fact
Exhibit B	Sywest EIR Weblink: https://www.cityofgoleta.org/your-city/planning-and-environmental-review/ceqa-review/sywest
Exhibit C	Mitigation Monitoring and Reporting Program

2. A Resolution of the Planning Commission of the City Of Goleta, California, recommending that the City Council of the City of Goleta, California, approve the Alternative 2: 100-foot Streamside Protection Area Setback Development Plan for the Sywest Industrial Warehouse Building Project and deny the Original Project At 907 S. Kellogg Avenue, Goleta; APN 170-190-035; Case No. 17-121-DP

Exhibit A	Alternative 2 Plans
Exhibit B	GP/CLUP Consistency Analysis
Exhibit C	Zoning Consistency Analysis
Exhibit D	Conditions of Approval with Exhibits

3. Article II, Section 35-174.7, Development Plan Findings
4. Staff Power Point Presentation
5. Applicant Power Point Presentation

ATTACHMENT 1

SYWEST FINAL EIR RECOMMENDATION RESOLUTION

RESOLUTION NO. 25 -_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA: 1) ADOPT ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, 2) CERTIFY THE SYWEST INDUSTRIAL BUILDING PROJECT ENVIRONMENTAL IMPACT REPORT (SCH #2023040690), 3) ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM, AND 4) ADOPT A STATEMENT OF OVERRIDING CONSIDERATION FOR ALTERNATIVE 2: 100-FOOT STREAMSIDE PROTECTION AREA SETBACK AT 907 S. KELLOGG AVENUE, GOLETA; APN 170-190-035; CASE NO. 17-121-DP

WHEREAS, the proposed project involves the demolition of an existing freestanding movie screen and the construction of a 70,594-square foot industrial warehouse building with 60,939 square feet of landscaping, 101 parking spaces, six loading zones and 10 bicycle parking spaces ("Project"); and

WHEREAS, the 11.77-acre project site is located at 907 South Kellogg Avenue (Assessor's Parcel Number 071190-035) in Goleta, California ("Project site"); and

WHEREAS, pursuant to Section 21067 of the Public Resources Code, and Section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Goleta is the lead agency for the proposed Project; and

WHEREAS, in accordance with CEQA and the State CEQA Guidelines, the City determined that an Environmental Impact Report ("EIR") should be prepared in order to analyze all potential adverse environmental impacts that could potentially result from the adoption and implementation of the proposed Project; and

WHEREAS, in accordance with State CEQA Guidelines Section 15082, the City sent to the Governor's Office of Land Use and Climate Innovation and each responsible and trustee agency a Notice of Preparation ("NOP") stating that an Environmental Impact Report (State Clearinghouse Number #2023040690) would be prepared; and

WHEREAS, eight (8) comment letters from four agencies, one Native American tribe, and three organizations were received in response to the NOP; and

WHEREAS, pursuant to Public Resources Code Section 21083.9 and State CEQA Guidelines Sections 15082(c) and 15083, the City held a duly noticed Scoping Meeting on May 17, 2023, to solicit comments on the scope of the environmental review of the proposed Project and, no comments were received; and

WHEREAS, a Draft Environmental Impact Report ("Draft EIR") was prepared, incorporating comments received in response to the NOP; and

WHEREAS, the Draft EIR determined that mitigation measures were required to mitigate impacts to a less than significant level for the following resource areas: Geology and Soil, Hazards and Hazardous Materials, Hydrology and Water Quality and Noise; and

WHEREAS, the Draft EIR further concluded that despite the incorporation of all feasible mitigation measures, the proposed Project would nonetheless result in significant and unavoidable impacts relating to Aesthetics, Biological Resources, Land Use and Planning and Utilities and Service Systems; and

WHEREAS, in accordance with State CEQA Guidelines Section 15085, a Notice of Completion was prepared and filed with the Governor's Office of Land Use and Climate Innovation on October 10, 2024; and

WHEREAS, as required by State CEQA Guidelines Section 15087(a), the City provided Notice of Availability of the Draft EIR to the public at the same time that the City sent Notice of Completion to the Governor's Office of Land Use and Climate Innovation, on October 10, 2024; and

WHEREAS, pursuant to State CEQA Guidelines Section 15087(e), the Draft EIR was circulated for at least a 45-day public review and comment period from October 10, 2024, through November 25, 2024; and

WHEREAS, during the public comment period, copies of the Draft EIR and technical appendices were available for review and inspection at City Hall, on the City's website, at the Goleta Library and the Goleta Community Center; and

WHEREAS, during the public review period, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others pursuant to State CEQA Guidelines Section 15086; and

WHEREAS, the City received 12 written comment letters on the Draft EIR; and

WHEREAS, pursuant to Public Resources Code Section 21092.5, the City provided copies of its responses to commenting public agencies at least ten (10) days prior to the City's consideration of the Final EIR on April 17, 2025; and

WHEREAS, on April 17, 2025, the City released the Final EIR ("Final EIR"), which consists of the Draft EIR, all technical appendices prepared in support of the Draft EIR all written comment letters received on the Draft EIR written responses to all written comment letters received on the Draft EIR; and

WHEREAS, the "EIR" consists of the Final EIR and its attachments and appendices, as well as the Draft EIR and its attachments and appendices (as modified by the Final EIR); and

WHEREAS, all potentially significant adverse environmental impacts were sufficiently analyzed in the EIR; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all of the requirements of the Public Resources Code and the State CEQA Guidelines have been satisfied by the City in connection with the preparation of the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes the Project's potentially significant environmental impacts, and the EIR analyzes three alternatives to the Project, including Alternative 2: 100-foot Streamside Protection Area ("SPA") buffer, examining the environmental impacts of each alternative as well as the ability of the alternatives to meet Project objectives; and

WHEREAS, Alternative 2: 100-foot SPA Setback would include demolition of the same existing drive-in theater structures and construction of the same sized storage warehouse, but the layout and shape of the proposed industrial building would be reconfigured and the location of the project site would be shifted to the northwest and southwest in order to avoid development within the San Jose Creek 100-foot SPA buffer to the extent feasible; and

WHEREAS, in contrast to the Project, Alternative 2: 100-foot SPA Setback would reduce the Project's significant and unavoidable impact to biological resources to a less than significant impact by complying with the 100-foot SPA buffer, and still fulfill all of the Project objectives; and

WHEREAS, the City finds that Alternative 2: 100-foot SPA Setback's environmental impacts that are less than significant and do not require mitigation are described in **Section II** of **Exhibit A**; and

WHEREAS, the City finds that Alternative 2: 100-foot SPA Setback's environmental impacts that are less than significant with incorporation of mitigation measures are described in **Section III** of **Exhibit A**; and

WHEREAS, the City finds that even with the incorporation of all feasible mitigation measures, Alternative 2: 100-foot SPA Setback's environmental impacts that are significant and unavoidable are described in **Section IV** of **Exhibit A**; and

WHEREAS, the cumulative impacts of Alternative 2: 100-foot SPA Setback are described in **Section V** of **Exhibit A**; and

WHEREAS, the potential significant irreversible environmental changes that would result from Alternative 2: 100-foot SPA Setback are described in **Section VI** of **Exhibit A**; and

WHEREAS, the existence of any growth-inducing impacts resulting from Alternative 2: 100-foot SPA Setback are described in **Section VII** of **Exhibit A**; and

WHEREAS, alternatives to the proposed Project that might further reduce the already less than significant environmental impacts are described in **Section VIII** of **Exhibit A**; and

WHEREAS, the Statement of Overriding Considerations that indicates the benefits of Alternative 2 outweigh the unavoidable significant environmental effects is described in **Section IX** of **Exhibit A**; and

WHEREAS, all the mitigation measures identified in the EIR and necessary to reduce the potentially significant impacts of Alternative 2: 100-foot SPA Setback to a level of less than significant are set forth in the Mitigation Monitoring and Reporting Program (MMRP) in **Exhibit B** to this Resolution, attached hereto and incorporated herein; and

WHEREAS, prior to taking action, the City has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including but not limited to the EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the EIR reflects the independent judgment of the City and is deemed adequate for purposes of making decisions on the merits of Alternative 2: 100-foot SPA Setback; and

WHEREAS, no comments made in the public hearings conducted by the City and no additional information submitted to the City have produced substantial new information requiring recirculation of the EIR or additional environmental review of Alternative 2: 100-foot SPA Setback under Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GOLETA:

SECTION 1. The above recitals are true and correct and incorporated herein by reference.

SECTION 2. The Planning Commission hereby finds that it has been presented with the EIR, referenced as Exhibit B and incorporated herein by this reference, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA and the State CEQA Guidelines. The Planning Commission finds that the EIR reflects the independent judgment and analysis of the City. The Planning Commission declares that no evidence of new significant impacts or any new information of "substantial importance" as defined by State CEQA Guidelines Section 15088.5, has been received by the City after circulation of the Draft EIR that would require recirculation. Therefore, the Planning

Commission hereby recommends City Council certify the EIR based on the entirety of the record of proceedings.

SECTION 3. The Planning Commission hereby recommends City Council adopt the "CEQA Findings of Fact" (Exhibit B) which were prepared in accordance with State CEQA Guidelines Sections 15091 and which are attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 4. Pursuant to Public Resources Code Section 21081.6, the Planning Commission hereby recommends City Council adopt the Mitigation Monitoring and Reporting Program attached hereto as Exhibit C and incorporated herein by this reference. Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Alternative 2: 100-foot SPA Setback. In the event of any inconsistencies between the Mitigation Measures set forth in the EIR or the Findings of Fact and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

SECTION 5. Based upon the entire record before it, including the EIR, Findings of Fact, Statement of Overriding Considerations, and all written and oral evidence presented, the Planning Commission hereby recommends City Council approve Alternative 2: 100-foot SPA Setback.

SECTION 6. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at City Hall, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117. The custodian for these records is the City Clerk. This information is provided pursuant to Public Resources Code Section 21081.6.

SECTION 7. Planning Commission recommends City Council to direct City staff to cause a Notice of Determination to be filed and posted with the County Clerk and the State Clearinghouse within five working days of the adoption of the City Council Resolution.

PASSED, APPROVED AND ADOPTED this 28th day of April, 2025.

_____
JENNIFER FULLERTON
CHAIR

ATTEST:

_____
DEBORAH S. LOPEZ
CITY CLERK

APPROVED AS TO FORM:

_____
WINNIE CAI
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 25-__ was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the 28th day of April 2025 by the following roll call vote of the Planning Commission:

AYES:

NOES:

ABSENT:

(SEAL)

_____
DEBORAH S. LOPEZ
CITY CLERK

ATTACHMENT 1, EXHIBIT A

SYWEST FINAL EIR FINDINGS OF FACT

EXHIBIT A
CEQA FINDINGS OF FACT

The California Environmental Quality Act (Pub. Resources Code § 21000 et seq.) (CEQA) requires that public agencies shall not approve or carry out a project for which an environmental impact report (EIR) has been certified that identifies one or more significant adverse environmental effects of a project unless the public agency makes one or more written Findings for each of those significant effects, accompanied by a brief explanation of the rationale for each Finding (State CEQA Guidelines [Cal. Code Regs., tit. 14, §§ 15000 et seq.], § 15091). This document presents the CEQA Findings of Fact made by City of Goleta, in its capacity as the CEQA lead agency, regarding the Sywest Industrial Building Project – Alternative 2: 100-foot Streamside Protection Area Setback ("Alternative 2"), evaluated in the Draft Environmental Impact Report ("Draft EIR") and Final Environmental Impact Report ("Final EIR").

SECTION I.
INTRODUCTION

Public Resources Code Section 21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Section 21002 further states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Pursuant to Section 21081 of the Public Resources Code, a public agency may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the agency makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

As indicated above, Section 21002 requires an agency to "avoid or substantially lessen" significant adverse environmental impacts. Thus, mitigation measures that "substantially lessen" significant environmental impacts, even if not completely avoided, satisfy Section 21002's mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 ["CEQA does not mandate the choice of the environmentally best feasible project if through the

imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level"]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 ["[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible"].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Resources Code, § 21002.1(c) [if "economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency"]; see also State CEQA Guidelines, § 15126.6(a) [an "EIR is not required to consider alternatives which are infeasible"].) CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Resources Code, § 21061.1.) The State CEQA Guidelines add "legal" considerations as another indicia of feasibility. (State CEQA Guidelines, § 15364.) Project objectives also inform the determination of "feasibility." (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) "Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]" (*Cal. Native Plant Soc'y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 ("*Native Plant*"); see also Pub. Resources Code, § 21081(a)(3) ["economic, legal, social, technological, or other considerations" may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project's environmental alternatives is not required; rather, the requirement is that sufficient information be produced "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." Outside agencies (including courts) are not to "impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken." (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287.)

SECTION II.
FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts are less than significant and therefore do not require the imposition of Mitigation Measures.

A. AESTHETICS

1. Scenic Resources

Threshold: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Finding: No impact. (Draft EIR, page 6-32.)

Explanation: Alternative 2 would be constructed on 907 South Kellogg Avenue (Assessor's Parcel Number 071-190-035) in Goleta, California (hereinafter the "project site".) The project site is approximately 0.9 mile south of U.S. 101, which is eligible for designation as a State Scenic Highway. Given the distance of U.S. 101 from the project site, as well as the presence of intervening vegetation and structures, construction of the proposed industrial building under Alternative 2 would not substantially degrade views from U.S. 101. Alternative 2 would result in no impacts to scenic highways. (Draft EIR, page 6-32.)

2. Light and Glare

Threshold: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant. (Draft EIR, pages 6-33 through 6-34.)

Explanation: Construction of Alternative 2 is not anticipated to occur during evening or nighttime hours and would thus not introduce new light sources to the site during the construction time period. Consequently, the following discussion focuses on Alternative 2's operational impact involving light and glare.

Alternative 2 would introduce new sources of light from the parking lot and the proposed industrial building exterior once operational. Lighting would consist of a combination of exterior building- mounted wall packs as well as pole-mounted fixtures in the parking lot. All lighting would use light emitting diode (LED) fixtures and would include semi- and fully cut-off light fixtures. Alternative 2's lighting would be designed in accordance with City standards, including Goleta General Plan Policy 4.12, Lighting, which requires outdoor lighting fixtures to be designed, located, aimed downward or toward structures (if properly shielded), retrofitted if feasible, and

maintained in order to prevent over-lighting, energy waste, glare, light trespass, and sky glow (City of Goleta 2006).

Alternative 2's design, including lighting, would be subject to Federal Air Regulations (FAR) Part 77, which requires projects that may affect navigable airspace to submit a Notice of Proposed Construction or Alteration. If a proposed development is identified as a presumed hazard, the Federal Aviation Administration (FAA) may require further aeronautical study or allow the project to be revised. The project applicant would be required to file a Notice of Proposed Construction or Alteration with the FAA regional office at least 30 days prior to construction. Based on Alternative 2's design, the FAA would then determine whether Alternative 2 poses a hazard to air navigation and could request changes to Alternative 2's design to minimize those hazards. The FAA would evaluate Alternative 2 against FAR Part 77 Section 77.17, which provides height standards to ensure Alternative 2 would not obstruct navigable airspace. Additionally, the FAA would provide lighting recommendations under FAR Part 77 Section 77.21 (d). Therefore, Alternative 2 lighting would not be substantial to the extent that it would interfere with aviation activity and interfere with views.

Moving sources of light would come from the headlights of vehicles driving on roadways near the project site and entering or exiting the site early in the morning and evening. While Alternative 2's operation would involve vehicle travel, and thus potential light from vehicles, these lighting sources would be similar to existing conditions surrounding the site, as commercial and industrial vehicles are frequent in the area.

Alternative 2 would introduce new sources of glare in the form of focused, intense light from sunlight reflecting on the industrial building, parked car windows, or truck windshields when vehicles are backed up to loading docks. As the proposed industrial building would include light-colored exteriors with elements of metal and glass, Alternative 2 has the potential to reflect sunlight and produce glare from this building. However, vegetative screening along the perimeter of the project site would reduce off-site impacts of glare from both the proposed building and from vehicles associated with building operation. Considering adjacent land uses include few glare-sensitive receptors, the potential for glare-related impacts would be limited. Overall, Alternative 2 would have a less than significant impact associated with light and glare. (Draft EIR, pages 6-33 through 6-34.)

B. AGRICULTURE AND FOREST RESOURCES

1. Farmland Conversion, Agricultural Zoning, Forestland Zoning, Loss of Forest Land, Conversion of Farmland or Forestland

Thresholds: Would the Project convert Primate Farmland, Unique Farmland, or Farmland of Statewide significance, as shown on the maps prepared

pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)?

Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Finding: No impact. (Draft EIR, page 4.16-1.)

Explanation: The project site was developed as a drive-in movie theater in the 1960s. In addition, a public market was previously hosted on Sundays on the project site. Operations of the public market and drive in theater ceased in September 2022. Prior to the development as a drive-in movie theater, the site was used for agricultural purposes which ceased. The project site is surrounded by existing industrial and residential development. According to the California Department of Conservation's (DOC) California Important Farmland Finder, the project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Specifically, the project site is designated as Urban and Built-Up Land, which is defined as land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a ten-acre parcel (DOC 2018). The project site is zoned for light industrial and service industrial uses, and is not zoned for agricultural use. No impacts to farmlands would occur. The project site does not contain forest land or timberland and is not zoned for Timberland Production. No impacts to forestland would occur. (Draft EIR, page 4.16-1.)

C. AIR QUALITY

1. Air Quality Plans and Air Quality Standards

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Finding: Less than significant. (Draft EIR, page 6-34.)

Explanation: Alternative 2 would involve the construction and operation of an industrial warehouse building. Alternative 2 does not propose residential uses and would not directly increase population growth. The Alternative 2 is estimated to add approximately 75 new employees. While these jobs would likely come from the local workforce, it is conservatively assumed that all 75 new employees would become new residents. In a conservative scenario, there would be a population growth of 198 based on the city's average persons per household of 2.64. Goleta has a current population of approximately 32,591 persons (California Department of Finance [DOF] 2022). The Santa Barbara County Association of Governments (SBCAG) growth forecast estimates that the population in Goleta would increase from an existing population of 32,591 residents to 34,700 residents by 2050. In addition, the growth forecast estimates that jobs would increase from 25,580 jobs in 2020 to 31,070 jobs by 2050. The population in Goleta would increase by 2,109 residents by 2050, and the jobs in Goleta would increase by 5,490 jobs by 2050. Therefore, the addition of 75 employees and 198 new residents to Goleta would be accommodated in the City's growth forecasts, and Alternative 2 would not exceed SBCAG's growth forecasts of population and jobs for Goleta (SBCAG 2019). In addition, in accordance with standard practices in the City, Alternative 2 would follow SBCAPCD fugitive dust control measures from the SBCAG's Scope and Content of Air Quality Sections in Environmental Documents. For these reasons, Alternative 2 impacts would be less than significant. (Draft EIR, page 6-34.)

2. Cumulative Increase

Threshold: Would the Project result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Finding: Less than significant. (Draft EIR, pages 6-34 through 6-35.)

Explanation: Construction: Alternative 2 would involve temporary and short-term construction emissions. Construction activities such as demolition, grading, construction worker travel to and from the project site, delivery and hauling of construction supplies and debris to and from the project site, hauling of import soil to the site, and fuel combustion by on-site construction equipment would generate air quality emissions. Construction emissions would not exceed the Santa Barbara County Air Pollution Control District (SBCAPCD) construction thresholds used by the City of Goleta for this analysis. Therefore, Alternative 2 construction would not contribute substantially to an existing or projected air quality violation and impacts would be less than significant.

Operation: Operation of Alternative 2 would generate criteria air pollutant emissions associated with area sources (e.g., architectural coatings, consumer products, and landscaping equipment), energy sources (i.e., use

of natural gas for space and water heating), and mobile sources (i.e., vehicle trips to and from the project site). The emissions generated by the operation of Alternative 2 would not exceed County operational thresholds used by the City of Goleta for this analysis. In addition, Alternative 2 operation would not contribute substantially to an existing or projected air quality violation and impacts would be less than significant. (Draft EIR, pages 6-34 through 6-35.)

3. Sensitive Receptors

Threshold: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than significant. (Draft EIR, pages 6-36 through 6-37.)

Explanation: Construction: Alternative 2 construction activities would result in temporary project generated diesel particulate matter (DPM) exhaust emissions from off-road, heavy-duty diesel equipment for site preparation, grading, building construction, and other construction activities. Alternative 2 construction is anticipated to begin in July 2027 and end in September 2028. Construction would be phased, and each construction phase would be periodic and short-term. Construction-related toxic air contaminant (TAC) emissions would cease with the completion of construction activities. The detailed results of the construction health risk assessment (HRA) are provided in Appendix R-2 of the Draft EIR and summarized in the Draft EIR. The maximum unmitigated risk from construction of Alternative 2 sensitive receptors within 1,000 feet of the project site boundary as detailed in Appendix R-2. The maximum off-site residential cancer risk would be 0.86 in one million at one of the mobile homes east of the project site across SR-217. In addition, the chronic risk at the maximum off-site receptor would be exposed to a hazard index of 0.02. These maximum cancer and chronic risk estimates would not exceed the regulatory threshold of 10 in one million for cancer risk or hazard index of 1 for chronic risk. Given that neither the cancer risk nor the chronic risk would exceed regulatory thresholds, health risk from construction of Alternative 2 would be less than significant.

Operation: Alternative 2 would generate approximately 14 truck round trips per day (28 one-way trips) from the project site. The truck trips are assumed to all be diesel- fueled heavy-heavy-duty truck trips. An operational HRA was performed to conservatively estimate health risk during the Alternative 2's operating hours. The maximum unmitigated risk from operation of Alternative 2 would expose a sensitive receptor at the Winslowe townhomes to a cancer risk of 0.08 in one million, due to the receptor being adjacent to the truck route. In addition, the maximally exposed individual receptor chronic risk would have a hazard index of <0.0001. These maximum operational cancer and chronic risk estimates would not exceed the regulatory threshold of 10 in one million for cancer risk or a hazard index

of 1 for chronic risk. In addition, Alternative 2 would generate 14 round truck trips per day, well below the California Air Resource Board's (CARB's) threshold of 100 diesel-fueled truck trips per day. Therefore, Alternative 2 is consistent with CARB's siting recommendations for TAC emitting sources. Alternative 2 operations would not expose substantial TAC emissions to sensitive receptors and impact would be less than significant.

Combined Construction and Operation: The maximum unmitigated combined risk from construction and operation of Alternative 2 was identified for all sensitive receptors within 1,000 feet of the project site boundary and along the truck route on South Kellogg Avenue as detailed in Appendix R-2 of the Draft EIR. The sensitive receptor across SR-217 at the mobile home park would be exposed to a cancer risk of 0.89 in one million. In addition, the residential receptor chronic risk would have a hazard index of 0.02. These maximum cancer and chronic risk estimates would not exceed the regulatory threshold of 10 in one million for cancer risk or 1 for chronic risk. Alternative 2 combined health risk would not exceed regulatory thresholds and impacts would be less than significant. (Draft EIR, pages 6-36 through 6-37.)

4. Other Adverse Emissions

Threshold: Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Finding: Less than significant. (Draft EIR, pages 6-37 through 6-38.)

Explanation: Alternative 2 would generate oil and diesel fuel odors during construction from equipment use. The odors would be limited to the construction period and would be intermittent and temporary. Furthermore, these odors would dissipate rapidly with distance from in-use construction equipment. Accordingly, construction of Alternative 2 would not result in other emissions, such as those leading to odors, that would adversely affect a substantial number of people, and impacts would be less than significant. Alternative 2 includes an industrial warehouse and would not include industrial use development associated with odor complaints near sensitive receptors. In addition, it is likely that odors would not be distinguishable due to vehicle exhaust on State Route 217. Therefore, operation of Alternative 2 would not generate other emissions, such as those leading to odors, that would affect a substantial number of people. Operational odor impacts would be less than significant. (Draft EIR, pages 6-37 through 6-38.)

D. BIOLOGICAL RESOURCES

1. Sensitive Species

Threshold: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than significant(Draft EIR, pages 6-37 through 6-40.)

Explanation: Belding's Savannah Sparrow and Nesting Birds: Alternative 2's operational noise would not result in excessive ambient noise and therefore would not indirectly disturb bird species. Alternative 2 would include landscaping consisting of native California riparian and upper wetland habitat which would provide visual screening from pickleweed habitat where the BSS could be present. Therefore, operation of Alternative 2 would have a less than significant impact on candidate, sensitive, and special-status species.

Tidewater Goby and Steelhead: Alternative 2 would include two detention basins to retain stormwater flows and treat pollutants. Alternative 2's detention basins would total 17,625 square feet. Operation of Alternative 2 could result in impacts to San Jose Creek from the introduction of a new outfall structure and reduction in the stormwater flows into the creek from increased onsite detention. The detention basins would retain stormwater flows and treat pollutants in compliance with the County's adopted Stormwater Technical Guide for Low Impact Development guidelines which is designed to ensure post- construction requirements described in the Central Coast Regional Water Quality Control Board's (RWQCB) Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region are satisfied. Implementation of Alternative 2 conducted in compliance with applicable regulatory requirements related to stormwater runoff would minimize the potential for pollutants to degrade water quality because of the additional square footage and treatment capacity of the detention basins. Operation of Alternative 2's drainage outfall would not affect the physical or biological habitat features essential to migrating adult steelhead (e.g., water quantity to allow for juvenile and adult mobility; cover, shelter, and holding areas; and adequate water quality) or the tidewater goby (e.g., water depth, substrate, and seasonally open sandbar mouth). No long-term effect would result to steelhead habitat since the in-creek work is the replacement of existing concrete in-kind. Given the volume of water present in the creek during storm events, the size of the watershed, and volume of flood flows and daily tidal shifts (when the Goleta Slough mouth is open), Alternative 2's stormwater flows would not substantially impact tidewater goby and steelhead individuals or San Jose Creek habitat. The drainage outfall design would be subject to regulatory requirements, such as United States Fish and

Wildlife Service (USFWS) and National Marines Fisheries Service (NMFS) consultation, and United States Army Corps of Engineers (USCACE) 404 Certification. Compliance with required permits would reduce Alternative 2's operational impact to tidewater goby and steelhead to a less than significant level.

California Red-Legged Frog and Western Pond Turtle: Operation of Alternative 2 would not occur within California red-legged frog or western pond turtle habitat and would be limited to the developed portion of the project site. Therefore, operation of Alternative 2 would have a less than significant impact on California red- legged frog and western pond turtle.

Insects and Bats: Construction of Alternative 2 has a potential to result in direct effects to special-status insects (monarch butterfly and Crotch bumble bee) if present during vegetation clearing. The potential is low that either the foraging monarch butterfly or Crotch bumble bee would be present at the initiation of construction since the coastal sage scrub foraging habitat on-site lacks preferred host plants, the site is limited in size, was previously developed, and surrounded by disturbance. Furthermore, due to the expanse of food sources and habitat south of the project site in the Goleta Slough and along the coast, the removal of marginal disturbed native shrubland would not substantially impact regional nectar sources. Alternative 2's operation would not affect these insect species given that noise and dust would not be above existing ambient levels, lighting would be shielded, and vegetative screening would reduce glare. Therefore, Alternative 2 would have a less than significant impact on special-status insects. Special-status bat species (Pallid bat, Townsend's big-eared bat, Western red bat, and Western mastiff bat) have a low potential to forage over the project site. Alternative 2's construction would not interfere with nocturnal foraging behavior by bats as no nighttime construction would be required. Existing project site buildings are sealed and maintained and are not expected to host bat roosts; therefore, demolition would not directly impact bat roosts. Because of the low potential for bats to occur at the project site, Alternative 2 would have a less than significant impact on special-status bats. (Draft EIR, pages 6-37 through 6-40.)

2. Habitat Conservation Plans

Threshold: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Finding: No impact. (Draft EIR, page 6-42.)

Explanation: The project site is not subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, Alternative 2 would have no impact related to conflicts with these plans. (Draft EIR, page 6-42.)

E. CULTURAL RESOURCES

1. Historical Resources

Threshold: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to State CEQA Guidelines, Section 15064.5?

Finding: No impact. (Draft EIR, page 6-43.)

Explanation: Alternative 2 would remove the drive-in theater. According to the Historic Resources Technical Report, the drive-in theater is ineligible for historic resource listing. Therefore, no historical resources are present on the project site. Alternative 2 would have no impact on historical resources. (Draft EIR, page 6-43.)

2. Archaeological Resources

Threshold: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines, Section 15064.5?

Finding: Less than significant. (Draft EIR, page 6-43.)

Explanation: The 2017 Archaeological Resources Assessment completed to evaluate the project site concluded there is no potential for archaeological cultural resources to exist within the project site. Alternative 2 would not substantially affect archaeological resources, and this impact would be less than significant. (Draft EIR, page 6-43.)

3. Human Remains

Threshold: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

Finding: Less than significant. (Draft EIR, page 6-43.)

Explanation: Alternative 2 would have a low likelihood of encountering human remains. In the event of unanticipated discovery of human remains during construction, the construction contractor would be required to comply with the State of California Health and Safety Code Section 7050.5 which requires that all construction activities halt in the vicinity of the discovery and the County Coroner be contacted immediately. The County Coroner would make a determination of origin and disposition of the human remains pursuant to Public Resources Code Section 5097.98, including identification of a most likely descendent to provide recommendations if human remains are determined to be prehistoric. With compliance with existing regulations prescribed in the State of California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.8,

Alternative 2's impacts to human remains would be less than significant. (Draft EIR, page 6-43.)

F. ENERGY

1. Wasteful Use of Energy

Threshold: Would the Project result in potentially significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Finding: Less than significant. (Draft EIR, pages 6-43 through 6-44.)

Explanation: Construction: Alternative 2 would include import of an additional 1,200 cubic yards of soil. This would marginally increase Alternative 2's diesel consumption (approximately 39,310 gallons of diesel fuel use) (Appendix R-3 of the Draft EIR). Alternative 2's fuel use during construction represents approximately 0.002 percent of the annual gasoline use and approximately 0.2 percent of the annual diesel use in Santa Barbara County. During construction of Alternative 2, contractors would be required to comply with the provisions of the California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Heavy-duty equipment would be subject to the USEPA Construction Equipment Fuel Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption. Adherence to regulatory requirements would ensure construction of Alternative 2 would not involve the wasteful, inefficient, or unnecessary use of energy, and impacts would be less than significant.

Operation: Alternative 2 would include the 70,594 square foot industrial building, and be located on the project site but in a different configuration. Therefore, operation of Alternative 2 would utilize approximately 13,964 gallons of gasoline, 5,546 gallons of diesel, 788 megawatts of electricity, and 1,394 therms of natural gas annually. This fuel use represents approximately 0.01 percent of the annual gasoline use, 0.03 percent of annual diesel use, 0.02 percent of annual electricity use, and 0.001 percent of natural gas use in Santa Barbara County. Alternative 2's electricity would be supplied by 3CE using 100 percent renewable energy sources. Alternative 2 would comply with standards set in California Building Code Title 24, including the California Green Building Code (CALGreen) Standards and the California Building Energy Efficiency Standards. Compliance with these standards would minimize Alternative 2's potential to result in the wasteful, inefficient, or unnecessary consumption of energy. During operation, trucks entering and existing the project site would limit idling to five consecutive minutes in accordance with California Code of Regulations Title 13 Section 2485 which would minimize energy use of trucks entering and exiting the project site. With the implementation of

applicable energy efficiency measures, Alternative 2 would minimally increase energy demand and petroleum demand due to the development of Alternative 2, compared with existing conditions. Operation of Alternative 2 would not result in substantial adverse environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant. (Draft EIR, pages 6-43 through 6-44.)

2. Energy Efficiency Plans

Threshold: Would the Project conflict with or obstruct a state of local plan for renewable energy or energy efficiency?

Finding: Less than significant. (Draft EIR, pages 6-44 through 6-45.)

Explanation: The City's Climate Action Plan (CAP), Strategic Energy Plan, General Plan, and Municipal Code contain measures intended to increase energy efficiency and expand the use of renewable energy in Goleta. Alternative 2 would comply with CALGreen and the Building Energy Efficiency Standards. Alternative 2 would include LED lighting, and indoor water use efficiency measures to limit the energy consumption necessary for operation of Alternative 2 and assist to meet the City's renewable energy goals. Furthermore, Alternative 2 would be supplied electricity by 3CE using 100 percent renewable energy sources consistent with the measures of the CAP, Strategic Energy Plan, General Plan, and Municipal Code to expand the use of renewable energy in Goleta. Alternative 2's design includes 92 parking spaces, and 9 EV spaces. The CALGreen intervening code update, which went into effect July 1, 2024, requires nonresidential development providing between 76-100 parking spaces to provide a minimum of 17 electric vehicle (EV) capable parking spaces with 4 parking spaces including EV supply equipment. In addition, the City's EV Reach Code for new construction would require Alternative 2 to provide a minimum of 40 EV-capable parking spaces with 13 parking spaces including EV supply equipment. The EV Reach Code was adopted by the City Council on September 17, 2024; therefore, the project applicant would be required to install the additional EV parking infrastructure in order to comply with the EV Reach Code. Accordingly, Alternative 2 would not conflict with state or local EV parking requirements. Alternative 2 would also include bicycle parking space and would connect to existing bicycle facilities in Goleta, encouraging the use of alternative modes of transportation and a reduction in vehicle fuel consumption. These design features would ensure Alternative 2 would not conflict with or obstruct the City's CAP, Strategic Energy Plan, General Plan, or Municipal Code. As stated above, Alternative 2, would be supplied electricity by 3CE using 100 percent renewable electricity which would ensure consistency with the requirements of Senate Bill 100. Therefore, Alternative 2 would have a less than significant impact related to conflicts with or obstruction of a state or local plan for renewable energy or energy efficiency. (Draft EIR, pages 6-44 through 6-45.)

G. GEOLOGY AND SOILS

1. Fault Rupture

Threshold: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Finding: No impact. (Draft EIR, page 6-45.)

Explanation: No active or potentially active faults are located on the project site, and therefore the potential for surface fault rupture to occur is low. Therefore, Alternative 2 would have no impact involving fault rupture. (Draft EIR, page 6-45.)

2. Landslides

Threshold: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Finding: No impact. (Draft EIR, page 6-46.)

Explanation: Alternative 2 would have no impact involving landslides. (Draft EIR, page 6-46.)

3. Expansive Soils

Threshold: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?

Finding: No impact. (Draft EIR, page 6-47.)

Explanation: Soils on the project site are non-expansive. Alternative 2 would not create substantial direct or indirect risks to life or property due to expansive soils and no impact would occur. (Draft EIR, page 6-47.)

4. Septic Tanks

Threshold: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Finding: No impact. (Draft EIR, page 6-47.)

Explanation: Alternative 2 would include an underground sewer line that would connect to an existing sewer line located underneath South Kellogg Avenue. Sewer services at the project site would be provided by the Goleta Sanitary

District. Alternative 2 would not involve the use of septic tanks or alternative wastewater disposal systems and no impact would occur. (Draft EIR, page 6-47.)

5. Paleontological Resources

Threshold: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Less than significant. (Draft EIR, page 6-47.)

Explanation: There are no documented paleontological resources at the project site. The project site is primarily underlain by fill soils that reach approximately 4 feet in depth. The geologic unit that underlies the project site, Holocene and upper Pleistocene (Quaternary-era) alluvium and colluvium (Qac), has a low paleontological sensitivity. Grading activities for Alternative 2 would be unlikely to encounter previously unidentified paleontological resources due to the low paleontological sensitivity of the geologic unit underlying the project site. Accordingly, Alternative 2 would have a less than significant impact on paleontological resources. (Draft EIR, page 6-47.)

H. GREENHOUSE GAS EMISSIONS

1. Emissions Generation

Threshold: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less than significant. (Draft EIR, pages 6-48 through 6-49.)

Explanation: Construction Emissions: Alternative 2 construction would generate temporary GHG emissions from operation of construction equipment on-site, and vehicles transporting construction workers to and from the project site and heavy trucks to transport soil import, building, concrete, and asphalt materials. Construction associated with Alternative 2 would generate 602 MT of CO2e. Amortized over a 50-year period, construction associated with the Alternative 2 would generate 12 MT of CO2e per year. Greenhouse gas modeling results for Alternative 2 are included in Appendix R-1 of the Draft EIR. Alternative 2 GHG emissions from worker trips to and from the site would be approximately 0.4 MT of CO2e per year when amortized over the project life. In other words, construction worker trips would represent less than four percent of the total construction emissions. Therefore, GHG emissions from worker trips during construction activity would be minimal.

Operation and Total Emissions: Operation of Alternative 2 would generate GHG emissions associated with area sources (e.g., landscape maintenance), energy and water usage, vehicle trips (employee and warehousing activities), and wastewater and solid waste generation. The implementation

of nine EV charging stations would reduce gasoline GHG emissions per year. Approximately 352,125 VMT per year would be reduced from the nine EV charging stations. Alternative 2's gasoline GHG emissions would be approximately 81 MT of CO2e per year3 (based on employee and warehousing activities), and the GHG emissions from electric vehicles would be approximately 0 MT of CO2e per year, since Alternative 2 would be supplied with 100 percent carbon free electricity from 3CE Prime option. Therefore, installing nine parking spaces with EV charging stations would reduce mobile GHG emissions by 81 MT of CO2e per year. Annual operational emissions resulting from Alternative 2 are summarized in Table 6-5 of the Draft EIR. The annual operational GHG emissions are combined with the amortized construction emissions. Alternative 2 would emit approximately 133 MT of CO2e per year or 1.77 MT of CO2e per employee per year (for 75 employees). Therefore, Alternative 2 would not exceed the County's Environmental Thresholds and Guidelines Manual GHG efficiency threshold for a nonresidential use of 2.63 MT CO2e per employee per year. Therefore, Alternative 2 would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and impacts would be less than significant. (Draft EIR, pages 6-48 through 6-49.)

2. Emission Reduction Plans

Threshold: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?

Finding: Less than significant. (Draft EIR, pages 6-49 through 6-50.)

Explanation: 2022 Scoping Plan: The State's 2022 Scoping Plan aims to achieve net-zero GHG emissions by 2045 and would reduce GHG emissions by 85 percent below 1990 levels by 2045. The Scoping Plan's Appendix D, Local Actions, provides suggestions for on-site GHG-reducing design features, methods to reduce VMT and support building decarbonization, access to shared mobility services or transit, and EV charging. It does not address other land use types such as industrial. The Scoping Plan's Transportation Electrification priority area supports an EV fleet, which Alternative 2 would allocate at least nine EV charging stations, and would be served by 3CE Prime option, which would supply 100 percent carbon free electricity to the project site. The Scoping Plan's VMT Reduction priority area supports increased access to public transit and walking, development located on infill sites, and development that does not result in the loss or conversion of natural and working lands. Alternative 2 is an infill development in an urban area that would not convert natural lands and would contribute to the job and housing balance. The City anticipates residential and work-based projects in these areas would generate low VMT because of the higher density of existing residential and commercial uses and increased transit access relative to other areas of the City. These features allow for shorter vehicle trip lengths and promote the use of alternative transportation in these

areas. In addition, Alternative 2 would implement ten bicycle parking spaces to promote alternative modes of transportation. Alternative 2 would be consistent with the State's long-term climate goals of carbon neutrality by 2045.

Santa Barbara County Association of Governments (SBCAG) 2050 RTP/SCS: The SBCAG 2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) demonstrates that the SBCAG region would achieve its regional emissions reduction targets for the 2020 and 2035 target years. The Environment Objective 1 of the RTP/SCS is to "promote better balance of jobs and housing to reduce long-distance commuting." Alternative 2 would site new jobs within close proximity to residents within the urban boundary of Goleta and therefore would be consistent with Objective 1. Furthermore, in support of Environment Objective 5 of "reduce vehicle miles traveled," the surrounding area is anticipated to generate low VMT because of the higher density of existing residential and commercial uses and increased transit access near the site. Therefore, these features would allow for shorter vehicle trip lengths and promote alternative modes of transportation, such as bicycling and transit. Alternative 2 would be consistent with the 2050 RTP/SCS.

City of Goleta General Plan: The City General Plan addresses recently emerging topics of climate change and alternative energy. The General Plan lists several policies as part of its Transportation and Conservation Element that support GHG emission reductions. Alternative 2 would be consistent with Policy CE-15.3 of the Conservation Element by incorporating water efficient appliances to reduce water consumption for landscaping, plumbing, and irrigation consistent with the latest Title 24 Green Building Code and Building Energy Efficiency Standards. In addition, the Alternative 2 would be consistent with the City's Policy TE-1.1, Alternative Modes, by incorporating ten bicycle parking spaces, which could promote alternative modes of transportation for the residential uses within half a mile of the site. In addition, Alternative 2 site is within half a mile of the Santa Barbara Metropolitan Transit District Route 6 and 11 on Fairview Avenue west of Alternative 2 site. Therefore, Alternative 2 would be consistent with the goals and policies in the General Plan to increase water efficiency, and potentially reduce the amount of motor trips with connectivity to surrounding neighboring residents.

City of Goleta Climate Action Plan: The City's CAP contains policies and programs targeting energy efficiency policy. Alternative 2 would be consistent with the CAP measures, such as building designed and equipped with features that conserve and reduce energy consumption. Alternative 2 would be consistent with the latest Title 24 Building Energy Efficiency Standards for solar readiness for nonresidential land uses, which would align with Policy RE-1. In addition, Alternative 2 would construct ten bicycle parking spaces, which could promote alternative modes of transportation with several residential uses within half a mile of the site,

aligned with Policy T-8 of City's CAP. Alternative 2 would be consistent with the goals outlined in the CAP. (Draft EIR, pages 6-49 through 6-50.)

I. HAZARDS AND HAZARDOUS MATERIALS

1. Hazardous Materials

Threshold: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Finding: Less than significant. (Draft EIR, page 6-51.)

Explanation: Construction: Construction of Alternative 2 would result in temporary increases in the regional transport, use, and disposal of construction-related hazardous materials and petroleum products. These activities would be subject to applicable federal, State, and local regulations established by the United States Environmental Protection Agency (U.S. EPA), State of California, the County of Santa Barbara, and the City of Goleta for proper transport, use, storage, and disposal of excess hazardous materials and hazardous construction waste. During construction of Alternative 2, existing on-site hazardous materials and waste would also be carried out in compliance with applicable federal, State, and local regulations, which would minimize potential impacts associated with the transport and disposal of these substances. Additionally, compliance with the Construction Stormwater General Permit would require implementation of Good Housekeeping BMPs to reduce potential impacts associated with hazardous materials spills. Compliance with existing regulations governing transport, use, and disposal of hazardous materials would ensure construction of Alternative 2 would have a less than significant impact related to the routine transport, use, or disposal of hazardous materials during construction.

Operation: Alternative 2 would consist of an industrial warehouse building used for a variety of conforming uses allowed with the project site's M-S-GOL and M-1 zones. Alternative 2's industrial building could be leased to multiple tenants, whose operations could involve the transport, use, and disposal of hazardous materials for routine maintenance. All hazardous material transport, use, or disposal associated with the proposed industrial warehouse and office space would comply with existing hazardous materials regulations established by the U.S. EPA, the State of California, the County of Santa Barbara, and the City of Goleta. These regulations prescribe measures for the safe transport, use, storage, and disposal of hazardous materials to reduce risk of spills. Compliance with these regulations would ensure Alternative 2's operational impacts related to the transport, use, and disposal of hazardous materials would be less than significant. (Draft EIR, page 6-51.)

2. Accident or Upset

Threshold: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Finding: Less than significant. (Draft EIR, page 6-52.)

Explanation: Operation: operation of Alternative 2 would involve the minimal transport, use, and disposal of hazardous materials used for routine maintenance and would not store large quantities of hazardous materials within the industrial building. However, Alternative 2's operational activities would comply with applicable federal, State, and local regulations, which prescribe measures for the safe transport, use, storage, and disposal of hazardous materials to reduce the risk of accidental spills. Therefore, operation of Alternative 2 would have a less than significant impact related to the accidental release of hazardous materials. (Draft EIR, page 6-52.)

3. Hazards Near Schools

Threshold: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Finding: No impact. (Draft EIR, page 6-53.)

Explanation: The project site is not located within 0.25-mile of an existing or proposed school. Therefore, Alternative 2 would have no impact associated with emissions of hazardous materials, substances, or wastes within 0.25 mile of a school. (Draft EIR, page 6-53.)

4. Waste Sites

Threshold: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Finding: No impact. (Draft EIR, page 6-53.)

Explanation: There are no hazardous materials sites mapped within the project site. As such, Alternative 2 would not create a significant hazard to the public or the environment due to hazardous materials sites. No impact would occur. (Draft EIR, page 6-53.)

5. Public Airports

Threshold: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use

airport, would the project result in a safety hazard for people residing or working in the project area?

Finding: Less than significant. (Draft EIR, pages 6-53 through 5-54.)

Explanation: The Santa Barbara Municipal Airport is located approximately 0.25 mile west of the project site. The northern portion of the project site is located within the Clear Zone of the Santa Barbara Airport and the entire project site is within the Airport Influence area of the Santa Barbara Municipal Airport. In addition, the project site falls within the 20,000-foot Federal Air Regulations (FAR) Part 77 Notification Area for the Santa Barbara Municipal Airport.

Alternative 2 would comply with applicable regulations, including the 1993 Santa Barbara County Airport Land Use Plan (ALUP) development standard of a maximum intensity of 25 people per acre and the height restrictions of FAR Part 77. According to the 1993 Santa Barbara County ALUP, the project site is located within Airport Safety Zone II within the Airport Influence Area. The northern portion of the project site is located within Safety Area 1 (Clear Zone) and the southern half of the project site is located within Safety Area 3 (General Traffic Pattern Zone). The more restrictive development standards of Safety Area 1 apply to Alternative 2. Therefore, the ALUP development standard of a maximum intensity of 25 people per acre, as a site-wide average, would apply to Alternative 2. Alternative 2's industrial building would employ 75 people daily, and would occupy approximately 1.62 acres of the total 11.77-acre project site, which represents an intensity of 6.37 people per acre. Therefore, development under Alternative 2 would comply with the standard specified in the 1993 Santa Barbara County ALUP. The project site is located in the 60-65 dB CNEL noise contour for Santa Barbara Airport. Industrial land uses are identified as compatible within this contour in the 1993 Santa Barbara County ALUP. Therefore, Alternative 2 would not conflict with the 1993 Santa Barbara County ALUP.

The 1993 Santa Barbara County ALUP does not specify a maximum height for structures in Safety Area 1, and states that objects should be limited in height consistent with airspace protection surfaces defined by FAR Part 77. Alternative 2's industrial building would have a maximum height of approximately 35 feet from finished grade, and would have a maximum height of approximately 39 to 41 feet. Although Alternative 2 would increase building height on the project site, and would be built at a height taller than existing development in the area, Alternative 2 would be consistent with the City's development standards and zoning code that existed prior to 2020, which considered proximity to the Santa Barbara Municipal Airport. Alternative 2 would not require Airport Land Use Commission review as the previous zoning ordinance and General Plan were found consistent with the 1993 Santa Barbara County. Alternative 2 would comply with additional applicable FAR Part 77 and Federal Aviation

Administration (FAA) standards, which requires projects that may affect navigable airspace to submit a Notice of Proposed Construction or Alteration to FAA for review and approval. If a proposed development is identified as a presumed hazard, the FAA may require further aeronautical study or allow Alternative 2 to be revised. The applicant would be required to file a Notice of Proposed Construction or Alteration with the FAA regional office at least 30 days prior to construction. Based on Alternative 2's design, the FAA would then determine whether Alternative 2 poses a hazard to air navigation and could request changes to project design to minimize those hazards. The FAA would evaluate Alternative 2 against FAR Part 77 Section 77.17, which provides height standards to ensure Alternative 2 would not obstruct navigable airspace. Additionally, the FAA would provide lighting recommendations under FAR Part 77 Section 77.21 (d). Compliance with these existing regulations would ensure Alternative 2's impacts related to airport hazards would be less than significant. (Draft EIR, pages 6-53 through 5-54.)

6. Emergency Plans

Threshold: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Finding: Less than significant. (Draft EIR, page 6-54.)

Explanation: The City's General Plan does not identify roadways adjacent to the project site as major evacuation routes. Construction of Alternative 2 would not impair implementation of an adopted emergency response plan or emergency evacuation plan, as construction staging and construction worker parking would occur on-site and would not impede existing roadway traffic. Operation of Alternative 2 would consist of an industrial warehouse building and would not introduce activities that could impede or interfere with emergency plans or emergency evacuations. Alternative 2 would have a less than significant impact related to conflicts with an adopted emergency response plan or emergency evacuation plan. (Draft EIR, page 6-54.)

7. Wildland Fires

Threshold: Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Finding: Less than significant. (Draft EIR, page 6-54.)

Explanation: The project site is not within a SRA, or lands classified as VHFHSZ. Alternative 2 would be constructed in accordance with the applicable requirements, including the California Fire Code and Santa Barbara County Fire Department (SBCFD) standards. Adherence to these regulations would

ensure Alternative 2 would have a less than significant impact related to wildland fire. (Draft EIR, page 6-54.)

J. HYDROLOGY AND WATER QUALITY

1. Groundwater Supplies

Threshold: Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Finding: Less than significant. (Draft EIR, page 6-56.)

Explanation: Alternative 2 has a potential to encounter groundwater during construction due to the shallow groundwater level on-site. Alternative 2's groundwater dewatering activities would occurred only during excavations required to insert utility connections and construction of the drainage basin. Alternative 2's groundwater dewatering would result in a local decrease of groundwater supplies, which would be minimal, and would not otherwise result in substantial groundwater losses in the Basin or result in changes which prohibit groundwater infiltration on-site compared to existing conditions. Therefore, construction of Alternative 2 would have a less than significant impact on groundwater. Alternative 2 would include approximately 183,675 square feet of impervious surfaces. The project site contains low permeability soils and high groundwater elevation, thereby rendering groundwater infiltration infeasible. Accordingly, Alternative 2 would not result in substantial interference to groundwater recharge. Operation of Alternative 2 would not require groundwater extraction on-site. Alternative 2 would generate 19.8 acre- feet per year demand because Alternative 2 would not change the size of the proposed industrial building or maximum employees. Groundwater provided to Alternative 2 from the Goleta Water District (GWD) would be provided in accordance with the allocations determined by the Wright Judgement which would ensure the groundwater provided to Alternative 2 is sustainably managed. Furthermore, existing regulatory measures requiring water conservation during times of drought prevent the overdraft of the Basin that GWD would use to supply water demand of Alternative 2. Therefore, Alternative 2 would not substantially increase water supplies and this impact would be less than significant. (Draft EIR, page 6-56.)

2. Flooding

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Finding: Less than significant. (Draft EIR, page 6-57.)

Explanation: Construction: Alternative 2 would comply with the requirements of the Construction Stormwater General Permit, including requiring the construction contractor to implement a SWPPP. The SWPPP would include construction BMPs to control and direct on-site surface runoff. Construction would not include activities which could result in the channelization of San Jose Creek or relocation of a natural drainage bed which could increase the rate of surface water runoff. Therefore, Alternative 2's construction activities would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. This impact would be less than significant.

Operation: Alternative 2 would be required to use Source Control and LID BMPs to detain, retain, and treat runoff. Alternative 2's detention basins would be approximately 17,625 sf. The detention basins would meet the requirements of the Central Coast RWQCB. These requirements mandate Alternative 2's stormwater infrastructure be designed to provide treatment up to two times the 85th percentile storm event. Adherence to the regulatory requirements of the Central Coast RWQCB would ensure Alternative 2 would have a less than significant impact to on- or off-site flooding. (Draft EIR, page 6-57.)

3. Runoff

Threshold: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of surfaces, in a manner which would impede or redirect flood flows?

Finding: Less than significant. (Draft EIR, pages 6-58 through 6-59.)

Explanation: Flooding: Although the project site is mapped as being located within a 100-year floodplain, the project site is not currently inundated by 100-year flood flows in the existing condition. Off-site rain and stormwater does not enter the project site due to the presence of an existing earthen berm around the project site. The berm prevents 100-year flood flows from entering the project site. Although the project site in its current condition would not be inundated by 100-year flood flows, Alternative 2 would require additional flood-proofing design measures are required because the berm is not an accredited levee recognized by FEMA. Alternative 2 would require implementation of flood- proofing design measures in accordance with the City Municipal Code. These include the use of between 4 to 6 feet of fill to elevate the proposed building above the 100-year floodplain elevation. Alternative 2 would also be required to be certified by a registered professional engineer or architect that the City's floodplain development standards. In the event of a 100-year flood event, stormwater flows on the project site would be conveyed to Alternative 2's detention basins for eventual discharge to the San Jose Creek. Because Alternative 2 would direct stormwater flows to San Jose Creek, the introduction of fill material

for Alternative 2 would not substantially alter off-site flooding or drainage. Due to the earthen berm, flood water from the project site does not discharge to surrounding parcels. Alternative 2 would not change the flood carrying capacity of the project site, permanently alter a water course, or raise flood elevations. Due to the existing flood protection offered by the earthen berm, project design, and compliance with City requirements governing development within a floodplain, Alternative 2 would have a less than significant impact related to flooding.

Sea Level Rise: As a result of the Supreme Court decision regarding the assessment of the environment's impacts on projects (California Building Industry Association [CBIA] v. Bay Area Air Quality Management District [BAAQMD], 62 Cal. 4th 369 [No. S 213478] issued December 17, 2015), it is not considered the purview of the CEQA process to evaluate the impact of existing environmental conditions on a proposed project. For informational purposes only, sea level rise is discussed below. Alternative 2 would require approximately 4 to 6 feet of fill to raise the industrial building above the floodplain. Based on a scenario with 100-year storm event with 6.6 feet of sea level rise, Alternative 2's industrial building would not be inundated because the industrial building would be elevated above San Jose Creek's anticipated water surface elevation of 14.78 feet. However, in the northeastern most portion of the project site, the access road to the industrial building, San Jose Creek maintenance road, and the creek's bank would below the water level elevation during a 100-year storm event. Therefore, should the worst-case 100-year water level elevation of 14.78 feet occur within San Jose Creek, the northern portion of the access road to the industrial building would be inundated, potentially preventing access to the industrial building. The City would incorporate recommendations made in the Sea Level Rise and Coastal Hazards Analysis into Alternative 2 as conditions of approval. The recommendations would require the applicant to monitor future sea level rise and flood levels within San Jose Creek, and construct on-site flood control measures as determined appropriate by the City and other Responsible Agencies including but not limited to elevating the access road to the proposed industrial building above the 100-year floodplain elevation and continuing to provide maintenance access to San Jose Creek (e.g., constructing a levee, etc.). As part of the condition of approval, the potential effects of sea level rise on Alternative 2 would be evaluated 50 years after the start of construction in conjunction with the Santa Barbara County Flood Control District (SBCFCD). With these conditions of approval, the potential for sea level rise to result in an impediment or redirection of flood flows at the project site would be minimized. (Draft EIR, pages 6-58 through 6-59.)

K. LAND USE AND PLANNING

1. Established Communities

Threshold: Would the Project physically divide an established community?

Finding: No impact. (Draft EIR, page 6-60.)

Explanation: The project site is primarily surrounded by industrial and open space land uses. The nearest residential development to the project site is located to the east, across State Route 217. The project site is neither directly adjacent to residences nor located in a residential neighborhood. Alternative 2 would not include components such as roads that could divide an established community. Alternative 2 would not result in the physical division of an established community, and no impact would occur. (Draft EIR, page 6-60.)

L. MINERAL RESOURCES

1. Regional and Statewide Mineral Resources

Thresholds: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Finding: No impact. (Draft EIR, page 4.16-2.)

Explanation: The California Geological Survey's (CGS) Updated Mineral Land Classification Map for Concrete Grade Aggregates in the San Luis Obispo-Santa Barbara Production-Consumption Region, California – South Half indicates the project site is within Mineral Resources Zones 1 (MRZ) and MRZ-3 (CGS 2011). MRZ- 1 designations indicate areas containing little or no mineral deposits and MRZ-3 designations indicate deposits identified but require further evaluation. No known mineral resources of value to the region and the residents of the state are present on the project site. Therefore, Alternative 2 would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No impacts to known mineral resources would occur. The project site does not include any existing mineral extraction activities, and no mineral extraction activities are planned in the City of Goleta. According to the City's General Plan, the historic Ellwood Oil Field, located in the Ellwood Mesa area approximately 3.4 miles west of the project site, is the only extractive industry within the City (City of Goleta 2006a). However, this facility ceased operation in 2017. Alternative 2 would therefore not interfere with any oil extraction activities located in the

Ellwood Mesa area. Therefore, Alternative 2 would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. No impacts to locally important mineral resource recovery sites would occur. (Draft EIR, page 4.16-2.)

M. NOISE

1. Noise Standards

Threshold: Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant. (Draft EIR, pages 6-62 through 6-63.)

Explanation: Operation: Loading Bay Activities: Potential on-site truck activities from Alternative 2 include eight loading bays, which would be located on the western side of the building. Noise from truck and unloading activities at the loading docks would generate noise that has the potential to increase noise at nearby sensitive receptors. The combined loading dock noise level is highest at 1150 South Fairview Avenue, with a noise level of 53 dBA. However, these noise levels would be well below the City's 65 dBA CNEL standard. In addition, ambient noise levels were measured as 63 dBA CNEL near 1150 South Fairview Avenue, with similar ambient noise levels expected at Rancho Goleta mobile home community (located to the east of the site east of SR 217) due to the exposure of the community to SR 217 and Santa Barbara Airport noise levels; therefore, the loading dock noise levels from Alternative 2 would not exceed existing ambient noise levels. These noise levels are slightly higher than the proposed project's, with an increase in noise levels of 2 dBA at 1150 South Fairview Avenue and 1 dBA at Rancho Goleta mobile home community due to the closer placement of loading docks. Therefore, Alternative 2 would result in greater loading dock noise impacts than the proposed project, but would still not exceed existing ambient noise levels. Thus, Alternative 2's loading dock noise impacts would be less than significant.

Mechanical Equipment: The proposed industrial building for Alternative 2 would include HVAC units that would generate noise that could increase ambient noise levels at nearby sensitive receptors. Seven HVAC units were assumed to be located in a cluster on the rooftop; for each sensitive receptor, it was conservatively assumed that they would be located at the closest building edge to that receptor. The rooftop would be lined with a parapet wall that would provide noise screening and was assumed to result in a 5 dBA reduction. The noise levels would be well below the City's 65 dBA CNEL standard. In addition, ambient noise levels were measured as 63 dBA CNEL near 1150 South Fairview Avenue, with similar ambient noise levels

expected at Rancho Goleta mobile home community; therefore, the HVAC noise levels from Alternative 2 would not exceed existing ambient noise levels. These noise levels are slightly higher than the proposed project's, with an increase in noise levels of 3 dBA to 1150 South Fairview Avenue. Therefore, Alternative 2 would result in greater HVAC noise impacts than the proposed project but would still not exceed existing ambient noise levels, and thus impacts would be less than significant.

Combined Operational Noise Levels: The combined noise levels from loading bay activities and HVAC equipment for Alternative 2 are shown in Table 6-9 of the Draft EIR. These noise levels would be well below the City's 65 dBA CNEL standard, and below the existing ambient noise levels. Therefore, operational noise from Alternative 2 would be less than significant. These noise levels are slightly higher than the proposed project's, with an increase in noise levels of 2 dBA to 1150 South Fairview Avenue. Therefore, Alternative 2 would result in greater operational noise impacts than the proposed project due to the adjusted location of the building, but would still be well below the existing ambient noise levels and the City's 65 dBA CNEL standard. Thus, impacts would be less than significant.

Off-site Traffic Noise:

Construction: Construction worker trips with Alternative 2 would be expected to be similar to the proposed project. Haul trips would be slightly increased from 1,100 to 1,148 total trips, which may slightly increase the 220 daily haul trips assumed for the proposed project's construction traffic noise analysis. This would result in a minor increase in construction traffic noise from Alternative 2 compared to the proposed project. The overall estimated increase on nearby roadways would reach up to 0.2 dBA. Therefore, Alternative 2 would result in greater construction traffic noise impacts than the proposed project due to a slight increase in hauling trips. Impacts would be less than significant, and greater than the proposed project.

Operation: Operation of Alternative 2 would generate the same number of trips as the proposed project. The operational traffic noise increases would be the same as the proposed project, which were up to 0.2 dBA noise increase, which is well below the 3 dBA increase threshold. Therefore, Alternative 2 would result in less than significant traffic noise impacts from operation. (Draft EIR, pages 6-62 through 6-63.)

2. Vibration

Threshold: Would the Project result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Finding: Less than significant. (Draft EIR, page 6-65.)

Explanation: Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be used to construct Alternative 2. The greatest anticipated source of vibration during general project construction activities would be from a dozer, which would be used as close as 50 feet during construction from the nearest buildings to the northeast. A dozer would create a vibration level of approximately 0.089 PPV in/sec. at a distance of 25 feet. This would equal a vibration level of approximately 0.042 PPV in/sec at a distance of 50 feet. This vibration level would be well below the Caltrans vibration damage potential threshold for older structures of 0.3 PPV in/sec for continuous/frequent intermittent sources. Therefore, temporary vibration impacts from Alternative 2 associated with the dozer (and other potential equipment) would be less than significant.

Operational activities known to generate excessive ground-borne vibration include projects involving railroads and subways. Alternative 2 would not involve substantial vibration sources associated with operation such as this. Therefore, Alternative 2's operational groundborne vibration and noise impacts would be less than significant. (Draft EIR, page 6-65.)

3. Airport Noise

Threshold: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Finding: Less than significant. (Draft EIR, page 6-65.)

Explanation: The project site is located within the 60 to 65 CNEL noise contour from Santa Barbara Airport, which is approximately 1,100 feet to the west. This would be a noise exposure within the City's "normally acceptable" recommendation for noise levels for industrial uses, which is up to 70 CNEL. Further, noise exposure from planes would be intermittent depending on the Santa Barbara Airport's flight schedule. Therefore, construction workers building Alternative 2 or workers of the industrial building would not be exposed to excessive airport noise levels, and impacts would be less than significant. (Draft EIR, page 6-65.)

N. POPULATION AND HOUSING

1. Population Growth

Thresholds: Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure?

Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and

displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Finding: No impact. (Draft EIR, page 4.16-2.)

Explanation: Alternative 2 would not construct new housing or extend roads or other infrastructure. Accordingly, it would not lead to direct growth due to residential development or indirect growth due to road or infrastructure extensions into undeveloped portions of Goleta. Impacts related to population growth would be less than significant. In addition, the project site is currently developed with a former drive-in movie theater use, which is currently not in operation. Construction of Alternative 2 would not displace people or housing. Therefore, it would not necessitate the construction of replacement housing. No impacts related to displacement of people or housing would occur. (Draft EIR, page 4.16-2.)

O. PUBLIC SERVICES

1. Fire Protection

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Finding: Less than significant. (Draft EIR, page 6-66.)

Explanation: Alternative 2 would result in up to maximum of 75 employees and would not include residential uses. Accordingly, Alternative 2 could result in population growth of 198 people based on the city's average persons per household of 2.64. The addition of 198 people to Goleta would maintain the existing Santa Barbara County Fire Department (SBCFD) ratio of approximately 2.77 firefighters per 2,000 persons and thus not substantially diminish fire protection services such that new fire protection facilities would be needed. The project site is located approximately 1.3 miles from the County Station 12 and thus firefighters would be able to readily respond to the demand for fire services at the project site. Alternative 2 would be constructed in accordance with applicable regulations, including the California Fire Code and SBCFD regulations, which would minimize the potential for fire protection services to be needed at the project site. The project applicant would be required to pay development impact fees which would provide funding for expanded fire protection facilities, including environmental compliance and permitting for new facilities. Due to the small potential increase in population and regulatory compliance, Alternative 2's impact to fire protection facilities would be less than significant. (Draft EIR, page 6-66.)

2. Police Protection

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Sheriff Law Enforcement Services?

Finding: Less than significant. (Draft EIR, page 6-66.)

Explanation: Alternative 2 would result in the same maximum population growth of 198 persons. This population growth represents less than one percent of Goleta's existing population which is not anticipated to substantially alter the existing service ratios provided by the contracted Deputy Service Units such that an additional officer would be required in order to provide adequate public services. Thus, Alternative 2 would not be expected to result in substantial additional police services or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. In addition, the project applicant would be required to pay development impact fees to provide revenue to assist with funding future capital facilities for police services or increased law enforcement personnel. Alternative 2 would have a less than significant impact on police facilities. (Draft EIR, page 6-66.)

3. Schools

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools?

Finding: Less than significant. (Draft EIR, page 6-67.)

Explanation: Alternative 2 would generate in up to 15 additional students in the Goleta Unified School District (GUSD) and another 15 students in the Santa Barbara Unified School District (SBUSD). This student increase would not exceed the capacities of GUSD or SBUSD facilities. Furthermore, the applicant would pay state- mandated developer fees to fund the construction of school facilities to accommodate students generated from new development projects. Pursuant to Senate Bill 50, payment of this fee "…is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." With payment of school fees, Alternative 2 would have a less than significant impact on schools. (Draft EIR, page 6-67.)

4. Other Public Facilities

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities?

Finding: Less than significant. (Draft EIR, page 6-66.)

Explanation: Alternative 2 could indirectly result in a population growth of approximately 198 people which would not place additional demand on library services or inhibit the ability for the Goleta Valley Library to maintain material circulation. The existing library facility would be sufficient to accommodate the potential incrementally increased use and circulation needs that may result from indirect population growth due to Alternative 2. Furthermore, the applicant would pay development impact fees which would fund the provision of new or expanded libraries. Alternative 2 would also provide a permanent critical access easement to the flood channel for the City of Goleta and the SBCFCD for vehicular access to and repair and maintenance of the San Jose Creek channel, thus providing a beneficial impact to this existing public facility. Therefore, Alternative 2 would have a less than significant impact on the need for new or physically altered libraries. (Draft EIR, page 6-66.)

P. PARK AND RECREATION

1. Park and Increased Use

Thresholds: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks?

Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Finding: No impact. (Draft EIR, page 4.16-3.)

Explanation: Goleta has approximately 550 acres of parks and open space (City of Goleta 2022b). With Goleta's current population of 32,591, Goleta has approximately 16.9 acres of parkland per 1,000 residents. Alternative 2

would not directly generate population growth that would result in a need for additional parkland because the development does not include residential uses. Employment opportunities associated with the development may result in an incremental increase in the use of existing neighborhood and regional parks or other recreational facilities. Population and Housing, in a conservative scenario where the 75 additional employees relocated to Goleta, Alternative 2 would result in 198 new residents within the city. The addition of up to 198 people would result in a parkland ratio of 16.8 acres of parkland per 1,000 residents which would not be a substantial reduction in parkland available to the residents of Goleta. Furthermore, pursuant to Policy PF 10.2 of the City's Public Facilities Element, the applicant would be required to pay a proportionate share of the costs of new or upgraded capital facilities attributable to new development, including parks and recreation facilities (City of Goleta 2006b). Therefore, Alternative 2 would not substantially increase the use of existing park and recreational facilities such that a need for new or physically altered park facilities would occur or physical deterioration of existing facilities would occur or be accelerated. Impacts to parks and recreational facilities would be less than significant. Alternative 2 does not involve recreational facilities or require the construction or expansion of recreational facilities. As a result, Alternative 2 would not have an adverse physical effect on the environment due to the construction or expansion of recreational facilities and no impact would occur. (Draft EIR, page 4.16-3.)

Q. TRANSPORTATION / TRAFFIC

1. Plans, Policies, and Ordinances

Threshold: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Finding: Less than significant. (Draft EIR, page 6-67.)

Explanation: Alternative 2 would not introduce features that would conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Alternative 2 would be consistent with the City's Transportation Element policies. Alternative 2 would not cause changes to the existing bicycle facilities on Hollister Avenue, Fairview Avenue, or Ward Drive. There is an existing sidewalk located on South Kellogg Avenue, and Class III bicycle lanes located on South Kellogg Avenue. Project site access would be provided via an existing driveway which connects to an access road. Alternative 2 would resurface the existing access road. Alternative 2 would also include installation of a sidewalk which would start at South Kellogg Avenue and extend to the proposed parking lot. Alternative 2's design features would be subject to review and approval by the City, which would ensure Alternative 2 would conform to the City's driveway access control and vision clearance

standards and minimize potential vehicle to pedestrian and vehicle to cyclist conflicts in accordance with City standards. Alternative 2 would not generate a substantial increase in transit use due to the increase in up to 75 employees as employees are anticipated to be residents of Goleta who area within the service area of the Santa Barbara Metropolitan Transit District. Given the above considerations, Alternative 2 would have a less than significant impact on a program, plan, ordinance or policy that addresses the current circulation system including transit, roadway, bicycle, and pedestrian facilities. (Draft EIR, page 6-67.)

2. VMT

Threshold: Would the Project conflict or be inconsistent with CEQA Guidelines Sections 15064.3, subdivision (b)?

Finding: Less than significant. (Draft EIR, page 6-68.)

Explanation: Construction of Alternative 2 would result in short-term, temporary vehicle trips, which would not result in long term changes to vehicle miles traveled (VMT) within Goleta. Therefore, Alternative 2's construction VMT would not be inconsistent with CEQA Guidelines Section 15064.3(b). The project site is within an area identified by the City where work-based projects would generate an average VMT of 15 percent or more below baseline levels, would not require a VMT analysis, and would be presumed to have a less than significant impact on VMT. Therefore, Alternative 2 would have a less than significant impact on VMT and would not conflict with CEQA Guidelines Section 15064.3(b). (Draft EIR, page 6-68.)

3. Design Hazards

Threshold: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less than significant. (Draft EIR, page 6-68.)

Explanation: Construction staging for Alternative 2 would be located at the project site which would minimize the potential for construction related vehicles and equipment to create a circulation related hazard in the immediate area. Alternative 2 would be required to widen the eastern portion of the driveway in order to accommodate WB-62 delivery truck turning requirements. WB-62 delivery trucks would be expected to access the project site via South Kellogg Avenue, Hollister Avenue, and SR 217, all of which can accommodate a WB-62 delivery truck. The transportation design of Alternative 2 would also be required to be reviewed by SBCFD and the City to ensure Alternative 2 would not introduce geometric design hazards. Alternative 2 would not introduce new incompatible uses, such as farm

equipment, to roadways. Therefore, Alternative 2 would have a less than significant impact on transportation hazards. (Draft EIR, page 6-68.)

4. Emergency Access

Threshold: Would the Project result in inadequate emergency access?

Finding: Less than significant. (Draft EIR, page 6-68.)

Explanation: Construction staging for Alternative 2 would occur on-site which would minimize the potential for construction-related vehicles and equipment to result in inadequate emergency access in the immediate area. Alternative 2 would be required to be designed in accordance with applicable SBCFD standards, including those that address minimum driveway width, signage and addressing, fire hydrants, fire sprinklers, and emergency access. Alternative 2 would also be required to widen the driveway which would also improve access for emergency vehicles. With compliance with SBCFD and City standards, Alternative 2's impacts to inadequate emergency access would be less than significant. (Draft EIR, page 6-68.)

R. TRIBAL CULTURAL RESOURCES

1. Tribal Cultural Resources

Threshold: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1?

Finding: Less than significant. (Draft EIR, page 6-69.)

Explanation: Alternative 2 would have a potential to impact tribal cultural resources. Based on Native American consultation, no tribal cultural resources have been identified on the project site. The Archaeological Resources Assessment completed for the project site determined there is a very low potential for subsurface resources to exist within the project site. Therefore, Alternative 2 would not cause a substantial adverse change to tribal cultural resources, and impacts would be less than significant. (Draft EIR, page 6-69.)

S. UTILITIES AND SERVICE SYSTEMS

1. Wastewater Treatment Requirements

Threshold: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Finding: Less than significant. (Draft EIR, page 6-69.)

Explanation: Water: Alternative 2 would require water utility infrastructure, including a water line to connect to existing GWD infrastructure that would connect underneath the sidewalk adjacent to South Kellog Avenue. Alternative 2 would not generate substantial water demand and would not necessitate new or expanded facilities in order to meet Alternative 2's water demand. Therefore, Alternative 2's impact on water infrastructure would be less than significant.

Wastewater: Wastewater generated by Alternative 2 would not exceed the existing capacity of the Goleta Sanitary District's (GSD) wastewater treatment plant (WWTP). Alternative 2 would not require new or expanded wastewater treatment facilities beyond the sewer line connection. Alternative 2's impact on wastewater infrastructure would be less than significant.

Stormwater: Alternative 2 would include development of a detention basin and outlet discharge into San Jose Creek. These stormwater facilities would be sized in accordance with Central Coast RWQCB and City requirements. Because the proposed stormwater drainage facilities would allow for stormwater filtration and detention on-site, and excess runoff would be directed to San Jose Creek, no additional stormwater infrastructure would be needed beyond the stormwater infrastructure included as part of Alternative 2. Alternative 2's impact on stormwater infrastructure would be less than significant.

Electric, Natural Gas, and Telecommunications Facilities: Alternative 2 would install a transformer pad and utility lines which would connect to existing electric, natural gas, and telecommunications infrastructure proximate to the project site. (SCG) would have sufficient electricity and natural gas supplies for Alternative 2 without the installation of additional electric or natural gas infrastructure. Similarly, Alternative 2 would not require upgrades to existing facilities or create a demand for service unable to be met by existing providers. Therefore, Alternative 2's impact to electric, natural gas, and telecommunications facilities would be less than significant. (Draft EIR, page 6-69.)

2. Water Supplies

Threshold: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Finding: Less than significant. (Draft EIR, page 6-70.)

Explanation: Alternative 2 would include an industrial building. According to the County's 2021 Environmental Thresholds and Guidelines Manual, Light Industry land uses are anticipated to have a water demand of 0.28 AFY per 1,000 square feet of development. Therefore, development of Alternative 2's 70,594 square foot industrial warehouse building would generate a water demand of approximately 19.8 acre-feet per year. The project site has been allocated water based on historical water credits from the prior on-site use. Adequate water supply would be available for Alternative 2 and could be served by GWD at the time of development. Alternative 2's anticipated demand of 19.8 AFY represents approximately 0.4 percent of GWD's anticipated 2040 surplus in a normal year, 0.6 percent of GWD's dry year one surpluses, and 0.8 percent of GWD's dry year two surpluses. Alternative 2 would comply with GWD-imposed water shortage restrictions during drought periods which would reduce its water demand in times of drought. Therefore, Alternative 2 would not result in substantial water supply reductions and this impact would be less than significant. (Draft EIR, page 6-70.)

3. Wastewater Capacity

Threshold: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Finding: Less than significant. (Draft EIR, pages 6-70 through 6-71.)

Explanation: The anticipated wastewater demand of 7,059 gallons per day, or 0.007 million gallons per day (MGD), represents approximately 0.6 percent of the 1.11 MGD capacity available at the GSD WWTP for GSD customers. Alternative 2 would not generate wastewater in excess of existing capacity, and this impact would be less than significant. (Draft EIR, pages 6-70 through 6-71.)

4. Solid Waste

Thresholds: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Will the Project comply with federal, state, and local statutes and regulations related to solid waste?

Finding: Less than significant. (Draft EIR, page 6-71.)

Explanation: Operation: Pursuant to the methodology of County's 2021 Environmental Thresholds and Guidelines Manual, which estimates solid waste generation for warehouse development using a factor of 0.0016 tons multiplied by the square footage of a project, operation of Alternative 2 would generate approximately 113 tons per year of solid waste. This solid waste would be reduced to 56.5 tons of non-recyclable solid waste per year, consistent with a 50 percent solid waste diversion rate. This amount of solid waste does not exceed the City's project-specific threshold of 196 tons per year. Accordingly, operation of Alternative 2 would have a less than significant impact related to solid waste. (Draft EIR, page 6-71.)

T. WILDFIRE

Threshold: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?

Would the Project require the installation or maintenance of associated infrastructure (such a roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Finding: Less than significant. (Draft EIR, page 4.16-4.)

Explanation: The project site is not within a State Responsibility Area (SRA) or lands classified as very high fire hazard severity zones (VHFHSZ) (California Department of Forestry and Fire Protection [CAL FIRE] 2022). The nearest VHFHSZ is located approximately 1.95 miles north of the project site. Existing residential development, commercial development, and United States Route 101 separate the project site from the VHFHSZ. Accordingly, there is a limited potential for substantial impacts to occur due to being located near an SRA or VHFHSZ.

The project site is surrounded by existing development and hardscape, with vegetation located adjacent to the project site to the south and southwest. The project site is flat, and offshore marine winds blow inland. Alternative 2 would not substantially change the slope, winds, or other factors such that wildfire risks would be exacerbated. Alternative 2 would be constructed in

accordance with the requirements of the California Fire Code which are implemented to minimize the potential for fire to occur. In addition, it would be constructed in accordance with the Santa Barbara County Fire Department's (SBCFD) development standards which includes requirements for egress on private driveways, fire hydrant spacing and flow rates, automatic fire sprinkler systems, and automatic alarm systems (SBCFD 2022).

Adherence to State and local regulations would ensure the installation of infrastructure associated with the development would not substantially exacerbate fire risk. The installation of utility lines in the public right-of-way would be subject to the requirements of the City's encroachment permit which would include implementation of a traffic control plan which would comply with the latest edition of the California Manual of Uniform Traffic Devices (City of Goleta 2022a). Adherence to the City's encroachment permit would minimize the potential for the development to substantially impair emergency response as traffic control measures would be implemented during installation of utility lines in the public right-of-way. Applicable guidance documents, such as the City's Emergency Operations Plan (2021) and the County's Multi-Jurisdictional Hazard Mitigation Plan (2017), provide direction for traffic control and management in emergency situations, and the development would not preclude implementation of these plans (City of Goleta 2021; County of Santa Barbara 2017). As a result, the Alternative 2 would not substantially impair an adopted emergency response plan or an emergency evacuation plan.

The project site is flat and does not contain the steep topography necessary to induce substantial landslides or mudflows. In addition, runoff and drainage changes would be minimized during construction and operation as the development would be required to adhere to regulatory requirements which mandate implementation of erosion control measures. The development must obtain coverage under a National Pollutant Discharge Elimination System (NPDES) Construction General Permit and implement the provisions of a Storm Water Pollution Prevention Plan (SWPPP), including BMPs related to erosion control and sediment release. The development must comply with the Central Coast Regional Water Quality Control Board Post-Construction Requirements for Development Projects in the Central Coast Region which entails submittal of a Stormwater Control Plan. The Stormwater Control Plan would be reviewed and approved by the City which would ensure erosion control measures are implemented during operation (City of Goleta 2022c). As a result, Alternative 2 would not result in substantial runoff, slope-instability, or drainage changes which could lead to post-wildfire flooding, landslides, or mud flows. Impacts related to wildfire would be less than significant. (Draft EIR, page 4.16-4.)

SECTION III.
IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

The City Council hereby finds that Mitigation Measures have been identified in the EIR and these Findings that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

A. BIOLOGICAL RESOURCES

1. Sensitive Species

Threshold: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than significant with mitigation incorporated (Draft EIR, pages 6-37 through 6-40.)

Explanation: Belding's Savannah Sparrow and Nesting Birds: Foraging special-status birds, including the special-status Belding's savannah sparrow (BSS) and loggerhead shrike, have a low potential to be present as transients on the project site. Alternative 2 would not directly impact these species because they are mobile and would move away from construction or operational disturbance.

Although no BSS have been observed in the study area during field surveys, construction of Alternative 2 has the potential to indirectly impact BSS, in the event they are nesting in pickleweed habitat in Old San Jose Creek or San Jose Creek. Alternative 2 would have the potential to indirectly impact BSS due to disturbance from construction noise and vegetation clearing activities, which would be a potentially significant impact, requiring mitigation. In addition, construction of Alternative 2 has the potential to result in direct and indirect impacts to non-special status nesting birds protected under the Migratory Bird Treaty Act if they are nesting within the project site and/or immediate vicinity during construction activities. Direct impacts including the destruction of nests and mortality of eggs, nestlings, and birds would occur if active nests were present within the project site during clearing and grading. Indirect impacts could also occur if active nests are located in the project site and vicinity and are abandoned due to visual and acoustic construction -related disturbance. This impact would be potentially significant, requiring mitigation. Alternative 2 would require implementation of **Mitigation Measures BIO-1** and **BIO-2**, which would establish avoidance buffers around nests during construction in the nesting season and require focused surveys and avoidance of BSS for ground

disturbance during the BSS nesting season. With implementation of **Mitigation Measures BIO-1** and **BIO-2**, Alternative 2 would have a less than significant impact on nesting birds.

Tidewater Goby and Steelhead: noise and vibration from construction of Alternative 2 could result in temporary impacts to individual tidewater gobies and steelhead. However, work within the San Jose Creek channel would be completed using hand tools and concrete saws and heavy vibration equipment would not be utilized which would minimize vibration from construction. Alternative 2 would require implementation of **Mitigation Measure NOI-1**, which requires use of a sound barrier at the edge of San Jose Creek. Implementation of this measure would minimize the potential for construction noise to disturb tidewater goby and steelhead.

Construction of Alternative 2 would be carried out in accordance with a Storm Water Pollution Prevention Plan (SWPPP), which is required to include the use of best management practices (BMPs) to control stormwater pollutants. However, even with implementation of the SWPPP, construction of Alternative 2 could result in impact from fuel, oil, lubricants, paints, release agents, and other construction materials; erosion; increased turbidity; excessive sedimentation; and accidental fuel spills during construction could also lead to contamination of soils and habitat degradation. Alternative 2 would require implementation of **Mitigation Measure BIO-3** which requires implementation of a Toxic Materials Control and Spill Response Plan for materials that may be used/stored on-site, such as petroleum-based products, fuel and lubricants, and other potentially toxic materials. Implementation of **Mitigation Measure BIO-3** would reduce Alternative 2's potential to impact tidewater goby and steelhead from the release of construction materials to a less than significant level.

Construction of Alternative 2's drainage outfall in the San Jose Creek Channel has the potential to directly affect aquatic habitat and species, including for tidewater goby and steelhead. Alternative 2 would require dewatering the work area which could injure or kill these species, or could increase turbidity and affect juvenile steelhead. Construction of Alternative 2's drainage outfall would take three to four weeks to complete and would be scheduled to avoid peak high tides if the Goleta Slough mouth is open. No heavy equipment would be used or operated within this staging area in the creek bed. Crews would use hand tools (i.e., shovels, rakes and brooms, dust pans, and wheelbarrows) to collect and remove any debris that falls or washes into the staging area. A crane would lower sandbags and plastic sheeting into the creek bed to create a temporary cofferdam to prevent water from entering the work area. The cofferdam used for Alternative 2 would be a physical barrier that would prevent high tides and aquatic species from entering the work area. Installation of Alternative 2's cofferdam could potentially result in impacts to tidewater goby and steelhead if improperly installed. Alternative 2 would require implementation of **Mitigation**

Measure BIO-3, which would ensure the cofferdam would be installed during the dry season and removed after concrete has cured prior to coming into contact with tidal surface water. With implementation of **Mitigation Measure BIO-3**, impacts associated with construction of Alternative 2's drainage outfall would be reduced to a less than significant impact on tidewater goby and steelhead.

California Red-Legged Frog and Western Pond Turtle: Construction of Alternative 2 would have a potential to kill or injure California red-legged frog and western pond turtle. If present, injury or mortality could occur through accidental crushing, either by construction equipment or foot traffic from workers. Displacement from cover due to construction could expose these species to predators and desiccation. Additionally, amphibians or reptiles moving through the construction area could become trapped in open trenches left overnight. The initial construction noise and disturbance may also indirectly impact species, if present in the San Jose Creek and Old San Jose Creek corridor, by altering their migration behaviors. Alternative 2 would require implementation of **Mitigation Measure BIO-4** and **BIO-5**, which would require preconstruction surveys and biological monitoring throughout construction and avoidance and relocation of California red-legged frog and western pond turtle, if found. With implementation of **Mitigation Measure BIO-4**, Alternative 2's construction impacts to California red-legged frog and western pond turtle would be reduced to a less than significant level.

2. Riparian Habitat

Threshold: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than significant with mitigation incorporated. (Draft EIR, pages 6-40 through 6-41.)

Explanation: Alternative 2 would be located on the project site and therefore would include similar vegetation in the disturbance area. No sensitive communities are present on the project site; therefore, Alternative 2 would not result in direct impacts on sensitive communities or Environmentally Sensitive Habitat Area (ESHA) communities. Sensitive communities and ESHA that could be indirectly affected are found in San Jose Creek and Old San Jose Creek. Alternative 2's construction activities could result in similar dust generation, introduction of fuel spills, and introduction of invasive species which could indirectly impact sensitive communities and ESHA communities adjacent to the project site. Dust impacts would be addressed through adherence to Santa Barbara County Air Pollution Control District requirements. Alternative 2's fuel spill impacts would be reduced to a less than significant level with implementation of **Mitigation Measure BIO-3**.

Alternative 2's potential impacts related to invasive species would be reduced to a less than significant level with implementation of **Mitigation Measures BIO-5**, **BIO-6**, and **BIO-7**, which requires biological monitoring, prohibits non-native invasive species from being used as landscaping, and requires implementation of an Invasive Species Control Plan, respectively. (Draft EIR, pages 6-40 to 6-41.)

3. Wetlands

Threshold: Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-41.)

Explanation: Construction of the drainage outfall and use of cofferdam could damage wetlands habitat; however, Alternative 2 would require implementation of **Mitigation Measure BIO-3** which would ensure construction of the drainage outfall and use of the cofferdam occurs during the dry season. Implementation of **Mitigation Measure BIO-3** would reduce Alternative 2's indirect construction impacts on wetlands to a less than significant level. Implementation of **Mitigation Measure BIO-5**, requiring construction monitoring with 100 feet of ESHA, and Mitigation Measure BIO-8, requiring the construction contractor to install fencing around the ESHA and requiring replacement of ESHA habitat if temporary or permanent impacts occur during construction, would reduce Alternative 2's potential to directly impact wetlands to a less than significant level. Implementation of **Mitigation Measures BIO-6** and **BIO-7**, prohibiting invasive and exotic species, would reduce Alternative 2's potential impacts to wetlands due to the introduction of invasive species to a less than significant level. (Draft EIR, page 6-41.)

4. Wildlife Movement

Threshold: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Finding: Less than significant with mitigation incorporated. (Draft EIR, pages 6-41 through 6-42.)

Explanation: Construction of Alternative 2 would adhere to typical working hours and noise would not affect terrestrial nocturnal mammal wildlife movement, which is most pronounced during dusk, nighttime, and dawn. Approximately 170 feet west of the project site, Old San Jose Creek is mapped as a wildlife migration corridor for terrestrial and avian species.

The Old San Jose Creek corridor is 300 feet from the structure in the development area and 40 feet from the utility trenching and would be subject to at least 75 decibels of construction noise. Alternative 2's construction noise would generate noise at Old San Jose Creek, which would not result in a significant impact to Old San Jose Creek avian habitat that is within 300 feet of project construction during breeding season. Outside the breeding season, the initial increase in construction noise would cause bird species to permanently relocate to adjacent habitat, where they would not be affected by construction noise. Alternative 2 would implement **Mitigation Measure NOI-1** which would reduce short-term noise construction impacts to wildlife movement in the San Jose Creek to a less than significant level. Alternative 2 would require implementation of **Mitigation Measure BIO-1**, which would reduce potential impacts to migratory birds to a less than significant level. Therefore, construction of Alternative 2 would have a less than significant impact on migration with mitigation incorporated. Alternative 2 would create similar operational noise at the project site. Operational noise would not substantially impact wildlife. Due to the vegetation buffers between the San Jose Creek and the industrial building, Alternative 2 would not substantially impact wildlife movement due to the introduction of the new uses and human presence. Alternative 2's lighting would be contained on the project site and therefore would not substantially interfere with wildlife movement in San Jose Creek or Old San Jose Creek due to lighting. Due to Alternative 2's increase in proposed landscaping, Alternative 2 has a marginally greater potential to result in adverse effects on wildlife and habitat from the use of pesticides (including rodenticides), herbicides, and fertilizers. Alternative 2 would require implementation of **Mitigation Measures BIO-6, BIO-7**, and **BIO-9**, which would reduce Alternative 2's impact on migratory wildlife from landscaping to a less than significant level. (Draft EIR, pages 6-41 through 6-42.)

5. Local Policies and Ordinances

Threshold: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-42.)

Explanation: Alternative 2 would be consistent with General Plan Policies CE 2, CE 3, CE 5, CE, 6, and CE 8 with implementation of **Mitigation Measures BIO-1** through **BIO-9**. The City's Conservation Element Policy CE 2.2, Stream Protection Areas requires a 100-foot setback in San Jose Creek and portions of Old San Jose Creek. Alternative 2 would include a 100-foot SPA buffer consistent with Policy CE 2.2. Development within the 100-foot SPA buffer would be limited to access road improvements, installation of the underground utility trench, and the addition of landscaping, which are allowed uses in the SPA. Accordingly, Alternative 2 would not result in disturbances to wildlife associated with the reduction in SPA buffer.

Furthermore, Alternative 2 would allow for restoration of San Jose Creek in compliance with Policy CE-2.6. Therefore, Alternative 2 would reduce impact related to conflicts with Policy CE 2.2 to a less than significant level, with implementation of **Mitigation Measures BIO-1** through **BIO-9**. (Draft EIR, page 6-42.)

Mitigation Measures:

MM-BIO-1: Nesting Birds and Raptors. To avoid construction impacts to nesting birds and raptors, the construction contractor shall conduct vegetation removal and initial ground disturbance outside the bird and raptor breeding season, which is typically February 1 through September 1 but can vary based on local and annual climatic conditions. If construction begins within the breeding season, then not more than seven days before demolition, ground disturbance, and/or vegetation removal commences, a bird and raptor preconstruction survey shall be conducted by a City-approved biologist (retained by the Applicant/Permittee) within the disturbance footprint, plus a 300-foot buffer. The survey shall be conducted by a biologist familiar with the identification of bird species known to occur in southern California. The City-approved biologist shall conduct the preconstruction nesting bird and raptor surveys during the time of day when bird species are active and for a sufficient duration to reliably conclude presence/absence of nesting birds and raptors within the 300-foot buffer. The City-approved biologist shall submit a summary of the nesting bird and raptor survey results to the Planning and Environmental Review Director, or designee. Survey conclusions shall be reviewed and approved by the Planning and Environmental Review Director, or designee, prior to initiation of construction. If no bird nests are observed no further mitigation is required. If an active nest of species protected by the California Fish and Game Code (§ 3503) or Migratory Bird Treaty Act are found within 300 feet of the disturbance footprint, the City-approved biologist shall flag their locations and map their locations on an aerial photograph of the disturbance footprint at a scale no less than 1"=200' and/or recorded with the use of a Global Positioning System (GPS) unit. If active raptor nests are detected, the map shall include topographic lines, parcel boundaries, adjacent roads, known historical nests for protected nesting species, and known roosting or foraging areas, as required by Conservation Element Policy 8.3 of the Goleta Community Plan/Coastal Land Use Plan. The buffer shall be 300 feet in compliance with Conservation Element Policy 8.4 of the Goleta General Plan/Coastal Land Use Plan. If the 300-foot buffer is infeasible, the City-approved biologist may reduce the buffer distance as appropriate, dependent upon the species and the proposed work activities. If any active non-raptor bird nests are found, the City-approved biologist shall establish a suitable buffer area (varying from 25 to 300 feet), depending on the species. The construction contractor shall ensure that no ground disturbance occurs within the buffer until the City-approved biologist confirms that the breeding/nesting is completed and all the young have fledged and removes

the buffer. If work within the buffer is necessary, a City-contracted biological monitor (funded by the Applicant/Permittee) shall monitor the active nest full-time during construction activities within the buffer to ensure project activities are not indirectly impacting protected nesting birds and raptors. If work ceases for more than 30 days, a new nesting bird survey shall be conducted in accordance with this measure.

Plan Requirements and Timing: The survey shall be conducted no more than seven (7) days prior to commencement of any demolition, grading, and/or vegetation removal activities. Survey conclusions shall be reviewed and approved by the Planning and Environmental Review Director, or designee, prior to the commencement of construction activities that could disturb suitable nesting habitat, such as demolition, grading, and/or vegetation removal. This measure, and any buffer requirements, shall be incorporated into the grading plans.

Monitoring: The Planning and Environmental Review Director, or designee, shall review any biological survey reports and conduct periodic site inspections to verify compliance with survey recommendations in the field.

MM-BIO-2 Belding's Savannah Sparrow Avoidance. To avoid indirect impacts to nesting habitat for the Belding's savannah sparrow (Passerculus sandwichensis beldingi (BSS), the construction contractor shall schedule noise and vibration generating construction (excavation) within 250 feet of suitable salt marsh (pickleweed) habitat within San Jose Creek and Old San Jose Creek to avoid the BSS breeding season. If avoidance during the BSS nesting season (March 15 through July 15) is infeasible, not more than seven (7) days before initiation of excavation a City-approved biologist (retained by the Applicant/Permittee) with experience identifying and observing BSS shall conduct BSS surveys in suitable habitat with 250 feet of construction to ensure that nests or individuals are not present in the work area or 250-foot buffer. The City-approved biologist shall conduct two morning surveys (1/2 hour before sunrise to 10:00 am) in saltmarsh habitat within 250 feet of the development footprint determine the presence of Belding's savannah sparrows in these areas. A recording of this species may not be used to detect the species unless the City-approved biologist has a Memorandum of Understanding issued by CDFW. The City approved biologist shall note the type of bird activity observed and behavior such as defending territory, singing for a mate, scolding intruders, perching together, nest building, feeding young, and aerial chasing. If no BSS are observed within the 250-foot buffer excavation may commence. The City approved biologist shall then continue weekly surveys during all project activities to monitor for the presence of the BSS from March 15 through July 15.

If an active BSS nest is observed within 250 feet of the development area, the construction contractor shall cease project activities within 250 feet of the nest, and the City-approved biologist shall contact the California

Department of Fish and Wildlife (CDFW) and the City's Planning and Environmental Review Director within 48 hours. No project activities shall occur in in the 250-foot buffer until any young birds have fledged and left the area.

Verification that the construction schedule, surveys, and monitoring are being implemented shall be sent to the CDFW and the City. The City-approved biologist shall document observations of BSS on California Natural Diversity Database forms and submitted to the CDFW upon project completion.

Plan Requirements and Timing: Not more than seven (7) days before ground disturbance if ground disturbances commences between March 15 through July 15, including exporting or importing of soil, within 250 feet of salt marsh vegetation, the Planning and Environmental Review Director, or designee, shall verify that construction and grading occurs outside the nesting season, or that BSS nest surveys have been conducted, and buffer requirements specified above are in place (if applicable). This measure, and any buffer requirements, shall be incorporated into the grading plans. A 250-foot buffer from salt marsh habitat shall be depicted on the grading plans.

Monitoring: The Planning and Environmental Review Director, or designee, shall verify compliance not more than seven (7) days before ground disturbances within 250 feet of salt marsh vegetation if commencing between March 15 through July 15. Planning and Environmental Review Director, or designee, shall conduct periodic site inspections to ensure compliance throughout the construction period.

MM-BIO-3 Tidewater Goby and Southern California Steelhead Habitat Protection. To avoid and minimize impacts to jurisdictional aquatic resources, tidewater goby critical habitat, and Southern California steelhead critical habitat the Applicant/Permittee must:

A. Develop and receive approval from the Planning and Environmental Review Director or designee of a Toxic Materials Control and Spill Response Plan for materials that may be used/stored onsite, such as petroleum-based products, fuel and lubricants, and other potentially toxic materials prior to the issuance of the Zoning Clearance for grading or construction activities whichever is permitted first. The plan shall specify that cleaning and refueling of equipment and vehicles during construction shall occur only within designated staging areas that are at least 100 feet from San Jose Creek and Old San Jose Creek. The Toxic Material Control and Spill Response Plan must be implemented by the contractor if needed throughout the construction period.

B. Provide the City Planning & Environmental Review Department Director or designee with copies of permits and/or waivers or similar from

the USACE (including NMFS and USFWS Section 7), RWQCB, and CDFW for storm drain outlet work prior to the issuance of the Zoning Clearance grading permit.

C. Schedule the storm drain outlet work on San Jose Creek to occur during the dry season (June 1 to October 15) when surface water flows are low and during low tides when no surface water is present in the staging area. It shall also be scheduled to avoid peak high tides. No concrete or any cement products shall be used in areas where they may be conveyed by runoff into San Jose Creek during the rainy season, or when there is a 25 percent or greater chance of 0.10 inches of rain within 10 days prior to a scheduled cement pour. The cofferdam installed in the creek bed staging area shall be removed 10-15 days after the concrete has been poured on the creek bank at the detention basin outfall location to allow time for the concrete to cure before coming into contact with tidal surface water.

Plan Requirements and Timing: These requirements and prohibitions shall be included and the cleaning and refueling area depicted on all construction plans submitted for grading or building permit issuance. The Toxic Materials Control and Spill Response Plan must be approved by the Planning and Environmental Review Director, or designee, prior to grading or building Zoning Clearance permit issuance. ESHA fencing shall be erected prior to construction.

Monitoring: The Planning and Environmental Review Director, or designee, shall verify compliance prior to grading or building permit Zoning Clearance issuance and shall conduct periodic site inspections to verify compliance in the field. All costs associated with the development of the Toxic Material Control and Spill Response Plan, City review, and ongoing implementation including any peer reviews determined necessary by the City are borne by the Applicant/Permittee.

MM-BIO-4 Preconstruction Semi-Aquatic Species Survey. Prior to the start of construction activities for the proposed outfall to San Jose Creek, or any other construction activities occurring within 100 feet of San Jose Creek or Old San Jose Creek, a City-approved biologist (retained by the Applicant/Permittee) shall conduct a preconstruction survey for semi-aquatic species (e.g., California Red-legged Frog, western pond turtle) of the development area within a 100-foot buffer from the affected creek. The survey shall be completed within seven days in dry conditions or within 48 hours in favorable conditions for upland amphibian migration (e.g., during or immediately after heavy rain events, heavy fog, or high humidity). The survey shall include the development area within a 100-foot buffer from San Jose Creek and Old San Jose Creek, and the buffer emphasizing native vegetation, as these areas are more likely to harbor special-status wildlife than cleared areas. The City-approved biologist shall submit a summary of the survey results to the Planning and Environmental Review Director, or designee, for review and approval prior to initiation of ground disturbance

within 100 feet of San Jose Creek or Old San Jose Creek.

If a special status species is identified during construction, the construction contractor shall halt construction activities within 100 feet of the creek and contact the biologist. If identified during pre-construction surveys, individual special-status species in the work area shall be allowed to move out of the work area of their own volition. If special-status species are detected and do not move out of the work area, a Species Relocation and Exclusion Plan shall be prepared by the City-approved biologist and submitted to the Planning and Environmental Review Director, or designee, for approval prior to relocation. The Species Relocation and Exclusion Plan shall specify that if relocation by humans is required, the animal shall be captured by a City-approved biologist and relocated out of harm's way to the nearest suitable habitat, a minimum of 100 feet from the maintenance project work area where it was found. Species listed as threatened or endangered (e.g., California Red-legged Frog) shall only be handled as authorized by United States Fish and Wildlife Service. The City-approved biologist shall document observations of special-status species on California Natural Diversity Database forms and submit the documentation to the California Department of Fish and Wildlife upon project completion. If one or more special status semi-aquatic species are detected, surveys are required each day prior to construction activities within 100 feet of San Jose Creek or Old San Jose Creek. Construction can commence when the semi-aquatic species moves or is relocated out of the work area and when approved by the City-approved biologist. If construction within 100 feet of San Jose Creek or Old San Jose Creek ceases for more than 30 days, a new special status survey is required.

Plan Requirements and Timing: Prior to the initiation of ground disturbance for the proposed outfall, a summary of the survey results shall be transmitted via email to Planning and Environmental Review Director, or designee. If no special-status species are found, grading activities can commence and no further reporting is required If species are detected and do not move out of the work area, a Species Relocation and Exclusion Plan shall be prepared by the City-approved biologist and submitted to the Planning and Environmental Review Director, or designee, for approval prior to relocation and commencing outfall construction. If species are detected a Survey Report shall be submitted to the Planning and Environmental Review Director, or designee within 14 days of the survey and any relocation. If construction within 100 feet of San Jose Creek or Old San Jose Creek ceases for more than 30 days, a new special status survey is required.

Monitoring: The Planning and Environmental Review Director, or designee, shall review any biological survey, relocation, or exclusion reports in consultation with any resource/trustee agency as needed. The Planning and Environmental Review Director, or designee, shall conduct periodic site inspections to verify compliance with survey recommendations in the field. All costs associated with the development of the Species

Relocation and Exclusion Plan, City review, and ongoing implementation including any peer reviews determined necessary by the City are borne by the Applicant/Permittee.

MM-BIO-5 Biological Monitor and Worker Education. A City-contracted biological monitor (funded by the Applicant/Permittee) familiar with special-status plant and wildlife species with the potential to occur in the project work area shall be present during all work within 100 feet of San Jose Creek and Old San Jose Creek during construction activities to ensure compliance with all mitigation measures. The monitor shall be responsible for the following:

A. Ensuring that procedures for verifying compliance with biological resource mitigation measures are followed.

B. Lines of communication and reporting methods.

C. Daily and weekly reporting of compliance.

D. Construction crew Worker Environmental Awareness Training Program (WEAP) training.

E. Authority to stop non-emergency work.

F. Action to be taken in the event of non-compliance.

G. Conducting daily wildlife sweeps prior to construction.

The biological monitor shall also conduct a Worker Environmental Awareness Training Program for construction personnel prior to the commencement of construction activities and new personnel or crews after construction is initiated. As needed, training shall be conducted in Spanish for Spanish language speakers.

Plan Requirements and Timing. This measure shall be incorporated into the grading plans and the WEAP will be available on-site during construction. The City-approved biological monitor shall submit a monitoring summary to the Planning and Environmental Review Director, or designee, within 30 days after completing each phase of construction such as rough grading, precise grading, storm drain outlet, vertical construction, and project completion.

Monitoring: Monitoring summaries shall be kept on file with the City for the duration of construction.

MM-BIO-6 Landscaping: Invasive Species. Non-native, invasive plant species shall not be included in landscaping plans associated with the project. The California Invasive Plant Inventory Database contains a list of non-native, invasive plants (Cal-IPC 2023, or its successor). The

Applicant/Permittee's landscape plan shall prohibit the use of non-native invasive plants and be approved by the City's biologist in conjunction with the Design Review Board prior to the issuance of the Zoning Clearance permit for the building construction. Further, prior to issuance certificate of occupancy, the Planning and Environmental Review Director, or designee, shall inspect landscape planting features and habitat restoration areas (if required) to ensure that they have been installed consistent with approved plans.

Plan Requirements and Timing: The Landscaping Plan shall be approved by the Design Review Board prior to issuance of grading or building Zoning Clearance, whichever occurs first.

Monitoring: The Planning and Environmental Review Director, or designee, shall verify compliance before Zoning Clearance for grading or building issuance. Prior to issuance certificate of occupancy, the Planning and Environmental Review Director, or designee, shall inspect landscape planting features to ensure that they have been installed consistent with approved plans.

MM-BIO-7 Invasive Species Control Plan. The City-approved biologist (retained by the Applicant/Permittee) shall prepare an Invasive Species Control Plan for all construction equipment and activities within 100 feet of San Jose Creek. The Invasive Species Control Plan, which shall be implemented by the construction contractor(s), shall also include, but not be limited to, the following measures to prevent the introduction of invasive weed species

A. imported fill material shall be obtained from a source that is known not to be infested with invasive plant species.

B. Stockpile topsoil shall be redeposited after construction or transported to a permitted landfill for disposal in order to minimize colonization of disturbed areas and spread of invasive species.

C. All erosion control materials, including straw bales, straw wattles, or mulch used on-site shall be free of invasive species seed.

D. Exotic and invasive plant species shall be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.

E. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas.

Plan Requirements and Timing: The Invasive Species Control Plan shall be approved by the Planning and Environmental Review Director, or designee, prior to issuance of the Zoning Clearance for grading or building permits,

whichever occurs first.

Monitoring: The Planning and Environmental Review Director, or designee, shall verify compliance before Zoning Clearance for grading or building issuance. During construction, the Planning and Environmental Review Director, or designee, shall verify compliance with the Invasive Species Control Plan. All costs associated with the development of the Invasive Species control Plan, City review, and ongoing implementation including any peer reviews determined necessary by the City are borne by the Applicant/Permittee.

MM-BIO-8 Environmentally Sensitive Habitat Fencing and Protection
A. The City-contracted biological monitor (funded by the Applicant/Permittee) shall identify sensitive biological resources to be avoided. Prior to construction mobilization, the Applicant/Permittee must install temporary construction fencing and signage (as appropriate) around the ESHA within 100 feet of development under the direction of the biological monitor to avoid impacts to the sensitive habitat throughout the duration of construction. The fencing shall serve as a visual boundary for construction personnel.

B. At the conclusion of project construction, a post-construction biological survey shall be conducted by the City-approved biologist within seven days of project completion, to document if any inadvertent impacts to ESHA have occurred. If work occurred outside the development area and ESHA is inadvertently removed or damaged, a Habitat Mitigation Plan shall be prepared by the City approved biologist consistent with the General Plan Conservation Element and shall specify acres impacted and restored, timing, plant palette, and monitoring. The Habitat Mitigation Plan shall require a replacement ratio of 1:1 for temporary impacts and a minimum of a 3:1 ratio for permanent impacts and shall require the establishment of native percent cover that reflects that of an unimpacted adjacent ESHA reference site. If required, the Habitat Mitigation Plan shall be approved by the Planning and Environmental Review Director, or designee within 30 days of any inadvertent damage.

Plan Requirements and Timing: Temporary fencing shall be erected prior to construction and removed upon project completion. Project completion reports shall be submitted to the Planning and Environmental Review Director, or designee, within 30 days of project completion. If required, a Habitat Mitigation Plan shall be prepared by a City approved biologist and approved by the Planning and Environmental Review Director, or designee within 30 days of any inadvertent damage.

Monitoring: The biological monitor shall ensure fencing is in place and ensure sensitive habitat avoidance for the duration of construction in the affected area. Planning and Environmental Review Director, or designee, staff shall verify compliance prior to construction and shall verify

compliance in the field during all construction activities.

MM-BIO-9 Landscape Chemical and Pest Management Plan. Prior to issuance of a Zoning Clearance for the building construction, the Applicant/Permittee shall submit a Landscape Chemical and Pest Management Plan to the Planning and Environmental Review, or designee, for review and approval. The Landscape Chemical and Pest Management Plan shall specify a prohibition of the use of pesticides, herbicides, fertilizers, and rodenticides unless approved by the Planning and Environmental Review Director (e.g., organic pesticides in emergency circumstances). All pesticides, herbicides, fertilizers, and rodenticides used at the project site shall be those designated for use near aquatic and wetland habitats and are prohibited within 100 feet of San Jose and Old San Jose Creeks. Chemicals shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Integrated Pest Management principles shall be implemented to the extent practicable for chemical pesticides, herbicides, and fertilizers. The Landscape Chemical and Pest Management Plan shall include measures alternative weed control measures (e.g., removal by hand), pest management and extermination; proper application techniques; identify the fertilizers, rodenticides, pesticides, or herbicides proposed to be used; location and storage requirements; and map area used. The use of second-generation anticoagulant rodenticides shall be prohibited during construction and for the life of the permit. Any use of fertilizers, pesticide, herbicide, or rodenticide products shall be consistent with federal and state requirements. Trash and recycling receptacles shall be wildlife proof.

Plan Requirements and Timing: A Landscape Chemical and Pest Management Plan shall be developed by the Applicant/Permittee and approved by the Planning and Environmental Review Director, or designee, prior issuance of Zoning Clearance for the building permit. The requirements shall be printed on the final approved landscape plans, each lease document, and recorded on the property deed. The Landscape Chemical and Pest Management Plan shall provide a prohibition on use of pesticides, herbicides, fertilizers, and rodenticides unless approved by the Planning and Environmental Review Director (e.g., organic pesticides in emergency circumstances). These prohibitions shall be the subject of at least one annual communication by the Applicant/Permittee to the tenants and management company in the form of a meeting and/or newsletter or electronic update that is distributed to tenants.

Monitoring: Planning and Environmental Review Director, or designee, shall review and approve the Landscape Chemical and Pest Management Plan prior to the issuance of the Zoning Clearance. The Applicant/Permittee is responsible for the ongoing use of said plan and shall keep annual monitoring reports demonstrating the use of aquatic and wetland habitat appropriate fertilizer, herbicides, and pesticides consistent with the Landscape Chemical and Pest Management Plan on the property for the life

of the on-site development. These reports shall be furnished to the Planning and Environmental Review Department upon request. All costs associated with the development of the Landscape Chemical and Pest Management Plan, City review, and ongoing implementation including any peer reviews determine necessary by the City are borne by the Applicant/Permittee.

B. GEOLOGY AND SOILS

1. Seismic Ground Shaking

Threshold: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-45.)

Explanation: The project site is located in a region of high seismic activity, with the potential for large seismic events that could generate strong ground shaking. Alternative 2 would be designed to consider seismic loads, as required by the California Building Code (CBC). Alternative 2 would also require implementation of **Mitigation Measure GEO-1**, which would require incorporation of building foundation recommendations into the design of Alternative 2 in order to reduce adverse effects associated with future ground shaking events. Implementation of **Mitigation Measure GEO-1** would reduce Alternative 2's impact related to seismic ground shaking to a less than significant level. (Draft EIR, page 6-45.)

2. Liquefaction and Unstable Soil

Threshold: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-46.)

Explanation: The project site is not at risk of landslides, lateral spreading, or collapse. Both liquefaction and settlement are potential concerns for project site soils. During an earthquake-induced liquefaction event, the total vertical movement of the ground surface could reach approximately 4 inches, while the variation in settlement between different areas or structures within the affected zone could be up to approximately 2 inches. Additionally, if dry sand on the project site is subjected to seismic activity, the total vertical movement of the ground surface could reach approximately 2 inches.

Similarly, the variation in settlement between different areas or structures within the affected zone could be up to approximately 1 inch. Settlement resulting from liquefaction and seismic activity may damage Alternative 2's building foundation. Alternative 2 would require implementation of **Mitigation Measure GEO-1**, which would reduce Alternative 2's potential impacts due to liquefaction resulting in settling of soils on the project site to a less than significant level. (Draft EIR, page 6-46.)

3. Soil Erosion

Threshold: Would the Project result in substantial soil erosion or the loss of topsoil?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-46.)

Explanation: Construction: Project site soils are highly erodible. Alternative 2's grading operations would disturb an additional 0.12-acre during construction. If grading activities occur during the rainy season, or in the event of heavy storms, soils from the site could be entrained, eroded, and transported off-site. Construction of Alternative 2 would comply with the requirements of the Construction Stormwater General Permit and the construction contractor would implement a SWPPP to control the discharges of pollutants, including sediment, into local surface water drainages. The SWPPP prepared for Alternative 2 would include information on BMPs that would be used during construction to retain sediment on-site, minimize erosion, and utilize vegetation for erosion control, as well as a summary of precautionary measures to be taken to ensure vehicle use does not result in erosion, pursuant to the requirements of Chapter 15.09 of the City's Municipal Code. Soils on the project site are highly erodible and construction of Alternative 2 could result in substantial erosion. Alternative 2 would require implementation of **Mitigation Measure GEO-1** which would require incorporation of drainage and grading recommendations into Alternative 2 to reduce soil erosion on-site. Alternative 2's construction-related impacts to soil erosion would be less than significant with mitigation incorporated.

Operation: During operation of Alternative 2, runoff generated from storm events may transport sediment off- site and contribute to project site erosion and the loss of topsoil. However, Alternative 2's design would be required to meet applicable regulatory requirements to reduce erosion. These requirements include the standards of the Central Coast Regional Water Quality Control Board's (RWQCB) Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region and the County's Stormwater Technical Guide for Low Impact Development. Alternative 2 would comply with the Phase II Municipal Separate Storm Sewer System (MS4) Permit which requires that a Storm Water Quality Management Plan (SWQMP) be prepared for projects that create and/or replace 5,000 or more square feet of impervious surface. SWQMPs specify the operational BMPs that would be implemented to

capture, treat, and reduce pollutants of concern in stormwater runoff. However, soils on the project site would remain highly erodible, requiring implementation of long-term maintenance activities to ensure proper drainage and the stabilization of surface soils are necessary to reduce the potential of erosion damage during operation. Alternative 2 would require implementation of **Mitigation Measure GEO-1** which would incorporate drainage and grading recommendations into Alternative 2. Alternative 2's operational impacts related to soil erosion would be less than significant with mitigation incorporated. (Draft EIR, page 6-46.)

Mitigation Measures:

MM-GEO-1: Geotechnical Design Considerations. The project design engineer shall incorporate the recommendations listed below from the Revised Geotechnical Engineering Report Update (Appendix G) into the project's grading and building plans. The applicant shall submit the grading and building plans to the Planning and Environmental Review Director or designee for review and approval prior to issuance of grading and building permits for the project.

Grading

1. Following site preparation, the soil within the building and improvement areas shall be removed to a level plane to a minimum depth of 2 feet below ground surface (bgs). During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.

2. Following site preparation, the soils in fill areas beyond the building and surface improvement areas shall be removed to a minimum depth of 2 feet bgs. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.

3. Voids created by dislodging cobbles and/or debris during scarification shall be backfilled and compacted, and the dislodged materials shall be removed from the area of work.

4. On-site material and approved import materials may be used as general fill and up to 4 feet below the deepest mat foundation element within the building area of the building. All imported soil shall be non-expansive. Proposed imported soils shall be evaluated by the geotechnical engineer before being used, and on an intermittent basis during placement on the site.

5. All materials used as fill shall be cleaned of any debris and rocks larger than 6 inches in diameter. No rocks larger than 3 inches in diameter shall be used within the upper 3 feet of finish grade. When fill material includes

rocks, the rocks shall be placed in a sufficient soil matrix to ensure that voids caused by nesting of the rocks will not occur and that the fill can be properly compacted.

6. Under the mat foundation for the building, Tensar IX 160 triaxial geogrid or an approved equivalent shall be placed on a level plane 4 feet below the bottom of the deepest foundation element within the building area. The geogrid shall also extend vertically up the 4-foot sides of the excavation. Two feet of moisture conditioned and compacted Class 2 AB (Caltrans, 2018) shall then be placed to a level plane on top of the first geogrid within the building area. Another or second layer of Tensar TX 160 triaxial geogrid or an approved equivalent shall be placed on the top of the first layer of AB within the building area; however, it does not need to extend up the sides of the excavation. Another 2 feet of moisture conditioned and compacted AB shall then be placed to a level plane on the geogrid within the building area. The bottom layer of geogrid that was extended up the sides of the excavation shall then be folded down on top of the second layer of compacted AB such that it creates a minimum 5-foot overlap on top of the compacted AB surface. Previously excavated soil or Class 2 AB may then be placed as moisture conditioned and compacted fill back up to pad grade. The geogrid shall be placed and overlapped as recommended by the manufacturer.

7. Fill slopes shall be keyed and benched into competent soil as generally shown on the Typical Bench and Keyway Detail presented in Appendix E. The geotechnical engineer shall approve all keyways and benches. The keyway shall be a minimum of 10 feet wide.

8. Slopes under normal conditions shall be constructed at 2 to 1 (horizontal to vertical) or flatter inclinations. Slopes subject to inundation shall be constructed at 3 to 1or flatter inclinations.

Foundations (General)

1. The allowable bearing capacity and/or modulus of subgrade reaction may be increased by one-third when transient loads, such as wind or seismicity, are included if the structural engineer determines they are allowed. The foundations shall be designed using the seismic information presented in the “Seismic Design Parameters” listed in the “Ground Motion Analyses” section of this report.

2. Foundation excavations shall be observed by the geotechnical engineer prior to rebar and PCC placement. Footing excavations shall be thoroughly moistened prior to PCC placement and no desiccation cracks shall be present.

3. The Corrosion Evaluation Report prepared by CERCO Analytical, Inc. and presented in Subappendix C of the Revised Geotechnical Engineering Report Update shall be used by the architect/engineer in specifying

appropriate corrosion protection measures for all foundation elements.

Drainage

1. Unpaved ground surfaces shall be finish graded to direct surface runoff away from foundations and other improvements at a minimum 5 percent grade for a minimum distance of 10 feet. The site shall be similarly sloped to drain away from foundation, slopes, and other improvements during construction. Where this is not practicable due to property lines, other improvements, etc., swales with improved surfaces, area drains, or other drainage facilities, shall be used to collect and discharge runoff.

2. To reduce the potential for planter drainage from gaining access to subslab areas, any raised planter boxes adjacent to foundations shall be installed with drains and sealed sides and bottoms. Drains shall also be provided for areas adjacent to the foundations that would not otherwise freely drain.

3. The building roof shall be fitted with roof gutters. Runoff from flatwork, roof gutters, downspouts, planter drains, area drains, etc. shall discharge in a nonerosive manner away from foundations and other improvements in accordance with the requirements of the governing agencies.

4. The on-site soils are highly erodible; stabilization of soils disturbed during construction by vegetation or other means during and following construction is essential to reduce erosion damage. Care shall be taken to establish and maintain vegetation. The landscaping shall be planned and installed to maintain the surface drainage recommended above. Surface drainage shall also be maintained during construction.

5. To reduce migration of surface drainage into the subgrade, maintenance of pavement areas is critical. Any cracks that develop in the pavement shall be promptly sealed.

6. The owner or site maintenance personnel shall periodically observe the areas within and around the site for indications of rodent activity and soil instability. The owner or site maintenance personnel shall also implement an aggressive program for controlling the rodent activity in the general area.

Plan Requirements and Timing. Grading and building plans shall be submitted for review and approval by the Planning and Environmental Review Director or designee before the City issues grading and building permits.

Monitoring. The project soils engineer shall observe all excavations before placement of fill and report observations to the City. The City will conduct field inspections as needed.

C. HAZARDS AND HAZARDOUS MATERIALS

1. Accident or Upset

Threshold: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-52.)

Explanation: Construction: The project site contains existing drive-in theater structures which may contain asbestos-containing materials (ACM) and lead-based paints (LBP), and which would be demolished as part of Alternative 2. Demolition and construction activities would be required to adhere to Cal/OSHA regulations regarding asbestos and lead-based paint materials. The California Code of Regulations (CCR) requires testing, monitoring, containment, and disposal of lead-based materials (CCR Title 8, Section 1532.1) and asbestos (CCR Title 8, Section 15129). However, given the likelihood for the presence of ACM and LBP, demolition could result in a potentially significant release of ACM and LBP. Alternative 2 would require implementation of **Mitigation Measures HAZ-1** and **HAZ-2** in order to reduce potential impacts associated with ACM and LBP release to a less than significant level. Although the Environmental Soils Analysis prepared found that constituents of concern were not detected in project site soil samples at concentrations that exceed regulatory thresholds (Appendix O), there remains a potential that surficial soils to the west of the existing concessions stand could contain hazardous materials, should they exist in project site fill. The Environmental Soils Analysis concluded that the soil contamination is limited to the upper few inches in this location. In addition, adjacent properties to the north of the project site have handled or generated hazardous waste, with one property located at 891 South Kellogg Avenue (approximately 100 feet north of the project site) associated with two closed Cleanup Program cases (Appendix I of the Draft EIR). Past hazardous material releases from adjacent properties may have resulted in contaminated groundwater on the project site. Construction could potentially disturb hazardous materials in surficial soil to the west of the existing concession stand, leading to an accidental release of hazardous materials that could impact both construction workers and the environment. In addition, based on the depth to groundwater, it is reasonable to assume that groundwater could be encountered during grading activities and groundwater dewatering would be required during construction. Alternative 2 would comply with an individual NPDES permit, waste discharge, or Limited Threat Discharge Permit, to ensure proper treatment and disposal. However, given the likelihood for contamination, Alternative 2 would require implementation of **Mitigation Measure HAZ-3** through **HAZ-5** which, would reduce potential impacts associated with the accidental release of hazardous materials to a less than significant level. (Draft EIR, page 6-52.)

Mitigation Measures:

MM-HAZ-1: Asbestos Containing Materials Abatement. Prior to the issuance of Zoning Clearance associated with the demolition permit, the project applicant/Permittee shall prepare an asbestos abatement plan addressing the items/topics listed below. The asbestos abatement plan shall be reviewed and approved by the Santa Barbara County Air Pollution Control District (SBCAPCD). Proof of SBCAPCD approval shall be provided to the Planning and Environmental Review Director or designee. During project construction and demolition activities, the project applicant shall follow the measures outlined in the asbestos abatement plan and shall be undertaken by properly trained and licensed asbestos contractors currently registered with Cal/OSHA and/or OSHA (herein referred to as "abatement contractors"). Abatement contractors shall be selected and vetted by the project applicant, and reviewed by SBCAPCD 10 working days prior to starting demolition as part of the Notification for Renovation and Demolition Form ENF-28 submittal. Project-specific requirements to be addressed in the asbestos abatement plan include the following:

- Disturbance activities shall be performed only by abatement contractors using appropriate controls to prevent fiber emissions during the removal process. This may include, but is not limited to, the use of wet methods (water mist), negative pressure containment, high efficiency particulate air (HEPA) filtration, and other engineering controls, as deemed appropriate, to keep fibers from being dispersed in accordance with current federal, State, and local regulations. Presumed asbestos containing roofing materials shall be sampled by abatement contractors prior to demolition to determine proper handling and disposal requirements.

- Windows with trace (defined as less than 1 percent) asbestos in putty shall be removed intact to avoid disturbance of the putty, if possible. Other materials with trace asbestos shall be point counted to determine the asbestos concentrations; if asbestos concentrations are not determined, these materials shall be managed as ACMs.

- Workers performing removal shall be properly protected to prevent exposure, including the use of respiratory protection with HEPA filtration, protective suits, or other protective equipment deemed necessary by abatement contractors. Disturbance of greater than 100 square feet of any ACMs or asbestos-containing construction materials (ACCMs) must be performed by trained and licensed abatement contractors. Asbestos containing waste materials must be properly contained and transported for off-site disposal at a permitted landfill or disposal facility. Friable asbestos with greater than 1 percent asbestos content is considered hazardous waste per current federal and State regulations and must be transported and

disposed using proper manifest documentation. Non-friable asbestos is categorized as non-hazardous, asbestos containing waste and can typically be disposed to the local Class III landfill with prior approval from landfill operators. As noted, materials with less than 1 percent total asbestos can be disposed of as construction debris if proper lab analysis is provided.

- The abatement contractor shall be responsible for complying with local, State, and federal standards for worker protection and National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations regarding asbestos fiber emissions. Proper removal techniques must be followed to prevent the dissemination of asbestos fibers. All required notification and permitting shall be administered by the abatement contractor, and proper completion shall be verified by the City's Director of Planning and Environmental Review.

- There is the potential suspect materials previously unidentified could be discovered during site renovation/demolition work. This could include suspect materials located inside walls, under floors, above ceilings, and in other areas. If suspect materials are found during site work, the area shall be isolated, and any suspect materials tested to confirm or deny the presence of asbestos, lead, or other hazards, as determined appropriate by the abatement contractor.

Plan Requirements and Timing. The project applicant shall prepare the asbestos abatement plan, obtain SBAPCD's approval, and contract with an abatement contractor prior to the issuance of the Zoning Clearance associated with the demolition permit.

Monitoring. The Director of Planning and Environmental Review or Designee shall verify SBCAPCD has approved the asbestos abatement plan prior to the issuance of Zoning Clearance. The Director of Planning and Environmental Review or Designee shall spot-check compliance with the asbestos abatement plan during demolition activities and verify compliance documentation following demolition activities.

MM-HAZ-2: Lead-Based Paint Abatement. Prior to the issuance of a Zoning Clearance associated with the demolition permit, the project applicant/Permittee shall prepare a lead based paint abatement plan. This plan can be combined with the plan required in Mitigation Measure HAZ-1. The lead based paint plan shall be reviewed and approved by the Planning and Environmental Review Director or designee. During project construction and demolition activities, the project applicant shall follow the measures outlined in the lead based paint abatement plan. specific requirements related to lead-based paint. These requirements shall be undertaken by properly trained contractors that utilize lead-safe work practices (or "abatement contractors"). Abatement contractors shall be

selected and vetted by the project applicant and reviewed by the City of Goleta. Prior to abatement, the applicant shall notify the California Department of Public Health (CDPH) of lead-based abatement activities through submittal of CDPH Form 8551, and provide evidence of the notification to the Planning and Environmental Review Director or designee. Project-specific requirements of the lead based paint abatement plan include the following:

- Any disturbance by abatement contractors that might generate dust or create a lead exposure hazard shall be performed by lead-trained workers using lead-safe work practices. Lead safe work practices include appropriate containment, wet methods, and use of hand tools or similar methods that will minimize the generation of airborne dust emissions and potential lead hazards.

- To prevent lead exposure hazard due to the generation of lead dust and debris, lead painted components (e.g., windows, doors, baseboards) or similar lead containing items shall be removed intact and segregated from the overall waste stream by abatement contractors.

- Lead containing waste shall be properly disposed of by abatement contractors in accordance with local, State, and federal regulations. Lead containing waste is classified as Hazardous Waste if total lead concentration exceeds 1,000 milligrams per kilogram (or parts per million) or if soluble lead concentration exceeds 5.0 milligrams per liter. Proper waste characterization testing or waste profiling shall be conducted prior to disposal of lead containing waste. If practicable, lead wastes shall be segregated to minimize the volume of possible hazardous waste. If lead- containing and non-lead waste materials are comingled during demolition, composite samples of representative waste shall be analyzed by a certified lab to determine proper disposal requirements.

Plan Requirements and Timing. The project applicant shall prepare the lead-based pain abatement plan, notify CDPH, and contract with an abatement contractor prior to the issuance of the Zoning Clearance associated with the demolition permit.

Monitoring. The Director of Planning and Environmental Review or Designee shall approve the lead based paint abatement plan and verify CDPH has been notified prior to the issuance of Zoning Clearance and then check the abatement contractor's monitoring log to ensure project-specific recommendations are enacted during project demolition activities.

MM-HAZ-3: Groundwater Investigation and Disposal. Prior to issuance of Zoning Clearance for construction or grading, the project applicant shall retain a qualified environmental consultant (Professional Geologist [PG] or

Professional Engineer [PE]) to conduct a groundwater investigation of groundwater at the project site for potential contaminants of concern. The PG or PE shall prepare a groundwater investigation report, which shall be submitted to the City's Director of Planning and Environmental Review for review and approval prior to the issuance of the Zoning Clearance associated with grading permits. As part of the groundwater investigation, analytical results shall be screened against the San Francisco Bay Regional Water Quality Control Board (RWQCB) environmental screening levels (which are utilized by the Central Coast RWQCB). These environmental screening levels are risk-based screening levels for direct exposure of a construction worker and commercial/ industrial land use. The groundwater investigation report shall include recommendations to address identified hazards and indicate when to apply those recommended actions in relation to project activities.

If contaminants are detected in groundwater at the project site, the project applicant shall implement the recommendations specified in the groundwater investigation report to protect site workers during project construction.

If disposal of contaminated groundwater is required during construction of the project, Santa Barbara County Environmental Health Services shall be consulted to determine if the treated groundwater can be disposed of through one of their waste discharge permit options. Based on the concentrations of chemical constituents of contaminated groundwater, an individual National Pollution Discharge Elimination System (NPDES) permit and/or waste discharge requirements may be required to be obtained for dewatering activities. If disposal of contaminated groundwater is required, proof of consultation with Santa Barbara County Environmental Health Services shall be submitted to the Director of Planning and Environmental Review or Designee.

Plan Requirements and Timing. The project applicant shall retain a qualified environmental consultant to conduct the groundwater investigation prior to the issuance of Zoning Clearance associated with the issuance of grading permits. If dewatering is required, the applicant shall consult with Santa Barbara County Environmental Health Services and provide proof of consultation to the Director of Planning and Environmental Review or Designee prior to the issuance of Zoning Clearance.

Monitoring. Following submittal of the subsurface investigation report, the Director of Planning and Environmental Review or Designee shall review project construction plans to ensure applicable recommendations from the groundwater investigation report are integrated into construction plans. If disposal of contaminated groundwater is required, the Director of Planning and Environmental Review or Designee shall verify consultation with Santa Barbara County Environmental Health Services has occurred prior to the issuance of Zoning Clearance.

MM-HAZ-4: Soil Remediation. The 15-foot diameter area that is to the west of the existing concessions stand and encompasses soil sample location SS-1, as defined in the Environmental Soils Analysis (Appendix O of the Draft EIR), shall be sequestered for further analysis to determine if the soils can be reused on site or if should be disposed of off-site. If the soil testing results indicate that the soils exceed environmental screening levels, then the soils shall not be reused on site. The City shall retain a qualified consultant (Professional Geologist or Professional Engineer) approved by Santa Barbara County Environmental Health Services to properly sample, delineate, and remove and/or dispose of the contaminated soil. The qualified consultant shall utilize the project site analytical results for waste characterization purposes to determine the appropriate methods for off-site transportation and disposal of potentially impacted soils. The qualified consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils and/or provide recommendations for remedial engineering controls, if appropriate. Santa Barbara County Environmental Health Services shall review and approve the disposal recommendations for regulated waste prior to transportation of impacted soils off-site, and review and approve remedial engineering controls prior to construction. The project applicant shall submit proof of approval from Santa Barbara County Environmental Health Services to the Director of Planning and Environmental Review or Designee.

Subsequently, the project applicant shall review and implement the project site disposal recommendations for regulated waste prior to transportation of impacted soils off-site, and review and implement remedial engineering controls, prior to the start of grading.

Plan Requirements and Timing. The project applicant shall retain a qualified environmental consultant to sequester, sample, and dispose of contaminated soil prior to the issuance of grading permits. The project applicant shall submit proof of approval from Santa Barbara County Environmental Health Services to the Director of Planning and Environmental Review or Designee.

Monitoring. The Director of Planning and Environmental Review or Designee shall verify Santa Barbara County Environmental Health Services has reviewed and approved contaminated soil disposal recommendations prior to transportation of impacted soils off-site.

HAZ-5: Site Management Plan. The project applicant shall retain a qualified environmental consultant (Professional Geologist or Professional Engineer) approved by Santa Barbara County Environmental Health Services to prepare a Site Management Plan (SMP) prior to the issuance of Zoning Clearance associated with grading permit. The SMP, or equivalent document, shall be prepared to address on-site handling or management of impacted soils or groundwater if such soils or impacted wastes are encountered during the groundwater investigation or soil remediation, and

reduce hazards to construction workers and offsite receptors during construction. The project applicant shall submit the SMP to Santa Barbara County Environmental Health Services, who shall review and approve the SMP. The project applicant shall submit proof of Santa Barbara County Environmental Health Services' approval of the SMP to the Director of Planning and Environmental Review or Designee.

The SMP shall establish remedial measures and/or soil or groundwater management practices to ensure construction worker safety, the health of future workers and visitors, and the prevention of offsite migration of contamination from the project site. These measures and practices may include, but are not limited to:

- Stockpile management including stormwater pollution prevention and the installation of Best Management Practices (BMPs)
- Collection of groundwater samples during dewatering
- Proper disposal procedures of impacted materials
- Monitoring and reporting
- A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of project site construction activities with the requirements and procedures for employee protection.
- The health and safety plan shall outline proper soil and groundwater handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.
- Proper handling procedures for unexpected contamination, such as halt-work and avoidance protocols, and City and contractor notifications
- The SMP shall also specify the procedures to be implemented in the event unexpected hazardous materials are encountered during construction. If unexpected odorous or visually stained soils, other indications of hydrocarbon piping or equipment, or debris are encountered during ground-disturbing activities, the construction contractor shall halt work in the immediate area and a qualified environmental consultant (PG or PE) shall be contacted immediately to evaluate the situation. The qualified environmental consultant shall evaluate the material and recommend the appropriate testing, removal, and disposal methods. The construction contractor shall ensure hazardous materials are removed or remediated in accordance with the requirements of the qualified environmental

consultant and the SMP. Construction work may continue on other parts while soil investigation and/or remediation takes place. The construction contractor shall not resume work until approved by the qualified environmental consultant and the City.

Plan Requirements and Timing. The project applicant shall retain a qualified environmental consultant to prepare the SMP prior to the issuance of Zoning Clearance and provide proof of Santa Barbara County Environmental Health Services' approval of the SMP to the Planning and Environmental Review Director or designee for approval prior to the issuance of the Zoning Clearance associated with grading permits.

Monitoring. Prior to approval of the Zoning Clearance for construction, the Director of Planning and Environmental Review or Designee shall verify Santa Barbara County Environmental Health Services' approval of the SMP and review project construction plans to ensure applicable recommendations from the SMP are integrated into construction plans.

D. HYDROLOGY AND WATER QUALITY

1. Water Quality Standards

Threshold: Would the Project violate any water quality standards or waste discharge requirements?

Finding: Less than significant with mitigation incorporated. (Draft EIR, pages 6-54 through 6-56.)

Explanation: Construction: Alternative 2 would disturb 0.12-acre greater during construction and therefore have marginally increased potential to violate water quality standards or waste discharge requirements. Alternative 2's potential to introduce stormwater pollutants would be minimized with adherence to SWRCB's Construction Stormwater General Permit which requires implementation of a SWPPP and construction BMPs to minimize pollutant discharge during demolition and construction. In addition to NPDES permit requirements, Alternative 2's construction activities would be subject to the requirements of Chapter 15.09 of the City's Municipal Code which requires preparation and implementation of an erosion and sediment control plan. Nonetheless, due to the highly erodible on-site soils, mitigation would be required to reduce erosion. Alternative 2 would require implementation of **Mitigation Measure GEO-1**, which would require implementation of construction measures to minimize erosion. Implementation of **Mitigation Measure GEO-1** would reduce Alternative 2's impact on water quality due to erosion to a less than significant level.

Construction of Alternative 2's drainage outfall also would have a potential to reduce water quality in San Jose Creek if installation of the cofferdam would occur during the wet season. Alternative 2's construction impacts on

the water quality of San Jose Creek would be potentially significant. However, required implementation of **Mitigation Measure BIO-3** would require the cofferdam to be installed during the dry season and implementation of a Toxic Materials Control and Spill Response Plan which would reduce Alternative 2's water quality impacts on San Jose Creek to a less than significant level.

Alternative 2 could require groundwater dewatering activities during grading activities. Alternative 2 would be required to obtain coverage under the Limited Threat Discharge Permit if drained groundwater would be discharged into San Jose Creek. Adherence to the permit would reduce potential water quality impacts associated with dewatered groundwater. If dewatered groundwater is contaminated, the construction contractor for Alternative 2 could not obtain coverage from the Limited Threat Discharge Permit, and impacts would be potentially significant. Alternative 2 would require implementation of **Mitigation Measure HAZ-3** which would require groundwater investigation and disposal in accordance with the requirements of the Central Coast RWQCB or City. Implementation of **Mitigation Measure HAZ-3** would reduce Alternative 2's potential impact on water quality due to groundwater dewatering to a less than significant level.

Operation: Alternative 2 would be used for purposes such as indoor warehousing and storage, wholesaling and distribution, and construction and materials storage and could introduce potential water pollutants through oil leaks, leaching of metals from roof and drains, and use of pesticides or fertilizers for landscape maintenance. Alternative 2 would not be subject to the NPDES Phase I industrial stormwater regulations because Alternative 2 would not include facilities that are included on the Standard Industrial Classification Codes specified in the permit. Alternative 2 would be required to comply with Chapter 13.04 of the City's Municipal Code and the Phase II MS4 Permit, which require the use of Source Control and Low-Impact Development (LID) BMPs to detain, retain, and treat runoff and implementation of operational BMPs to capture, treat, and reduce pollutants of concern in stormwater runoff. Alternative 2 would provide a detention basin, hydrodynamic separator, swales, and catch basin inlet filters for stormwater runoff treatment. Alternative 2's detention basins would be approximately 17,625 sf. Alternative 2's would reduce Alternative 2's potential to result in degraded water quality during operation. Alternative 2's detention basins would be sized in accordance with the requirements of the Central Coast RWQCB. Regardless, due to the presence of erodible soils on-site, operation of Alternative 2 could result in potentially significant water quality impacts due to erosion. Alternative 2 would require implementation of **Mitigation Measure GEO-1** which would require implementation of operational erosion controls such as periodic observations for indications of soil instability, and landscaping management to improve soil stabilization during operation. With implementation of

Mitigation Measure GEO-1, Alternative 2's operational water quality impacts would be reduced to a less than significant level. (Draft EIR, pages 6-54 through 6-56.)

2. Erosion or Siltation

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-56.)

Explanation: Construction: Alternative 2's construction activities would disturb approximately 6.87 acres and therefore result in marginally greater potential for erosion and sedimentation. Alternative 2 would adhere to the requirements of the Construction Stormwater General Permit, the Limited Threat Discharge Permit, the City Municipal Code, as well as implementation of the required SWPPP and construction BMPs would minimize pollutant discharge in stormwater runoff. However, due to the erodibility of the project site, Alternative 2's impacts would be potentially significant and require mitigation. Alternative 2 would require implementation of **Mitigation Measure GEO-1** which, would incorporate erosion control measures and reduce Alternative 2's construction impacts related to erosion to a less than significant level.

Operation: Alternative 2 would be required to use Source Control and LID BMPs to detain, retain, and treat runoff and implementation of operational BMPs to capture, treat, and reduce pollutants of concern in stormwater runoff. Alternative 2's detention basins would be approximately 17,625 square feet. Regardless, due to the presence of erodible soils on-site, operation of Alternative 2 could result in potentially significant water quality impacts due to erosion. Alternative 2 would require implementation of Mitigation Measure GEO-1 which would require implementation of operational erosion controls such as periodic observations for indications of soil instability, and landscaping management to improve soil stabilization during operation. With implementation of **Mitigation Measure GEO-1**, Alternative 2's operational impacts related to erosion would be reduced to a less than significant level.

3. Runoff

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantially additional sources of polluted runoff?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 5-58.)

Explanation: Construction: Alternative 2 would comply with the regulations intended to control stormwater runoff and reduce pollutants and ensure construction activities would not result in substantial runoff which would exceed the capacity of San Jose Creek. These include requiring the construction contractor to implement a SWPPP and construction BMPs that would direct and manage stormwater to minimize impacts to the capacity of San Jose Creek. However, even with adherence to regulatory requirements, construction activities could result in additional sources of polluted runoff due to construction within San Jose Creek and/or groundwater dewatering activities. Alternative 2 would require implementation of **Mitigation Measures GEO-1**, **BIO-3** and **HAZ-3**, which would reduce Alternative 2's potential impacts associated with substantial runoff and polluted runoff to a less than significant level.

Operation: Alternative 2 would be required to implement stormwater infrastructure in accordance with Central Coast RWQCB requirements which would provide for substantial stormwater and runoff control on- site. Alternative 2 would also adhere to the Central Coast RWQCB and City LID requirements for treatment of stormwater which would minimize polluted runoff generated during operation of Alternative 2. However, highly erodible on-site soils could lead to Alternative 2's operation introducing polluted runoff. Alternative 2 would require implementation of **Mitigation Measure GEO-1** which would mandate procedures during operation to minimize on-site soil erosion. With implementation of **Mitigation Measure GEO-1**, Alternative 2's impact associated with substantial runoff and polluted runoff would be reduced to a less than significant level.

4. Flood Hazard

Threshold: In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

Finding: Less than significant with mitigation incorporated. (Draft EIR, pages 6-59 through 5-60.)

Explanation: The project site is located outside of a tsunami hazard zone and is not proximate to a large body of water and therefore is not subject to seiche. Therefore, Alternative 2 would not risk release of pollutants in a tsunami hazard zone or seiche hazard zone. Alternative 2 would be subject to flood hazards as described above. Alternative 2 would be designed and constructed in accordance with the floodproofing requirements of the City's Municipal Code which would elevate Alternative 2 two feet above the 100-year flood elevation. Accordingly, in the event the earthen berm fails, pollutants would not be released because Alternative 2's industrial building would be elevated above the 100-year flood elevation. Furthermore, implementation of **Mitigation Measure GEO-1** would require Alternative

2's design to include specific measures to minimize the release of stormwater pollutants. Due to regulatory requirements and required implementation of **Mitigation Measure GEO-1**, Alternative 2 would not risk release of pollutants due to flood hazards. The project site is within the inundation zone of the Rancho Del Ciervo dam. Alternative 2 would not include any features which would preclude routine dam inspection or otherwise increase the risk for dam failure and inundation. Therefore, Alternative 2's potential impacts related to pollutant release due to dam inundation would be less than significant. (Draft EIR, pages 6-59 through 5-60.)

5. Water Quality Control Plan

Threshold: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Finding: Less than significant with mitigation incorporated. (Draft EIR, page 6-60.)

Explanation: The Basin Plan, adopted by the Central Coast RWQCB, is the water quality control plan applicable to the project site. Alternative 2 would comply with applicable regulatory requirements related to stormwater runoff to minimize the potential for pollutants to degrade water quality. These include the Construction Stormwater General Permit, the Limited Threat Discharge Permit, the Central Coast RWQCB's Post-Construction Requirements, the County's Stormwater Technical Guide for Low Impact Development, and Chapter 13.04 and Chapter 15.09 of the City's Municipal Code. However, Alternative 2, has a potential to result in water quality impacts related to erosion, construction in San Jose Creek, and groundwater dewatering, which could conflict with the goal of the Basin Plan. Alternative 2 would require implementation of **Mitigation Measures GEO- 1**, **HAZ-3**, and **BIO-3** to reduce potential surface water quality impacts related to erosion, groundwater dewatering, and construction within San Jose Creek. With implementation of these measures, Alternative 2's impact related to conflicts with the Basin Plan would be reduced to a less than significant level. GWD's Groundwater Management Plan Goleta Groundwater Basin (2022) serves as the guiding document for GWD to manage groundwater in accordance with the Wright Judgement. As described above, Alternative 2 would not adversely impact groundwater supplies or the management of the Goleta Groundwater Basin in accordance with the Wright Judgement. Existing regulatory measures requiring water conservation during times of drought prevent the overdraft of groundwater that GWD would use to supply the demand induced by Alternative 2. Accordingly, Alternative 2 would have a less than significant impact related to conflicts with a sustainable groundwater management plan. (Draft EIR, page 6-60.)

E. NOISE

1. Noise Standards

Threshold: Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant with mitigation incorporated. (Draft EIR, pages 6-62 through 6-63.)

Explanation: Construction: Construction activities under Alternative 2 would include demolition, grading, and building construction that would temporarily increase noise levels at noise-sensitive receptors in the project site vicinity. The site plan adjustments under Alternative 2 would potentially move construction equipment closer to the residence at 1150 S Fairview Avenue, with construction occurring as close as 300 feet. Construction would generally be moved further from the Rancho Goleta Community under Alternative 2, although would still be within 325 feet at the closest point from entrance road construction. Estimated construction noise levels from Alternative 2 are provided in Table 6-6 of the Draft EIR. As shown in the table, construction noise levels may exceed Goleta's 65 dBA standard at both residences to the west and the Rancho Goleta mobile home community to the east. However, Alternative 2 would result in an increase in construction noise impacts of up to 4 dBA greater compared to the proposed project. The overall significance conclusion would be the same, as Alternative 2 would exceed Goleta's standard to the east. Alternative 2 would implement **Mitigation Measure NOI-1**, which would include measures to ensure construction noise levels do not exceed Goleta's 65 dBA construction noise standard. Impacts would be less than significant with mitigation. (Draft EIR, pages 6-62 through 6-63.)

Mitigation Measures:

MM NOI-1: Construction Noise Reduction. The construction contractor shall prepare and submit a Construction Noise Control Plan to the City of Goleta Planning and Environmental Review Director or designee for review and approval prior to issuance of a Zoning Clearance for a grading permit/demolition permit. The Construction Noise Control Plan shall specify the noise reduction measures to be implemented during project construction to ensure noise levels do not exceed 65 dBA at nearby sensitive receptors at the Rancho Goleta mobile home community to the east. The measures specified in the Construction Noise Control Plan shall be included on the building and grading plans and shall be implemented by the construction contractor during construction. Measures in the Construction Noise Control Plan may include, but would not be limited to, the following:

- Prior to the start of and for the duration of construction, the contractor will properly maintain and tune all construction equipment in accordance with the manufacturer's recommendations to minimize noise emissions.

- Prior to use of any construction equipment, the contractor will fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds that are no less effective than as originally equipped by the manufacturer.

- Staging and delivery areas will be located as far as feasible from existing residences.

- Installation of temporary sound barriers/blankets to break the line of sight between construction equipment and nearby residences at the Rancho Goleta mobile home community to the east. See Figure 4.4-2 for an approximation of the extent of an example temporary noise barrier.

- To the extent consistent with applicable safety regulations, trucks operating with reverse motions alarms will be outfitted with SAE J994 Class D or equivalent alarms (ambient-adjusting, or "smart alarms" that automatically adjust the alarm to 5 dBA above the ambient near the operating equipment), or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws.

- A construction notification sign will be posted at the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City of Goleta's and the contractor's authorized representatives that are assigned to respond in the event of a noise complaint.

- If the authorized contractor's representative receives a complaint, a contractor-retained and City-approved noise consultant will conduct noise measurements at the properties that registered the complaint. The noise measurements will be conducted for a minimum of one hour to determine if noise levels are compliant with the City's 65 dBA standard. The consultant shall prepare a letter report for the Planning and Environmental Review Director or designee that summarizes the measurements, calculation data used in determining impacts, and measures to reduce construction noise levels to below 65 dBA at nearby sensitive receptors.

Plan Requirements and Timing: The Planning and Environmental Review Director or designee shall approve the Construction Noise Control Plan prior to issuance of the Zoning Clearance for the grading permit/demolition permit. The measures specified in the Construction Noise Control Plan shall be included on the building and grading plans.

Monitoring: The City shall monitor compliance with the requirements of the Construction Noise Control Plan periodically during construction and shall promptly investigate and respond to all noise complaints.

SECTION IV.
IMPACTS THAN CANNOT BE FULLY MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City Council hereby finds that, despite the incorporation of Mitigation Measures identified in the EIR and in these Findings, the following environmental impacts cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

A. AESTHETICS

1. Scenic Vistas

Threshold: Would the Project have a substantial adverse effect on a scenic vista?

Finding: Significant and Unavoidable. (Draft EIR, pages 6-22 through 6-23.)

Explanation: Alternative 2 would construct an approximately 70,594-square-foot "high cube" industrial building, with a height of 35 feet from finished grade. The layout and shape of the proposed industrial building would be reconfigured and the location on the project site would be shifted to the northwest and southwest. Because Alternative 2 would include placement of fill to elevate the structure above the floodplain, the total height of the structure would be approximately 40 feet above existing grade, which would be consistent with height limits of the M-S-GOL and M-1 zones, pursuant to the City's previous Coastal Zoning Ordinance. The proposed industrial building would include aesthetic features such as architectural detailing and landscaping, which would reduce building massing and integrate the proposed building with natural areas of vegetation growing along SR 217. The proposed building would be constructed from concrete of muted, natural colors (e.g., gray and tan), with dark blue accents.

Given the site's distance (0.9 mile and 0.7 mile respectively) from U.S. 101 and Hollister Avenue, the proposed industrial building would not substantially degrade views from these locally designated scenic corridors. However, construction of the proposed industrial building under Alternative 2 may affect a locally designated scenic corridor along SR 217. The Alternative 2 building would be placed 63 feet farther away from SR 217 than the original project. The Alternative 2 building would be visible from lanes traveling in both directions along SR 217, although vegetation would obscure most of the project site from the roadway. Figure 6.3-2 and Figure 6.3-4 of the Draft EIR demonstrate, through visual renderings (Photographs 2), that the industrial building proposed under Alternative 2 would rise above existing and proposed vegetation and the surrounding one- to two-story industrial development and would obstruct northward scenic views of the foothills and Santa Ynez mountains. The proposed building would have substantially more mass than the existing movie screen. The existing movie screen and laurel sumac shrubs behind the movie screen would be removed

under Alternative 2; consequently, the proposed building would be more visible from SR 217 when compared to existing conditions until the proposed cypress trees have matured, which would take approximately 10 to 12 years to reach a height of 30 feet. While Alternative 2 would be consistent with the height limitation of 35 feet from finished grade, the proposed industrial building would be constructed on fill material, giving the proposed building the appearance of being taller than surrounding development and emphasizing the proposed building against the scenic vista. The addition of the Alternative 2 building would constitute a potentially significant impact to the northward scenic vista experienced from SR 217.

Alternative 2 would also alter public views of the site from Kellogg Avenue and South Fairview Avenue. As shown in Figure 6.3-6 of the Draft EIR, the view from Kellogg Avenue would be largely obstructed by construction of the proposed industrial building (Photograph 2). Also shown in Figure 6.3-8 of the Draft EIR, the proposed industrial building would be elevated above vegetation levels, so the building would be visible from South Fairview Avenue (Photograph 2). However, the Visual and Historic Resources Element of the Goleta General Plan does not recognize these roadways as scenic view corridors that provide scenic views, given the generic nature of surrounding development and lack of scenic resources on these two roadways. Changes to views from these local roadways would be less than significant, as Alternative 2 would add to existing development and these roadways are not considered scenic views.

Considering Alternative 2 would substantially alter scenic views of the Santa Ynez Mountains and foothills from SR 217, a locally designated scenic corridor, Alternative 2 would overall have a potentially significant impact to scenic vistas. There is no feasible mitigation to reduce this significant impact because the proposed building height is the minimum height required to support the high-cube warehouse use and the proposed 4 to 6 feet of fill is necessary to elevate the proposed building above the 100-year floodplain. Therefore, impacts to scenic corridors would be significant and unavoidable. (Draft EIR, pages 6-22 through 6-23.)

2. Visual Character

Threshold: In urbanized areas, would the project conflict with applicable zoning and other regulations governing scenic quality?

Finding: Significant and Unavoidable. (Draft EIR, pages 6-32 through 6-33.)

Explanation: Alternative 2 would develop an approximately 70,594-square-foot industrial warehouse building on the project site. The building itself would have a height of 35 feet from finished grade, and the use of fill to elevate the structure would bring the total height of the structure to approximately 40 feet from existing grade. Alternative 2 landscaping would include

approximately 106,520 square feet of the project site and would be comprised of native and climate-appropriate plantings within the proposed stormwater drainage basin and along the proposed parking lot, the driveway connecting to South Kellogg Avenue, and the exterior of the proposed industrial building. Landscaping would consist of native California riparian and upper wetland habitat within the SPA.

Alternative 2 would not obstruct or substantially degrade views of the Pacific Ocean, beach, or other coastal areas, as those scenic resources are currently not visible from the site and southward views are blocked by intervening buildings, SR 217, and vegetation. Therefore, Alternative 2 would not conflict with Section 30251 of the California Coastal Act, which requires that development projects in the Coastal Zone protect scenic and visual qualities, including views of the ocean and scenic coastal areas.

The proposed industrial building, which would include operational activities such as warehouse storage, wholesaling, and distribution, is considered a permitted use for the M-S-GOL zone under Section 35-84A of the City's previous Coastal Zoning Ordinance. The height of proposed industrial building would be approximately 40 feet when taking into account the amount of fill proposed to elevated the building out of the 100 year floodplain; however, the building would be 35 feet from finished grade. Therefore, the industrial building would not exceed 35 feet from finished grade, and would comply with the maximum height limitation for the M-S-GOL zone established in Section 35- 84A of the previous Coastal Zoning Ordinance.

Although Alternative 2 would alter the site's existing visual character by introducing a new industrial building with associated site improvements, the proposed intensity and height of development would be generally consistent with the Goleta General Plan. For example, Alternative 2 would be consistent with Policy VH 4.6, Industrial Areas, which requires industrial development to include architectural detailing to break building massing; adequate lighting; protected bicycle parking; screened outdoor storage, maintenance, or trash areas; and buffers or screens to protect residential development from industrial land uses. Alternative 2 would comply with Policy VH 4.6 as it would use landscaping to screen the site from SR 217 and residential development, would provide sufficient parking (including bicycle spaces), would screen outdoor maintenance or trash areas, would provide adequate lighting in accordance with City requirements, and would include architectural detailing to break massing of the proposed industrial building.

However, Alternative 2 may obstruct scenic views of the Santa Ynez Mountains and foothills experienced by northward travelers along SR 217, a designated local scenic corridor. Alternative2 would be inconsistent with Goleta General Plan Policy VH 1.1, Scenic Resources, which identifies scenic resources in the City; Policy VH 2.2, Preservation of Scenic

Corridors, which requires preservation of aesthetic qualities of scenic corridors; and Policy VH 2.3, Development Projects Along Scenic Corridors, which requires development adjacent to scenic corridors to not degrade or obstruct views of scenic areas. Therefore, Alternative 2 would have a potentially significant impact regarding conflict with applicable regulations that govern scenic quality. Because there is no feasible mitigation to reduce the impact, impacts would be significant and unavoidable.

B. LAND USE AND PLANNING

Conflicts With Plans

Threshold: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: Significant and Unavoidable. (Draft EIR, page 6-61.)

Explanation: Alternative 2 includes development of an industrial warehouse building that would be consistent with the permitted uses in the City's M-1 zone. Alternative 2 would be consistent with the setback, coverage, height, and landscaping requirements within the M-S-GOL and M-1 zones as Alternative 2's proposed industrial building would be located more than 50 feet from the centerline and 20 feet from the right-of-way of South Kellogg Avenue and setback more than 10 feet from the property line; would not increase the 5.73-acre coverage; would not increase the height of the building approximately 35 feet from the finished grade; and would not decrease landscaping.

Alternative 2 would be subject to the requirements of the previous zoning code (Article II, Coastal Zoning Code). Section 35-97.2 of the previous zoning code states that if the project site is determined to be outside of this district, then the regulations of the overlay district shall not apply. A small portion of San Jose Creek to the southeast of the project site is located within the ESHA Overlay District. Alternative 2 would include utility development within 50 feet of this area. Section 35-97.19 of the previous zoning code states that no structures shall be allowed within stream corridors when located in the ESHA Overlay District. Because the utility trench would be subsurface and not considered structural development, Alternative 2's utility trench would be consistent with the previous zoning code.

Alternative 2's detention basin outfall would be located within the boundary of the Goleta Slough State Marine Conservation Area (SMCA). Authorization for any activities in the Goleta Slough SMCA would be provided by California Department of Fish and Wildlife as part of the Lake and Streambed Alteration Agreement notification process. Therefore,

Alternative 2 would not conflict with land use policies within the Goleta Slough SMCA.

The project site is located within the Airport Influence Area of Santa Barbara Airport. Alternative 2 would comply with the ALUP development standard of a maximum intensity of 25 people per acre, as Alternative 2 would employ up to 75 people daily which would represent an intensity of up to 6.37 people per acre. The project site is located in the 60-65 dB CNEL noise contour for the Santa Barbara Airport; however, industrial land uses are classified as compatible in this contour in the 1993 Santa Barbara County ALUP. Alternative 2 would not conflict with the safety and noise policies of the 1993 Santa Barbara County ALUP.

Mitigation Measures BIO-1 through **BIO-4**, **Biological Resources**, and **Mitigation Measure NOI-1**, **Noise**, would reduce Alternative 2's impacts involving conflicts with land use plans, policies, or regulations that were adopted for purposes of reducing environmental impacts to the extent feasible. **Mitigation Measures BIO-1** through **BIO-4** would reduce potential impacts to special-status species, and **Mitigation Measure NOI-1** would reduce project construction noise. These mitigation measures would reduce impacts involving conflicts with the Goleta General Plan as they would minimize potential impacts to protected environmental resources within the Goleta General Plan.

Alternative 2 would limit development within the San Jose Creek 100-foot SPA buffer to access road improvements, installation of the underground utility trench, and the addition of landscaping, which are allowable uses within the SPA buffer. Accordingly, Alternative 2 would reduce development within the 100-foot SPA buffer and would therefore provide increased protection for ESHAs and SPAs and would allow for restoration of San Jose Creek in compliance with Policy CE-2.6. Therefore, Alternative 2 would reduce impact related to conflicts with Goleta General Plan Policies CE 1.6, CE 2.2, and CE 2.6 to a less than significant level.

Due to the height of Alternative 2’s proposed industrial building 35 feet above the finish grade, Alternative 2 would impair views of the Santa Ynez Mountains and foothills experienced from the SR 217 local scenic corridor and therefore would be potentially inconsistent with the following Goleta General Plan policies:

- Policy LU 1.8: New Development and Neighborhood Compatibility
- Policy VH 1.1: Scenic Resources
- Policy VH 2.2: Preservation of Scenic Corridors
- Policy VH 2.3 Development Projects Along Scenic Corridors

Feasible mitigation is unable to be implemented to reduce Alternative 2's potential impact on scenic views. Accordingly, Alternative 2 would conflict with the Goleta General Plan and result in a significant and unavoidable impact. (Draft EIR, page 6-61.)

C. UTILITIES AND SERVICE SYSTEMS

1. Solid Waste

Thresholds: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Will the Project comply with federal, state, and local statutes and regulations related to solid waste?

Finding: Significant and Unavoidable. (Draft EIR, page 6-71.)

Explanation: Construction: Alternative 2 would generate an amount of demolition debris, which is approximately 443 tons of debris. The U.S. EPA utilizes a solid waste generation factor of 3.89 pounds per square foot for construction. Based on Alternative 2's disturbance area of 299,487 square feet, construction of Alternative 2 would result in approximately 583 tons of solid waste. In total, demolition and construction activities would generate approximately 1,026 tons of solid waste. Demolition and construction of Alternative 2 would occur over the course of 14 months; therefore, construction activity would result in a waste generation rate of approximately 879 tons per year. Pursuant to Chapter 8.10, Article IV of the Goleta Municipal Code, construction contractors are required to divert 65 percent of all construction and demolition waste by weight from landfill disposal for any new structure. The applicant is required to submit a Waste Management Plan which would indicate how solid waste generated during demolition and construction would be diverted in accordance with City requirements. With compliance with City requirements, Alternative 2's demolition and construction activities would generate an estimated 359 tons of non-recyclable waste during the 14-month construction period, or approximately 308 tons per year. This amount of nonrecyclable waste would exceed the City's project-specific threshold of 196 tons per year. Alternative 2 would require implementation of **Mitigation Measure UTIL-1** to implement a Waste Management Plan and further increase waste diversion. Alternative 2's reduction in waste generation that requires a landfill cannot be fully determined until implementation of **Mitigation Measure UTIL-1** is completed, and therefore Alternative 2's short-term impacts related to demolition and construction waste would remain significant and unavoidable. In addition, Alternative 2's short-term construction waste would have a cumulatively considerable contribution on cumulative impacts related to solid waste. (Draft EIR, page 6-71.)

Mitigation Measures:

UTIL-1: Waste Management Plan Additions. In addition to the required components of the Waste Management Plan listed in Chapter 8.10, Article IV of the City's Municipal Code, the City shall require the Waste Management Plan to include the following: Implementation of a program to purchase materials that have recycled content, as appropriate, for project construction. The project applicant shall note the vendor, types of materials, and quantity of materials with recycled content the applicant shall purchase for construction. Implementation of a program which requires the construction contractor to separate excess demolition and construction materials on-site for reuse/recycling or proper disposal. The project applicant shall describe the on-site locations where recyclable and non-recyclable materials shall be stored prior to removal. The project applicant shall provide separate on-site bins as needed for recycling. The applicant shall submit the Waste Management Plan, with the additional requirements listed above, to the Director of Public Works Department, or designee, for review and approval prior to the issuance of the Zoning Clearance associated with the demolition permit. The Director of the Public Works Department, or designee, shall assign a monitor to the project who shall confirm, on a quarterly basis, demolition and construction waste is being separated on-site for reuse/recycling or proper disposal. The applicant shall submit proof of purchased construction materials with recycled content through a one-time submittal of receipts for the purchase of these materials no later than 15 days following the end of construction. The Director of the Public Works Department, or designee shall certify the requirements of the Waste Management Plan, with implementation of additional measures listed above, have been met no later than 30 days following the end of construction.

Plan Requirements and Timing: The applicant shall coordinate with the Director of Public Works Department, or designee, and prepare a Waste Management Plan as specified in the measure prior to the issuance of the Zoning Clearance associated with a demolition permit. The applicant shall submit a compiled list of receipts for the purchase of construction materials with recycled content to the Director of the Public Works Department, or designee, prior to the issuance of the Certificate of Occupancy. The Director of the Public Works Department, or designee shall confirm the requirements of the applicant's Waste Management Plan have been met no later than 30 days after the end of construction.

Monitoring: A monitor chosen by the Director of Public Works Department, or designee, shall inspect the project site on a quarterly basis from the start of construction activities.

SECTION V.
CUMULATIVE IMPACTS

Regarding Alternative 2's potential to result in cumulative impacts, the City hereby finds as follows:

A. AESTHETICS

Cumulative development includes foreseeable future projects from Table 3-1 in Section 3, Environmental Setting, of the Draft EIR that could have a direct connection to the visual environment of Alternative 2. Future projects within one mile of the project site include circulation improvements on Ekwill Street and Fowler Street; replacement of the Hollister Avenue Bridge; San Jose Creek recreational trail improvements; natural gas infrastructure replacement; construction of two office/warehouse buildings; and expansion of the existing Honda and Toyota Dealerships. Cumulative development on vacant and underutilized land in the Goleta area could obstruct scenic views or vistas experienced from U.S. 101, SR 217, or other public viewing areas.

However, implementation of policies to protect scenic vistas from the City's Visual and Historic Resources Element would reduce the magnitude of cumulative impacts to scenic vistas and views. The project would have a significant and unavoidable impact to scenic vistas given that construction and operation of the proposed industrial building would obstruct views of the Santa Ynez Mountains and foothills experienced by northbound travelers on SR 217. While project design includes muted construction materials and landscaping to integrate the proposed building into the surrounding landscape, this impact cannot be mitigated to a less than significant level. Cumulative projects along the SR 217 corridor include replacement of the San Jose Creek bridge, San Jose Creek recreational trail improvements, the San Jose Creek Fish Passage Project, and expansion of the existing Honda and Toyota Dealerships. Replacement of the San Jose Creek bridge would not involve construction of a new structure that would be visible from SR 217, as the bridge is currently part of the existing visual landscape. The other cumulative projects associated with San Jose Creek within the vicinity of the SR 217 corridor would largely consist of ground-level improvements. The expansion of the existing Honda and Toyota Dealerships would involve new construction of a 27-foot tall structure on the Honda Dealership and an approximately 20-foot tall service bay on the Toyota Dealership. However, both of these additions would be located at the rear of the respective properties, and not visible from SR 217. Therefore, cumulative development would not result in the addition of tall structures that could permanently obstruct scenic views from SR 217. Cumulative impacts to scenic vistas would be less than significant.

There are no officially designated State Scenic Highways in Goleta, thus, there would be no cumulative impacts to visual resources visible from a State Scenic Highway. The project site is not visible from a designated State Scenic Highway as one does not exist in Goleta. Therefore, the project would not have a cumulatively considerable impact to visual resources near scenic highways. Cumulative development on vacant and underutilized land in the Goleta area could result in the overall degradation of visual character. Future projects in the Goleta area would adhere to applicable zoning and development regulations, as well as General Plan policies, which would reduce potential impacts to visual resources and visual character. The project may conflict with Goleta General Plan policies related to the preservation of views from locally designated scenic corridors, and this impact would be significant and unavoidable. However, cumulative projects would not result in the addition of tall structures that could permanently obstruct scenic views in

the area. Therefore, cumulative impacts to visual character would be less than significant.

Cumulative development would contribute to an increase in light and glare throughout Goleta. However, future projects, including Alternative 2, would be required to implement City lighting regulations, which would minimize the potential for skyglow or light trespass by requiring lighting fixtures to be designed, located, aimed downward or toward structures (if properly shielded), and retrofitted if feasible. Therefore, although several projects listed in Table 3-1 of the Draft EIR would occur in the near vicinity of the project site, implementation of City lighting regulations would ensure that substantial cumulative light and glare impacts would not be expected. The project would have a less than significant impact involving light and glare. The project would add new sources of light and glare from the proposed industrial building and associated vehicles; however, given implementation of City lighting requirements and the existing FAR Part 77 regulatory requirement, this impact would be less than significant. Therefore, the project would not have a cumulatively considerable impact to light and glare, and overall cumulative impacts would be less than significant.

B. AGRICULTURE AND FORESTRY RESOURCES

The Alternative 2 project site does not contain any soils classified as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance," and therefore would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and no impact would occur. (Draft EIR, page 4.16-1.) Alternative 2 would not have significant cumulative agriculture and forestry resource impacts.

C. AIR QUALITY

Air quality emissions in one location contribute to regional air quality in the South Central Coast Air Basin (SCCAB). Therefore, the geographic scope for considering cumulative impacts to air quality includes the entire SCCAB, which is comprised of San Luis Obispo, Santa Barbara, and Ventura Counties as stated earlier in this section. Air pollution may combine with other cumulative projects (past, present, and reasonably foreseeable future) to violate criteria pollutant standards if the existing background sources cause nonattainment conditions, as they do according to the state standards for Ozone in the Santa Barbara County Air Pollution Control District (SBCAPCD). Air districts manage attainment of the criteria pollutant standards by adopting rules, regulations, and attainment plans, which comprise a multifaceted programmatic approach to such attainment. Air pollution is largely a cumulative issue, and SBCAPCD has provided guidance on the subject of cumulative impacts. The SBCAPCD Environmental Review Guidelines and Scope and Content of Air Quality Sections in Environmental Documents include recommendations for the analysis of cumulative impacts pertaining to ozone and localized pollutants. Inconsistency with the Ozone Plan is considered a cumulatively adverse air quality impact. The planned, pending, and reasonably foreseeable projects within Goleta[1] would include the construction of a total of 469 residential units. Therefore, based on the Department of Finance's 2.64 persons per household in Goleta, the cumulative growth for the project area would be approximately 1,239 residents. Thus, cumulative development in Goleta would be accommodated from the 2050 population growth increase of

[1] The list of cumulative projects considered in this analysis was based on planned, pending, and reasonably foreseeably projects at the time of the Notice of Preparation in April 2023. Projects proposed following the release of the Notice of Preparation in April 2023 are not considered.

2,109 from existing conditions.

Future cumulative development would not exceed the 2022 Ozone Plan growth assumptions and would not result in cumulatively considerable project emissions. In addition, Alternative 2 is consistent with the current 2022 Ozone Plan growth projections and criteria pollutant emission thresholds. The proposed development would consist of an industrial warehouse building, parking lot, and on-site utility pipelines by the anticipated buildout year (2028). Alternative 2 would accommodate regional growth consistent with the SBCAG 2050 population forecast. Alternative 2's daily emissions of construction and operation of related pollutants would not exceed SBCAPCD regional thresholds; therefore, Alternative 2's contribution to cumulative air quality impacts would not be cumulatively considerable. According to the SBCAPCD's Environmental Review Guidelines, a project's potential contribution to cumulative impacts is assessed utilizing the same significance criteria as those for project specific impacts, which is if the project would generate an incremental excess cancer risk of 10 in one million non-carcinogenic health risks resulting in a chronic and acute hazard index greater than 1.0.

In addition, SBCAPCD's Scope and Content of Air Quality Sections in Environmental Documents states a project will not have a significant impact on air quality cumulatively if it does not exceed those same thresholds. The guidelines also state that the contribution of project emissions in conjunction with existing and proposed projects in the local area may be considered. TAC emissions during construction and operation of Alternative 2 would expose the maximum off-site residential receptor to a cancer risk of 0.86 in one million and 0.08 in one million, respectively, well below the threshold of 10 in one million. In addition, the chronic risk during construction and operational activities would be below the hazard index threshold of 1.0. Several projects could be under construction within 1,000 feet from the project site and potentially overlap with Alternative 2's construction activity.

In addition, industrial projects north of the project site could generate additional truck trips along the project's truck route on South Kellogg Avenue during project operations. These cumulative projects could expose sensitive receivers to cancer risks exceeding SBCAPCD's 10 in one million threshold for cancer risk or 1.0 acute hazard index for noncancer risk; however, cumulative projects would be required to comply with SBCAPCD regulations and thresholds to reduce the potential for significant impacts to sensitive receptors. As stated in SBCAPCD's Environmental Review Guidelines and Scope and Content of Air Quality Sections in Environmental Documents, a project's potential contribution to cumulative impacts is assessed utilizing the same significance criteria as those for project specific impacts. Therefore, with each cumulative project complying with the project-specific thresholds, Alternative 2's contribution to localized health risk from construction and operational emissions would not be cumulatively considerable.

Cumulative projects would adversely affect sensitive receptors from odor emissions if cumulative projects were typical odor-producing land uses. Construction of cumulative projects would result in construction equipment-related odors; however, the temporary nature of construction would ensure less than significant cumulative odor impacts. In addition, it is likely project odors would not be distinguishable due to vehicle exhaust on State Route 217. Alternative 2 is not identified as an odor producing facility nor are there developments near the project site that would produce significant odors. Therefore, cumulative odors from the surrounding area from construction and operations would not combined at the same receptors, and Alternative 2's cumulative contribution to cumulative odor emission impacts would not be considerable.

D. BIOLOGICAL RESOURCES

Regional cumulative impacts consider citywide impacts that would occur from impacts of reasonably anticipated projects identified in Table 3-1 of Section 3, Environmental Setting of the Draft EIR.

Proposed Development and Uses

Previous unpermitted work carried out at the Willow Industrial Park site (891 S. Kellogg, APN 071-170-079) resulted in the unpermitted spreading of crushed asphalt within the SPA buffer area. The Willow Industrial Park project would remove this asphalt and revegetate the SPA buffer area appropriately. No cumulative projects would result in reductions in the SPA buffer area. When combined with past, present, and reasonably foreseeable construction projects in the area, Alternative 2 would not result in a cumulatively considerable SPA impact given that Willow Industrial Park would abate zoning violations and would not reduce the SPA buffer area. The development of adjacent projects when considered with the redevelopment of the development area, would not be cumulatively significant with adherence to project-specific mitigation measures and permits. Proposed residential, commercial, and industrial development north of the study area within the same watershed in the urban core of Goleta is not anticipated to result in a cumulative impact with adherence to existing stormwater and zoning regulations. The mitigation measures required for Alternative 2, along with BMPs and the minimization and mitigation measures required for the nearby projects, would reduce cumulative impacts.

Construction: San Jose Creek Infrastructure Projects

In addition to the ongoing SBCFCD dredging operations conducted annually, the following projects are slated for construction within the San Jose Creek channel or in the City SPA:

- Caltrans San Jose Creek Bridge Replacement. Located approximately 1,500 feet to the southwest of the project site and will be under construction from July 2023 through summer 2025.

- City of Goleta San Jose Creek Hollister Avenue Bridge Relocation. Located 0.75 mile north of the project site and will be under construction from July 2023 through August 2026.

- The San Jose Creek Multipurpose Path. Proposed 30 feet east of the drainage outfall on the east bank of San Jose Creek. Anticipated to be under construction from summer 2024 through summer 2026.

- San Jose Creek Fish Passage Project. Replacement of the existing fish weirs and overlaps drainage outfall in San Jose Creek. Anticipated to be under construction in the summer of 2024 or 2025.

- Ekwill Street and Fowler Road Extension. Includes three separate projects that will be under construction from 2023 to 2026:

    - Hollister Avenue Intersection Modifications 0.70 miles north of the project site.

- The Fowler Road Intersection Modification is directly north of the project site.
- Ekwill Street Intersection Modifications is 0.33 miles north of the project site.

Proposed City of Goleta capital improvement projects and Caltrans bridge replacements adjacent to and in San Jose Creek would not result in cumulatively significant impacts since these activities are allowed in SPA. These projects would not introduce new incompatible uses or development. SBCFCD regulates activities under their encroachment permit process. All projects would be subject to resource management agency permit requirements, such as in-stream during the dry season. Cumulative impacts from overlapping construction projects would be less than significant with adherence to existing regulations and project-specific permits. Alternative 2 would not result in significant construction cumulative impacts when combined with past, present, and reasonably foreseeable construction projects in the area. While potential impacts could occur, the mitigation measures required for Alternative 2, along with BMPs and the minimization and mitigation measures required for the nearby projects, would reduce individual project impacts. In addition, each project would be responsible for obtaining applicable permits, which would further reduce potential biological resource impacts. Therefore, the impacts of Alternative 2 would not have the potential to combine with impacts from past, present, or reasonably foreseeable projects to result in a cumulative impact. Cumulative impacts are considered less than significant with the implementation of mitigation measures.

E. CULTURAL RESOURCES

Cumulative development in the Goleta Valley would continue to disturb areas that may potentially contain cultural resources. All potential development sites in the City are considered sensitive for archaeological resources due to their location adjacent to the Goleta Slough. However, existing City policies and regulations would protect any unknown resources that might be uncovered in the course of project development. Individual development proposals are reviewed separately by the City and undergo environmental review when it is determined that the potential for significant impacts exists. In the event that future cumulative development would result in impacts to known or unknown cultural resources, impacts to such resources would be addressed on a case-by-case basis. While there is the potential for significant cumulative impacts to cultural resources in the Goleta Valley, the project site has no potential to contain historic or archaeological resources, and would not substantially affect the cultural resource landscape of the Goleta area. Alternative 2 would not have a cumulatively considerable contribution to cumulative impacts associated with cultural resources.

F. ENERGY

Regional cumulative impacts consider City-wide impacts that would occur from impacts of reasonably anticipated projects identified in Table 3-1 of Section 3, Environmental Setting of the Draft EIR. However, the California Building Energy Efficiency Standards and CALGreen require energy efficient appliances and building materials that reduce energy consumption in new development. Furthermore, vehicle fuel efficiency is anticipated to continue improving through implementation of the existing Pavley regulations in accordance with Assembly Bill 1493. The City's General Plan/Coastal Land Use Plan includes Policies TE 1.6, TE 7.2, and TE 7.12 which allows the City to require developers to provide improvements that reduce the use of single-occupancy vehicles, requires the City to collaborate with the Santa Barbara Metropolitan Transit

District to ensure bus transit is reliable throughout Goleta, and allows the City to require new or substantially renovated development to incorporate design measures to facilitate transit use. The City's CAP includes measures such as requiring projects to dedicate land for bicycle trails, requiring projects along transit corridors to provide for transit access, and requiring preferential parking to commuters who carpool, vanpool, ride-share, or use alternatively fueled vehicles. Continual implementation of these policies in the City's General Plan/Coastal Land Use Plan and measures included in the City's CAP would ensure new development would promote alternative transportation and reduce vehicle travel.

As a result of increasing energy efficiency standards associated with electricity and natural gas consumption, water use, and transportation, the combined increase in energy consumption in Goleta would not be expected to result in wasteful, inefficient, and unnecessary consumption of energy resources. Therefore, cumulative energy impacts would be less than significant. Alternative 2 would adhere to California Building Energy Efficiency Standards and CALGreen energy-efficiency requirements. Alternative 2 would implement features such as EV parking and bicycle spaces to encourage use of EVs and alternative transportation which would decrease operational energy consumption. Therefore, Alternative 2 would not have a cumulatively considerable contribution to cumulative energy consumption impacts. Cumulative development would be constructed in accordance with the California Building Energy Efficiency Standards, CALGreen requirements, and the City's CAP. Cumulative development would receive electricity that is procured in compliance with SB 100 which would promote the use of renewable energy. As a result, cumulative impacts related to conflicts with renewable energy plans would be less than significant, and Alternative 2 would not have a cumulatively considerable contribution to cumulative impacts to conflicts with renewable energy plans.

G. GEOLOGY AND SOILS

Cumulative projects proposed in and around Goleta would expose additional people and property to seismic and geologic hazards that are present in the region. The magnitude of geologic hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Any specific geologic hazards associated with each individual site would be limited to that site without affecting other areas. In addition, existing regulations, including compliance with CBC requirements, would reduce seismic and geologic hazards to acceptable levels. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be less than significant, and the project's contribution would not be cumulatively considerable.

H. GREENHOUSE GAS EMISSIONS

GHG and climate change are, by definition, cumulative impacts. The geographic scope for considering cumulative impacts related to GHG emissions is the state of California. Although GHG emissions have worldwide repercussions, the contribution of Alternative 2 to the impact is addressed in light of the goals for reducing statewide emissions. Statewide GHG emissions are an existing significant cumulative impact. As such, the state has established the following statewide emissions reductions targets:

- By 2020, reduce GHG emissions to 1990 levels.

- By 2030, reduce GHG emissions to 40 percent below 1990 levels.
- By 2045, reduce GHG emissions to 85 percent below 1990 levels.

GHG impacts are assessed in a cumulative context since no single project can cause a discernible change to the climate. Therefore, cumulative significance is based on the same thresholds as the Alternative 2. In the absence of an adopted numeric threshold for the City of Goleta, the significance of Alternative 2's GHG emissions is evaluated on the County's Environmental Thresholds and Guidelines Manual GHG efficiency threshold for a nonresidential use of 2.63 MT of CO2e per employee per year. In addition, consistency with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. The most directly applicable adopted regulatory plans to reduce GHG emissions are the 2022 Scoping Plan, 2050 SBCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), City of Goleta General Plan and CAP. GHG emissions would not exceed the County's Environmental Thresholds and Guidelines Manual GHG efficiency threshold for a nonresidential use of 2.63 MT of CO2e per employee per year. Alternative 2 would generate 1.77 MT of CO2e per employee year. Alternative 2 would be consistent with the statewide, regional, and local plans by including energy and water conservation measures, and solar readiness consistent with the latest Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11). In addition, Alternative 2 would be supplied with 100 percent carbon free electricity from 3CE Prime option. Furthermore, Alternative 2 would be an infill development that would not convert natural lands and would contribute to the job and housing balance. The project site would implement ten bicycle parking spaces, which would promote alternative modes of transportation that would have the effect of reducing VMT, and therefore would reduce mobile GHG emissions. Therefore, Alternative 2 would be consistent with the State, regional, and local plans. Thus, based on the CEQA Guidelines for determining the significance of GHG emissions, while cumulative impacts are significant, Alternative 2's contribution would not be considerable.

I. HAZARDOUS AND HAZARDOUS MATERIALS

Generally, hazards and hazardous materials impacts associated with individual developments are site specific in nature and must be addressed on a case-by-case basis. As such, the geographic scope for hazardous materials impacts is the project site and immediately surrounding parcels. Since hazards and hazardous materials are required to be examined as part of the permit application and environmental review process, potential impacts associated with individual projects will be adequately addressed prior to permit approval. Cumulative projects proposed in and around Goleta would have the potential to expose future area residents, employees, and visitors to hazards by developing and redeveloping areas that may have previously been contaminated. The magnitude of hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. If lead-based paints or asbestos-containing materials are found to be present in buildings planned for demolition or renovation, or in the case that soil and groundwater contamination are found to be present on sites of planned and future development, these conditions would be required to comply with existing applicable local, State, and federal regulations. Hazard evaluations would be completed on a case-by-case basis for future development. Compliance with applicable regulations and implementation of appropriate mitigation measures, including remedial action on contaminated sites, would address impacts related to these hazards and hazardous materials associated with future development in the City.

Cumulative impacts related to hazards and hazardous materials would be less than significant and Alternative 2's contribution would not be cumulatively considerable—Alternative 2 would not use, transport, or dispose of large quantities of hazardous materials, would not be located on a hazardous material site, and would reduce the risk of hazardous material accidental releases through implementation of Mitigation Measures HAZ-1 through HAZ-5.

The geographic scope for cumulative safety hazards impacts is inclusive of projects within the Santa Barbara Municipal Airport Influence Area. Several cumulative projects listed within Table 3-1 in Section 3, Environmental Setting, of the Draft EIR are within the Santa Barbara Municipal Airport Influence Area, thereby potentially exposing persons to risk of airport safety hazards. However, these projects are subject to review of airport-related hazards during the environmental review process and by the FAA and ALUC, which would ensure that development does not impose an aviation-related hazard on structures or people. Therefore, cumulative airport safety impacts would be less than significant. Potential safety hazards associated with Alternative 2 include building height and lighting. However, Alternative 2 would be reviewed by the FAA, which would reduce impacts to a less than significant level. Therefore, the incremental increase in airport safety hazards at the project site would be negligible and would not result in a cumulatively considerable contribution to a significant cumulative impact related to safety hazards.

J. HYDROLOGY AND WATER QUALITY

Regional cumulative impacts consider City-wide impacts that would occur from impacts of reasonably anticipated projects identified in Table 3-1 of Section 3, Environmental Setting of the Draft EIR.

Water Quality, Drainage, and Sedimentation

Cumulative development in Goleta would increase impervious surfaces, redirect the drainage of surface flow during storm events, and increase pollutant loading, peak flows, erosion, sedimentation, and flooding. For the cumulative analysis related to hydrology and water quality, cumulative projects being considered include the projects discharging to the same watershed as Alternative 2 (i.e., San Jose Creek). San Jose Creek is impaired by a variety of pollutants, including chloride, fecal coliform, E. coli, and excessive salinity. The Kellogg Crossing Self Storage (Formerly Schwan Self Storage), Security Paving (former Highway Recycling), and Hollister Avenue Bridge Relocation projects, described in Table 3-1 of Section 3, Environmental Setting of the Draft EIR, are examples of cumulative projects that would also potentially discharge stormwater runoff to San Jose Creek and could potentially increase the volume of stormwater runoff and contribute to pollutant loading in stormwater runoff discharged to San Jose Creek, thereby resulting in cumulative impacts to hydrology and surface water quality. Cumulative projects would be required to comply with federal, state, and City water quality requirements, such as the Construction Stormwater General Permit, Low Threat Discharge Permit, Post-Construction Requirements, the Phase II MS4 Permit, and Chapter 13.04 of the City's Municipal Code.

Further, cumulative projects would be required to implement mitigation if, due to project-specific circumstances, a potential impact to water quality could occur. However, the proximity of cumulative development to San Jose Creek could continue to result in continued impairment of San Jose Creek. Alternative 2's demolition activities would be required to obtain coverage from the SWRCB's Construction Stormwater General Permit, which includes requirements for projects

to address demolition-related pollutants. Construction of Alternative 2 would also be required to obtain coverage from the Construction Stormwater General Permit, which requires preparation and implementation of a SWPPP to control the discharges of pollutants, including sediment, into local surface water drainages through implementation of erosion and sediment control BMPs and good housekeeping BMPs. Construction would also obtain coverage from the Low Threat Discharge Permit, which requires testing and treatment, as necessary, of groundwater prior to its release into surface waters to prevent exceedances of effluent limitations and discharge flow rates.

Groundwater dewatering would comply with Mitigation Measure HAZ-3 which requires investigation of potential contaminated groundwater and consultation with the Central Coast RWQCB or the City if contaminated groundwater is identified. Construction activities would also comply with Mitigation Measure GEO-1, which includes implementation of specific measures to control erosion from grading and reduce drainage consistent with the recommendations of the Revised Geotechnical Engineering Report Update (Appendix G of the Draft EIR).

In addition, construction activities would comply with Mitigation Measure BIO-3 requires implementation of a Toxic Materials Control and Spill Response Plan during construction. The Toxic Materials Control and Spill Response Plan will require that cleaning and refueling of equipment and vehicles during construction only occur within designated staging areas that are at least 100 feet from San Jose Creek and Old San Jose Creek. During operation, Alternative 2 would comply with Chapter 13.04 of the City's Municipal Code by utilizing Source Control and LID BMPs to detain, retain, and treat runoff consistent with the requirements of the Central Coast RWQCB's Post-Construction Requirements and the County's Stormwater Technical Guide for Low Impact Development. Furthermore, Alternative 2 would implement design features in the Stormwater Control Plan prepared for the development (Appendix J of the Draft EIR), which serves as the SWQMP for Alternative 2. Compliance with these existing regulations to protect water quality, as well as adherence to Mitigation Measures GEO-1, HAZ-3, and BIO-3, would ensure Alternative 2's contribution to cumulative water quality impacts would not be cumulatively considerable.

Groundwater

Cumulative projects that are provided water by GWD would increase water demand from GWD which may, in part, be met by groundwater sourced from the Goleta Basin. However, GWD is subject to the adjudication requirements of the Wright Judgement and is only permitted to extract water in accordance with the allocations determined by the Wright Judgement. Accordingly, although cumulative development served by GWD would increase water demand, GWD is not permitted to increase groundwater extraction such that GWD would exceed their allocation of up to 2,000 AFY. Cumulative projects served by GWD would be subject to GWD's adjudication requirements of the Wright Judgement, and therefore would not receive a water allocation if project's water demand would cause GWD to exceed their allocation of 2,000 AFY from the Goleta Basin in order to serve the cumulative project. As a result, cumulative impacts related to sustainable groundwater management would be less than significant. Alternative 2 would obtain water from GWD which, based on the Preliminary Water Service Determination (Appendix L of the Draft EIR), has determined the project site has adequate historic water credit for its forecasted demand associated with Alternative 2. Therefore, Alternative 2's contribution to cumulative groundwater impacts would not be cumulatively considerable.

Flooding

The cumulative study area for flooding and inundation is the San Jose Creek floodplain. Cumulative development within the San Jose Creek floodplain can result in increased flooding, including redirection of flood flows, increases in flood boundaries, and increases in flood elevations. Cumulative projects within the San Jose Creek floodplain, such as the Willow Industrial Park described in Table 3- 1 of Section 3, Environmental Setting, of the Draft EIR would encroach on the same floodplain as Alternative 2. Each cumulative project that encroaches in a floodplain would be reviewed by the City and FEMA to verify compliance with all applicable regulations governing development within floodplain. Review of floodplain encroachments by the City and FEMA would prevent substantial changes to the floodplain as a result of cumulative development in the region. As a result, cumulative impacts related to flooding would be less than significant. Alternative 2 would be elevated above the 100- year floodplain and would not place fill or other structures within a 100-year floodplain subject to inundation. Furthermore, as described in Impact HYD-3, the proposed detention basin has been sized to reduce the post-project peak runoff to less than the pre-project peak runoff for a 2-year to 100- year flood event (Appendix H). Therefore, Alternative 2's stormwater control features would reduce flood flows to San Jose Creek. In addition, the fill required for Alternative 2 would not substantially alter off-site flooding or drainage because flood water from the project site does not discharge to surrounding parcels due to the presence of the earthen berm. Alternative 2 would not change the flood carrying capacity of the project site, permanently alter a watercourse, or raise the flood elevations (Appendix M of the Draft EIR). Accordingly, Alternative 2 would not contribute to cumulative flooding impacts.

K. LAND USE AND PLANNING

Planned, pending and recently approved development in and around Goleta include construction of a total of 469 residential units,[2] 405,404 square feet of industrial space (storage facilities, warehouses, distribution, and delivery facilities, and building additions and renovations), and 116,274 square feet of commercial space (office space, car dealership facilities, and a golf course clubhouse). Although Alternative 2 would not have a significant cumulative impact regarding the physical division of an established community, conflicts regarding land use compatibility between Alternative 2 and surrounding uses have been found to be significant and unavoidable. These land use conflicts pertain to aesthetics and biological resources, the cumulative impact of which are analyzed below. Several other projects listed in Table 3-1 in Section 3.0, Environmental Setting, of the Draft EIR would entail construction visible from the SR 217 scenic corridor, such as the San Jose Creek recreational trail improvements. However, these construction impacts would be temporary.

Cumulative projects within the vicinity of the SR 217 corridor would consist of replacement of existing structures, ground-level improvements, and additions to the Honda and Toyota Dealerships that would not be visible from SR 217, and would not result in the addition of tall structures that could permanently block scenic views from SR 217. Therefore, cumulative impacts to scenic vistas would be less than significant. Previous unpermitted work at the Willow Industrial Park site resulted in the unpermitted spreading of crushed asphalt within the SPA buffer area. The Willow Industrial Park project would remove this asphalt and revegetate the SPA buffer area appropriately. No cumulative projects would result in reduction in the SPA buffer area. Therefore,

[2] Please see footnote 1.

cumulative impacts related to conflicts with the SPA buffer area would be less than significant. Alternative 2 improvements within the SPA buffer for San Jose Creek include the detention basin and drainage outfall, utilities, access, landscaping, parking, retaining walls, the placement of fill, and a construction noise barrier required under Mitigation Measure NOI-1. When combined with past, present, and reasonably foreseeable construction projects in the area, Alternative 2 would not result in a cumulatively considerable SPA impact given the temporary work for Willow Industrial Park would abate zoning violations and would not reduce the SPA buffer area.

L. MINERAL RESOURCES

The Alternative 2 project site is not located within an area that is underlain by regionally- or locally-important mineral resources or within an area that has the potential to be underlain by regionally- or locally- important mineral resources. Implementation of Alternative 2 would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. (Draft EIR, page 4.16-2.) Alternative 2 would not have significant cumulative impacts relating to mineral resources.

M. NOISE

Construction noise is localized and rapidly attenuates within an urban environment. Some construction activities from the cumulative projects listed in Table 3-1 in Chapter 3, Environmental Setting, of the Draft EIR may occur within several hundred feet of the nearest sensitive receptors to the west and east (e.g., Security Paving, San Jose Creek Fish Passage Project, and Willow Industrial Park), and therefore may expose these receivers to construction noise simultaneously with construction noise generated from the project site. Theoretically this could result in increased noise exposure to the sensitive receivers from combined noise levels; however, real world conditions would result in less of a cumulative effect through noise direction, angles, attenuation, and dispersion, especially as these projects would be generating noise from an entirely different direction to the nearest sensitive receivers as they are located north of those receivers, as opposed to Alternative 2 that is located south of those receivers.

The Willow Industrial Park would not include any buildings and would be limited to outdoor storage, therefore, limited construction noise would likely occur. Construction at Security Paving concluded in Spring 2024, and thus would not overlap with construction with Alternative 2. In addition, those projects would also be required to comply with City of Goleta standards (e.g., restricting construction noise levels to 65 dBA or less). Alternative 2 would implement **Mitigation Measure NOI-1** to reduce construction noise levels to comply with Goleta's construction noise thresholds. Therefore, while cumulative construction noise may occur from Alternative 2 and simultaneous construction of another project within several hundred feet, a substantial cumulative construction noise impacts would not occur as in practice this effect would be minimal as previously explained.

Similar to construction noise, construction vibration is localized and rapidly attenuates within an urban environment. Construction vibration from Alternative 2 would be well under vibration limits. Potential vibration from the closest cumulative projects (e.g., Security Paving, San Jose Creek Fish Passage Project, and Willow Industrial Park) would occur from a different direction from the nearest sensitive receptor than Alternative 2 and thus approach different angles of the nearest vibration sensitive receivers, thus ensuring the vibration travels further distances before it

could theoretically combine with the project's vibration.

As those projects would be constructed at a similar or further distance from the nearest sensitive receiver, their vibration levels would be anticipated to be well below vibration limits as well. While higher vibration levels can occur from activities such as blasting or pile driving, construction that occurs in bedrock areas or involves substantial underground excavation requiring building piles would not be anticipate for the types of project proposed nearby. The Willow Industrial Park proposal is being changed to not include any buildings and would be limited to outdoor storage, therefore, limited construction noise would likely occur. Construction at Security Paving was completed in Spring 2024, and thus would not overlap on construction with Alternative 2. Therefore, the combined vibration level from cumulative projects would still be well below vibration limits, and no cumulative construction vibration impact would occur.

Some cumulative projects listed in Table 3-1 of the Draft EIR would include similar operational noise sources as Alternative 2 (e.g., mechanical equipment noise, heavy truck noise). Operational noise from these sources is localized and rapidly attenuates due to the effects of distance, intervening structures, and topography that block the line of sight. In addition, other ambient noise sources in closer proximity to the receptors would dominate the soundscape, effectively masking project-related noise leading to a cumulative increase. Therefore, the ability of project noise to combine with noise from off-site sources to create a substantial increase in noise levels would not occur. Alternative 2's addition to traffic would not result in a noticeable off-site traffic noise increase; thus, Alternative 2's traffic noise increase would not be cumulatively considerable particularly given the ambient noise setting of the area from Santa Barbara airport and Highway 217. No cumulative operational noise impacts would occur.

N. POPULATION AND HOUSING

Alternative 2 does not propose any uses that would result in unplanned growth that is not already allowed by the General Plan. There are no new homes on the Alternative 2 project site, and the Alternative 2 project site does not contain any existing residents; there would be no displacement of existing people or housing. (Draft EIR, page 4.16-2.) Alternative 2 would not have significant cumulative impacts relating to population and housing.

O. PUBLIC SERVICES

Regional cumulative impacts consider City-wide impacts that would occur from impacts of reasonably anticipated projects identified in Table 3-1 of Section 3, Environmental Setting, of the Draft EIR. Cumulative projects include construction of a total of 469 residential units which would result in an additional 1,238 people based on the city's average persons per household of 2.64 (DOF 2022). With approximately 214 firefighters, SBCFD would provide a ratio of approximately 2.75 firefighters per 2,000 persons within its service population which is above the City goal of one firefighter on duty 24 hours a day for every 2,000 persons.

The City has accounted for cumulative growth within the Goleta General Plan/Coastal Land Use Plan which informs the potential need for expansion of fire services within the City. Pursuant to Policy PF 10.2 of the Goleta General Plan/Coastal Land Use Plan, cumulative development would be required to pay development impact fees which would provide funding for expanded fire protection facilities to accommodate new residents, including environmental compliance and

permitting for new facilities. Development of the planned Fire Station 10 is intended to address fire service deficiencies in western Goleta. A Final Environmental Impact Report of Fire Station 10 was prepared and certified by City Council in December 2018 and obtained California Coastal Commission approval in September 2020. Once constructed, Fire Station 10 would reduce the demands for fire protection services experienced by existing fire stations in Goleta.

Potential indirect population growth that could result from development of Alternative 2 is approximately 16 percent of the potential growth that would occur from cumulative development and as such would have a minimal contribution to a reduction in fire service ratios. Development of the Alternative 2 would not cause fire protection service ratios to reach unacceptable levels, and Alternative 2 would adhere to California Fire Code standards which would reduce the potential for a fire to occur and thereby reduce the potential demand for fire protection services. Similar to cumulative development, Alternative 2 would pay development impact fees pursuant to Policy PF 10.2 of the Goleta General Plan/Coastal Land Use Plan. Therefore, cumulative impacts related to new or physically altered fire protection facilities would be less than significant, and Alternative 2 would not have a cumulatively considerable contribution related to fire protection facilities.

Cumulative development would result in additional residents, commercial, and industrial development which would increase the demand for police services in Goleta. Increased demands may require additional Deputy Service Units, which eventually may result in the need for new or expanded police stations in Goleta. Cumulative development would be required pay development impact fees which would provide funding for expanded police stations. At the time which the City determines a new or expanded police station is needed, the potential environmental impacts of developing a police station would be evaluated and mitigated as necessary as part of project-specific environmental review. Because the location, timing, and features of a new police station are not currently known, any environmental impact analysis of a new station would be speculative at this time. Alternative 2 may result in up to 198 additional residents in Goleta. This population increase is not anticipated to necessitate additional officers to meet additional demands. Furthermore, if an additional officer is needed, it is not anticipated the addition of one officer would necessitate the construction of a new or expanded police station. Therefore, Alternative 2 would not have a cumulatively considerable contribution related to police protection facilities.

The need for school services in Goleta would increase in association with the anticipated population increase from cumulative development. Cumulative projects include construction of a total of 469 residential units which would result in an additional 1,238 people based on the city's average persons per household of 2.64 (DOF 2022). Based on a generation factor of 0.2 students per residential unit per school district, cumulative development could generate 247 new students dependent on GUSD schools and 247 new students dependent on SBUSD schools. The additional students generated by cumulative development in combination with potential additional studies indirectly generated by Alternative 2 would not exceed the capacities of GSUD and SBUSD schools in Goleta (refer to Table 4.12-1 of the Draft EIR). In addition, cumulative development and Alternative 2 would be required to pay developer impact fees pursuant to California Education Code 17620 and SB 50 to mitigate impacts to school facilities. Therefore, cumulative impacts related to new or physically altered school facilities would be less than significant, and Alternative 2 would not have a cumulatively considerable contribution related to school facilities.

The demand for library services in Goleta would increase in association with the anticipated population increase of 1,232 people from cumulative development. There are currently no specific

plans for a new library in the City. Development impact mitigation fees assessed on cumulative development would be used to develop additional libraries as needed, subject to City discretion. At the time new or expanded library facilities are proposed, these facilities would be subject to project specific environmental review and all applicable federal, State, and local regulations that would reduce environmental impacts associated with facility development or expansion. The potential indirect population growth that could occur as a result of Alternative 2 is approximately 16 percent of cumulative population growth and would not place substantial additional demand on library services or inhibit the ability for the Goleta Valley Library to maintain material circulation. Therefore, cumulative impacts related to new or physically altered libraries would be less than significant, and Alternative 2 would not have a cumulatively considerable contribution on impacts to new or physically altered libraries.

P. RECREATION

Alternative 2 would not directly generate population growth that would result in a need for additional parkland because the development does not include residential uses. It does not also propose to construct any new on- or off-site recreation facilities. Employment opportunities associated with the development may result in an incremental increase in the use of existing neighborhood and regional parks or other recreational facilities. Alternative 2 would result in 198 new residents within the city. The addition of up to 198 people would result in a parkland ratio of 16.8 acres of parkland per 1,000 residents which would not be a substantial reduction in parkland available to the residents of Goleta. Furthermore, pursuant to Policy PF 10.2 of the City's Public Facilities Element, the applicant for Alternative 2, in addition to the applicants for the cumulative projects, would be required to pay a proportionate share of the costs of new or upgraded capital facilities attributable to new development, including parks and recreation facilities (City of Goleta 2006b). (Draft EIR, page 4.16-3.) Thus, Alternative 2 would not have significant cumulative impacts related to the construction or expansion of recreational facilities.

Q. TRANSPORTATION

Regional cumulative impacts consider City-wide impacts that would occur from impacts of reasonably anticipated projects identified in Table 3-1 of Section 3, Environmental Setting, of the Draft EIR. Cumulative development in Goleta would be subject to the same circulation-related programs, plans, ordinances, and policies as Alternative 2. Cumulative development would be required to demonstrate consistency with the City's Transportation Element which guides the continued development and improvement of the transportation system in Goleta. As with Alternative 2, cumulative development would also include sufficient bicycle parking spaces in accordance with City requirements which would promote alternative transportation. As a result, cumulative development would not result in a significant impact to a program, plan, ordinance, or policy addressing the circulation system.

VMT impacts could occur from cumulative development if cumulative development would raise VMT in the City beyond established thresholds. Based on technical guidance from the OPR, if a project has a less than significant impact on VMT using an efficiency-based threshold (e.g., VMT per resident), the project would not contribute to a cumulative VMT impact (OPR 2018). The City's screening criteria is analogous to an efficiency-based threshold, and therefore applicable to evaluate cumulative VMT impacts. Alternative 2's VMT impact is presumed to be less than significant based on the City's screening criteria because the project site is within the City's screening map boundaries for work-based projects where development is presumed to generate an average VMT of 15 percent or more below baseline levels. Therefore, Alternative 2's contribution to cumulative VMT impacts would not be cumulatively considerable.

Transportation hazards and emergency access impacts are site-specific and would not be significantly affected by cumulative development. Therefore, cumulative impacts related to transportation hazards and emergency access would not occur.

R. TRIBAL CULTURAL RESOURCES

The geographic scope for considering cumulative impacts to tribal cultural resources is based on the ethnographic use patterns of the project site and surrounding region. For the ethnographic

period, the geographic extent includes the entire traditional Chumash territory. Development of past, present, and reasonably foreseeable future developments could cumulatively contribute to the erasure of Chumash tribal cultural resources from the landscape. However, compliance with the provisions of AB 52 would ensure that any known or potential tribal cultural resources are treated in consultation with local Native American groups. Compliance with AB 52, implementation of project specific measures to protect tribal cultural resources on a case-by-case basis, and continued involvement by local Native American groups in regional planning would generally limit the destruction of tribal cultural resources such that cumulative impacts would be less than significant. Given that no tribal cultural resources have been identified on the project site, Alternative 2 would not have a cumulatively considerable contribution to cumulative impacts associated with tribal cultural resources.

S. UTILITIES AND SERVICE SYSTEMS

Regional cumulative impacts consider City-wide impacts that would occur from impacts of reasonably anticipated projects identified in Table 3-1 of Section 3, Environmental Setting of the Draft EIR. The general approach to cumulative impact analysis used in this EIR is discussed in Section 3, Environmental Setting. Cumulative development in Goleta would add a total of 467 residential units, 478,395 square feet of industrial space, and 67,060 square feet of commercial space which would increase water demand in Goleta. Using water demand rates for the County's 2021 Environmental Thresholds and Guidelines Manual for multifamily development (0.22 AFY/unit), Light Industry (0.28 AFY/1,000 square feet), and General Commercial development (0.30 AFY/1,000 square feet), the additional water demand from cumulative development, assuming all projects are approved, is estimated at approximately 257 AFY. The estimated cumulative water demand of 257 AFY represents approximately 5.7 percent of the 2040 normal year surplus, and approximately 8.8 percent and 10.3 percent of GWD's dry year one and dry year two surpluses, respectively. Cumulative projects would adhere to the Goleta Water District Code, including water shortage restrictions during drought which would allow GWD to meet water demands during a five-year drought. Pursuant to the SAFE Water Supplies Ordinance, GWD is permitted allocate a maximum 154.7 AF of water supply to new or additional water services in 2024 (GWD 2023b). Cumulative development would be able to utilize GWD's permitted allocation on a first-come-first-serve basis in order to meet water demands associated with cumulative projects. GWD anticipates that new or additional water services in 2024 will require approximately 80 AF of new water allocations (GWD 2024). Accordingly, water demand from cumulative development in 2024 is not anticipated to exceed the GWD's 2024 maximum permitted allocation of 154.7 AFY to new or additional water services.

GWD is required to reevaluate its supplies annually to determine if it can continue to issue new water allocations (GWD 2023b). In the event GWD determines inadequate supplies are available to serve new projects, GWD cannot release potable service water to new or additional service connections unless water is being purchased by customers who are receiving water from GWD and not looking to expand or change the use or development on their property, a customer has a preexisting water use history that is equal or greater than the water use that is needed for Alternative 2, a customer has already paid for a new water supply charge, or a customer who has a pre-existing water service contract or agreement with GWD. Beyond 2024, if GWD determines it cannot allocate water supply to new connections, cumulative development projects must meet one of the requirements to obtain water services which would ensure water supplies would be distributed to cumulative development in a manner which preserves water supply. Therefore,

cumulative development would not deplete GWD's projected water surpluses such that a substantial reduction in water supplies would occur.

Alternative 2 would generate a water demand of approximately 19.8 AFY which represents approximately 0.4 percent of the 2040 normal year surplus, and approximately 0.6 percent and 0.8 percent of GWD's dry year one and dry year two surpluses, respectively. Alternative 2 has received a Preliminary Water Service Determination stating GWD has determined adequate water supply is available for Alternative 2 (Appendix L of the Draft EIR). Alternative 2 and cumulative development would be subject to GWD water shortage restrictions during drought. Therefore, cumulative development would have a less than significant impact on water supply.

Cumulative development in Goleta would add a total of 467 residential units, 478,395 square feet of industrial space, and 67,060 square feet of commercial space which would increase wastewater generation in Goleta. Consistent with the wastewater generation factors used in the City's General Plan/Coastal Land Use Plan Final EIR (184 to 220 gallons per day per residential unit, and 100 gallons per day per 1,000 square feet of habitable space for commercial and industrial development) cumulative development would generate approximately 157,286 gallons per day of wastewater, or 0.157 MGD. This is a conservative estimate as it assumes residential units would generate 220 gallons of wastewater per unit per day. This wastewater generation represents approximately 5.3 percent of the 2.94 MGD capacity available at GSD's WWTP. Alternative 2's anticipated wastewater demand represents approximately 4.5 percent of the anticipated cumulative demand. Therefore, cumulative development would have a less than significant impact related to wastewater.

Cumulative development would introduce new structures which would require installation of stormwater infrastructure. Cumulative projects would be required to comply with the drainage requirements of Chapter 13.04 of the City's Municipal Code to control and reduce stormwater flows. These requirements would ensure cumulative projects would not substantially affect existing stormwater drainage system or result in inadequate facilities for the control of stormwater runoff. Alternative 2 would install a detention basin, vegetated swale, and outlet for discharge into San Jose Creek which would be sized such that no additional stormwater infrastructure would be needed beyond the stormwater infrastructure included as part of Alternative 2. Therefore, cumulative impacts to stormwater facilities would be less than significant.

Cumulative development would raise the demand for electricity and natural gas in the 3CE and SCG service areas. Electricity and natural gas consumption in Santa Barbara County accounts for approximately 45.5 and 2.5 percent of 3CE's and SCG's total electricity and natural gas use, respectively. Cumulative development in Goleta is not anticipated to result in substantial energy demand such that new 3CE and/or SCG facilities would be required. Alternative 2's electricity and natural gas demand would be incremental compared to the amount of electricity and natural gas 3CE and SCG provides, respectively. Therefore, cumulative impacts to electricity and natural gas infrastructure would be less than significant.

Similar to electricity and natural gas demand, cumulative development would increase the demand for telecommunications infrastructure. However, there is extensive telecommunications infrastructure available in Goleta to serve cumulative development provided by Verizon, Qwest, AT&T, and Level 3. Alternative 2 would also utilize existing telecommunications facilities and would not substantially increase the demand for telecommunication facilities in Goleta such that

construction of a new facility would be required. Therefore, cumulative impacts to telecommunications facilities would be less than significant.

Cumulative development would increase solid waste generation, thereby reducing the capacity of the Tajiguas Landfill. According to the County's 2021 Environmental Thresholds and Guidelines Manual projects with a project-specific impact would also be considered cumulatively considerable, as the project-specific threshold of 196 tons per year is based on a cumulative growth scenario. Therefore, project construction would have a cumulatively considerable contribution on impacts related to solid waste, even with implementation of MM UTIL-1. This cumulative impact would be Class I, Significant and Unavoidable. In addition, the Environmental Thresholds and Guidelines Manual states if solid waste generation exceeds 40 tons per year, it is considered an adverse, yet less than significant, contribution to cumulative impacts to solid waste facilities. Despite implementation of additional requirements for the Alternative 2's Waste Management Plan for demolition and construction debris, operation of the Alternative 2 would result in waste in excess of 40 tons per year. Therefore, Alternative 2 operation would have an adverse, but not cumulatively considerable contribution on impacts related to solid waste. .

T. WILDFIRE

The project site for Alternative 2 is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Implementation of Alternative 2 would not exacerbate any existing wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires. (Draft EIR, page 4.16-4.) The Project would not have significant cumulative impacts relating to wildfire.

SECTION VI.
FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Sections 15126(c) and 15126.2(c) of the CEQA Guidelines, require that an EIR address any significant irreversible environmental changes that would occur should the project be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents.

Construction of Alternative 2 would require building materials and energy, including nonrenewable resources. Consumption of these resources would occur with any development in Goleta and are not unique to the proposed development. The addition of the proposed development would irreversibly increase local demand for non-renewable energy resources such as natural gas and electricity. Any additional vehicle trips associated with Alternative 2 would incrementally increase local traffic and regional air pollutant and greenhouse gas emissions. However, these impacts would be less than significant.

Growth accommodated by Alternative 2 would require an irreversible commitment of fire protection services, law enforcement, water supply, wastewater treatment, and solid waste disposal services; however, these impacts would be less than significant with the exception of solid waste generation during construction, which would be significant and unavoidable.

SECTION VII.
GROWTH-INDUCING IMPACTS

Section 15126.2(e) of the State CEQA Guidelines requires a Draft EIR to discuss the ways the Project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. In accordance with State CEQA Guidelines Section 15126.2(e), a Project would be considered to have a growth-inducing effect if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment;
- Remove obstacles to population growth (e.g., construction of an infrastructure expansion to allow for more construction in service areas);
- Tax existing community service facilities, requiring the construction of new facilities that could cause significant environmental effects; or

- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

In addition, CEQA Guidelines state that growth inducement must not be assumed.

Population Growth: Alternative 2 would not construct new housing or extend roads or other infrastructure. Accordingly, Alternative 2 would not lead to direct growth due to residential development or indirect growth due to road or infrastructure extensions into undeveloped portions of Goleta. Alternative 2 would result in approximately 75 additional employees, which could cause indirect growth; however, because these jobs would likely come from the local workforce, it is not expected that people would be required to relocated to Goleta. In a conservative scenario where all projected employees and their families were to relocate to Goleta, there would be a population growth of 198 people which would raise Goleta's population to approximately 32,789 persons. The population growth generated by Alternative 2 would account for approximately nine percent of the total anticipated growth in Goleta by 2050. This growth would not exceed the Santa Barbara County Association of Government's (SBCAG) 2050 population forecast of 34,700 (SBCAG 2019). Therefore, Alternative 2 would not induce substantial population growth which could lead to substantial adverse environment effects.

Economic Growth: Alternative 2 would generate temporary employment opportunities during construction. Because construction workers would be expected to be drawn from the existing regional work force, construction of the project would not be growth-inducing from a temporary employment standpoint. However, Alternative 2 would also provide long-term employment opportunities and generate approximately 75 additional employees in Goleta. Employment in Goleta is forecasted to increase by 3,860 jobs between 2025 and 2050 (SBCAG 2019). The 75 jobs anticipated to be generated by Alternative 2 would be approximately 1.9 percent of the projected job growth between 2025 and 2050, and therefore would be within employment forecasts. In a conservative scenario, Alternative 2 would increase the population of Goleta by approximately 0.6 percent. These employees would be expected to primarily use existing commercial services in Goleta, creating only a minor need for expanded services, the construction of which could cause adverse environmental impacts. As a result, Alternative 2 would not be expected to induce economic expansion to the extent that substantial environmental impacts associated with Alternative 2 would occur.

Removal of Obstacles to Growth: Alternative 2 would facilitate industrial development on a site that is currently developed with a drive-in movie theater, which is not in operation. The project site is adjacent to residential properties to the east and industrial development to the north and west. Alternative 2 would rely on South Kellogg Avenue and existing connecting roadways for site access. No new roads would be required. Alternative 2 would utilize existing water, wastewater, and solid waste facilities that serve Goleta. Utility service to the project site would be provided through connections to existing utility infrastructure located adjacent to the southern portion of the project site and underneath South Kellogg Avenue. No additional infrastructure or facilities beyond those necessary to accommodate Alternative 2 would be required. In addition, no undeveloped land in the vicinity of the project site would benefit through the extension of utility services to the project site. For these reasons, implementation of Alternative 2 would not extend infrastructure in a manner that would remove any obstacle to growth.

SECTION VIII.
ALTERNATIVES

A. BACKGROUND

The Draft EIR analyzed three alternatives to the Project as proposed and evaluated these alternatives for their ability to avoid or reduce the Project's significant environmental effects while also meeting the majority of the Project's objectives. The City finds that it has considered and rejected as infeasible the alternatives identified in the EIR and described below. This section sets forth the potential alternatives to the Project analyzed in the EIR and evaluates them in light of the Project objectives, as required by CEQA.

Where significant impacts are identified, Section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

> (a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

> (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In Subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

> (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed

consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

B. PROJECT OBJECTIVES

The following objectives have been established, as stated in the Draft EIR:

- To develop a project with long-term viability through design by providing sufficient square footage with flexibility of interior size and arrangement for up to 4 tenant spaces with 6 loading docks.

- To develop a project with sufficient height (up to 35 foot maximum) to accommodate a variety of potential tenant needs that are consistent with the General Plan/Coastal Land Use Plan designation of Service/Industrial and zoning designation of Light Industry (M-1) and Service Industrial-Goleta (M-S-GOL).

- Attract local employment opportunities in the industrial sector and generate new property tax revenue for the City.

- Optimize economically beneficial reuse of a previously developed, disturbed, and underutilized site within the City with existing infrastructure and access on a site that has significant land use limitations, including airport, hydrologic, and flooding constraints, that limit compatible uses on the site.

- Provide a permanent critical access easement to the flood channel for the City of Goleta and the SBCFCD.

C. ALTERNATIVES CONSIDERED BUT REJECTED FROM DETAILED ANALYSIS

Section 15126.6(c) of the State CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following alternatives were considered but rejected as part of the environmental analysis for the Project:

- Alternative Location
- Alternative Use – Research and Development
- Alternative Use – Public Park

Finding: The City Council rejects the above alternatives, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternatives fail to meet most of the objectives and (2) the alternatives are technically, financially, and legally infeasible given that there are no other properties in the City that could support a similar development and the project applicant does not own or control any other property within the City that would be suitable for development of the project. Therefore, these alternatives are eliminated from further consideration.

D. EVALUATION OF ALTERNATIVES SELECTED FOR ANALYSIS

The alternatives selected for further detailed review within the EIR focus on alternatives that could the Project's significant environmental impacts, while still meeting most of the basic Project objectives. Those alternatives include:

- **Alternative 1: No Project/No Build Alternative (Draft EIR, pages 6-9 through 6-22.)**
- **Alternative 3: Outdoor Storage (Draft EIR, pages 6-72 through 6-111.)**
- **Alternative D3: Proposed Project (Draft EIR, pages 2-1 through 4.16-5.)**

1. Alternative 1: No Project/No Build Alternative

Description: The No Project Alternative assumes that the industrial warehouse building is not approved and is not constructed. The project site would remain a vacant drive-in theater and the existing on-site structures, including concessions building, movie screen, ticket booths, and projector buildings would not be demolished. (Draft EIR, page 6-7.)

Impacts Summary: No demolition, construction, or operation of proposed industrial uses would occur. Therefore, Alternative 1 would result in no impact to each environmental issue area analyzed. Alternative 1 would result in reduced impacts to each issue area, aside from specific environmental issues dependent on site-specific conditions which Alternative 2 would result in no impact (i.e., proximity to scenic highways, conflicts with habitat conservation plans, effects on historical resources, Alquist-Priolo earthquake fault zones, landslides, expansive soils, hazardous materials within 0.25-mile of a school, and physically dividing an established community). (Draft EIR, pages 6-9 through 6-22.)

Attainment of Project Objectives: None. The No Project Alternative would not fulfill any of the project objectives.

Finding: The City Council rejects Alternative 1: No Project/No Build Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: the alternative fails to meet all of the Project objectives and is infeasible.

2. Alternative 3: Outdoor Storage

Description: Alternative 3 would include a 70,594 sf outdoor storage facility. Alternative 3 would be developed on approximately 6.75 acres of the northeastern portion of the project site. Half of the outdoor storage area would support storage of construction materials in storage bays and half would support recreational vehicle (RV) storage. Alternative 3 would include a 500-square foot office building with a restroom, which would be constructed in the northeastern corner of the project site. Electricity would be supplied by 3CE using 100 percent renewable energy sources. Nine parking spaces would be provided, all of which would include EV charging stations. Alternative 3 would require demolition of the existing movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, and an agricultural box. Between 4 to 6 feet of fill would be used to elevate the outdoor storage area and office building above the 100-year floodplain elevation, which would require 37,400 CY feet of soil to be imported to the site. Development of Alternative 3 would include a request to reduce the 100-foot SPA buffer at San Jose Creek to 25 feet along the entire project site boundary adjacent to San Jose Creek. (Draft EIR, page 6-9.)

Impacts Summary: Alternative 3 would develop an outdoor storage facility and small office building. Alternative 3 would result in a shorter construction duration, fewer employees, and less daily operational passenger and truck trips. Accordingly, Alternative 3's impacts related to per capita generation, such as impacts related to population and housing, public services, and utilities and service systems would be lessen. Additionally, Alternative 3 would result in less air pollutant emissions, greenhouse gas emissions, and operational noise. Due to the low visual profile of Alternative 3, Alternative 3 would reduce the significant unavoidable impacts related to aesthetics to less than significant. However, due to the location of Alternative 3 on the project site which would require a reduction in the 100-foot SPA buffer to 25 feet, Alternative 3 would have a significant and unavoidable impact on biological resources. (Draft EIR, pages 6-72 through 6-111.)

Attainment of Project Objectives: Alternative 3 would fail to meet the following project objectives as Alternative 3 would not provide tenant space or an industrial building:

- To develop a project with long-term viability through design by providing sufficient square footage with flexibility of interior size and arrangement for up to 4 tenant spaces with 6 loading docks.

- To develop a project with sufficient height (up to 35 foot maximum) to accommodate a variety of potential tenant needs that are consistent with the General Plan/Coastal Land Use Plan (General Plan) designation of Service/Industrial and zoning designation of Light Industry (M-1) and Service Industrial-Goleta (M-S-GOL).

In addition, Alternative 3 would only partially meet the following project objectives due to a reduction in employees:

- Attract local employment opportunities in the industrial sector and generate new property tax revenue for the City.

- Optimize economically beneficial reuse of a previously developed, disturbed, and underutilized site within the City with existing infrastructure and access on a site that has significant land use limitations, including airport, hydrologic, and flooding constraints, that limit compatible uses on the site. (Draft EIR, page 6-72.)

Finding: The City Council rejects Alternative 3, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet most of the Project objectives; (2) the alternative fails to avoid or reduce the Project's significant and unavoidable impacts relating to biological resources and (3) the alternative is infeasible.

3. Alternative D3: Proposed Project

Description: The Proposed Project involves the demolition of an existing freestanding movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, and an agricultural box. The proposed project also involves the construction of a 70,594 square foot industrial warehouse building with 60,939 square feet of landscaping, 101 parking spaces, and six loading zones. In addition, the proposed project includes a request to reduce the 100-foot Streamside Protection Area buffer at San Jose Creek to 25 feet along the entire project site boundary adjacent to San Jose Creek, as measured from top of bank or the outer limit of wetlands and/or riparian vegetation, (whichever is greater). Policy CE 2.2, Streamside Protection Areas, in the City's General Plan Conservation Element requires a 100-foot buffer from San Jose Creek. However, the City can approve a buffer reduction on a site-specific basis, but not less than 25 feet wide. As part of the proposed project, the applicant will grant the City and the SBCFCD District a permanent easement on the project site for vehicular access to and repair and maintenance of the San Jose Creek channel. (Draft EIR, p. 2-6 through 2.21.)

Impacts Summary: Given the relative similarities between Alternative 2 and the Proposed Project, the Proposed Project is expected to result in the same impacts as Alternative 2 for the environmental issues of: Aesthetics, Agricultural Resources, Air Quality, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Public Services, Transportation, Tribal Cultural Resources and Utilities and Service Systems. The Proposed Project would result in marginal reduction of impacts to Greenhouse Gas Emissions, Energy and Construction Noise but would not worsen any significance conclusions. The Proposed Project would result in worse (increased) impacts to Biological Resources. (Draft EIR, pages 2-1 through 4.16-5.)

Attainment of Project Objectives: The Proposed Project would fulfill all the project objectives.

Finding: The City Council rejects the Proposed Project, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the Proposed fails to avoid or reduce the significant and unavoidable impacts relating to Aesthetics, Land Use and Planning and Utilities and Service Systems and (2) the Proposed Project would result in increased impacts relating to Biological Resources.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. Based on the alternatives analysis contained within the Draft EIR, the Alternative 3 (Outdoor Storage) is identified as the Environmentally Superior Alternative.

Neither Alternative 2 nor Alternative 3 create additional environmental impacts in comparison to the proposed project. Alternative 3 would reduce the proposed project's significant and unavoidable aesthetics impacts to a less than significant level. Unlike Alternative 2, Alternative 3 would result in lesser impacts to air quality, energy, greenhouse gas emissions, hydrology and water quality, operational noise, public services, and utilities and service systems, although Alternative 3 would not reduce the proposed project's impact conclusions in these issue areas. However, Alternative 3 would result in similar biological resources impacts as the proposed project, including a significant and unavoidable impact related to conflicts with local ordinances that protect biological resources. In addition, Alternative 3 would fail to meet the following project objectives as Alternative 3 would not provide tenant space or an industrial building:

- To develop a project with long-term viability through design by providing sufficient square footage with flexibility of interior size and arrangement for up to 4 tenant spaces with 6 loading docks.

- To develop a project with sufficient height (up to 35 foot maximum) to accommodate a variety of potential tenant needs that are consistent with the General Plan/Coastal Land Use Plan (General Plan) designation of Service/Industrial and zoning designation of Light Industry (M-1) and Service Industrial-Goleta (M-S-GOL).

In addition, Alternative 3 would only partially meet the following project objectives due to a reduction in employees compared to the proposed project:

- Attract local employment opportunities in the industrial sector and generate new property tax revenue for the City.
- Optimize economically beneficial reuse of a previously developed, disturbed, and underutilized site within the City with existing infrastructure and access on a site that has significant land use limitations, including airport, hydrologic, and flooding constraints, that limit compatible uses on the site.

Alternative 2 would reduce the proposed project's significant and unavoidable impact to biological resources to a less than significant level by complying with the 100-foot SPA buffer. Alternative 2 would result in a greater noise impact compared to the proposed project and would marginally increase greenhouse gas emissions and energy use during construction compared to the

proposed project, although impacts would remain less than significant with mitigation. Alternative 2 would result in similar impacts to all other issue areas, including significant and unavoidable impacts related to aesthetics and solid waste disposal. However, unlike Alternative 3, Alternative 2 would fulfill all of the project objectives.

SECTION IX.
ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits of Alternative 2 against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of the project outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of Alternative 2 to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the City Council has weighed the benefits of Alternative 2 against its unavoidable adverse impacts after mitigation in regards to aesthetics resources, land use and utilities and service systems. While recognizing that the unavoidable adverse impacts are significant under CEQA thresholds, the City Council nonetheless finds that the unavoidable adverse impacts that will result from Alternative 2 are acceptable and outweighed by specific social, economic and other benefits of Alternative 2.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of Alternative 2. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The City Council therefore finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the following social, economic, and environmental benefits of Alternative 2, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

- By facilitating goods movement, Alternative 2 would contribute to local, regional, statewide, and national economic growth, supporting supply chain efficiency and commerce.
- Alternative 2 is projected to generate a net positive fiscal balance for the City, promoting long-term economic stability and public service funding.
- The implementation of Alternative 2 would create significant temporary and permanent employment opportunities, improving the jobs-housing balance within Goleta and the surrounding region.
- Approximately 75 new jobs would be created under Alternative 2, bolstering local employment and enhancing economic opportunities for Goleta residents.
- Alternative 2 would provide a balanced mix of industrial, warehouse, and office land uses, enhancing economic vitality and land use diversity in the Project area.
- Alternative 2 would optimize the economically beneficial reuse of a previously developed and underutilized site, leveraging existing infrastructure and addressing the site’s unique constraints, including proximity to the airport, hydrologic conditions, and flooding risks.

- Alternative 2 would provide a permanent critical access easement to the flood channel, benefiting the City of Goleta and the SBCFCD by supporting essential flood management operations.
- By situating new jobs within close proximity to residential areas within Goleta's urban boundary, Alternative 2 would improve access to employment and support community livability.
- Alternative 2 would reduce vehicle miles traveled, as the site benefits from its location in a dense urban area with existing residential and commercial uses, improved transit access, and opportunities for multimodal transportation.

The City Council hereby declares that the foregoing benefits provided to the public through the approval and implementation of Alternative 2 outweigh the identified significant adverse environmental impact of Alternative 2 that cannot be mitigated. The City Council finds that each of Alternative 2 benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

ATTACHMENT 1, EXHIBIT B

SYWEST FINAL EIR and Appendices

Given the size of the above referenced document, the Final Environmental Impact Report (EIR) is on file with the Goleta Planning and Environmental Review Department or can be accessed at this link:

https://www.cityofgoleta.org/your-city/planning-and-environmental-review/ceqa-review/sywest

ATTACHMENT 1, EXHIBIT C

SYWEST MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program for the Sywest Industrial Building Project

The Final Environmental Impact Report (EIR) for the Sywest Industrial Building Project (proposed project) identifies mitigation measures that will be implemented to reduce the environmental impacts associated with the proposed project. California Public Resources Code Section 21081.6 requires a public agency to adopt a reporting or monitoring program for assessing and ensuring compliance with any required mitigation measures applied to a proposed development. As stated in California Public Resources Code Section 21081.6:

> "…the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment."

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during implementation of the proposed project, shall be defined as part of adopting a Final EIR.

The mitigation monitoring table below lists those mitigation measures that will be required as part of approval of the proposed project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The proposed project applicant will have the responsibility for implementing the measures, and the various City of Goleta departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures. Implementation responsibilities are detailed in the table below. Parties who are involved in fulfilling the requirements of the mitigation measures herein include the Applicant, the Applicant's project design engineer, the construction contractor, City staff, independent third parties contracted by the City and paid for by the Applicant (e.g., qualified biologists, abatement contractors, qualified environmental professionals), the Santa Barbara County Air Pollution Control District, the California Department of Public Health, and Santa Barbara County Environmental Health Services.

Mitigation Measure	Implementation Responsibility	Plan Requirement and Timing	Monitoring Action	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Biological Resources						
BIO-1: Nesting Birds and Raptors						
To avoid construction impacts to nesting birds and raptors, the construction contractor shall conduct vegetation removal and initial ground disturbance outside the bird and raptor breeding season, which is typically February 1 through September 1 but can vary based on local and annual climatic conditions. If construction begins within the breeding season, then not more than seven days before demolition, ground disturbance, and/or vegetation removal commences, a bird and raptor preconstruction survey shall be conducted by a City-approved biologist (retained by the Applicant/Permittee) within the disturbance footprint, plus a 300-foot buffer. The survey shall be conducted by a biologist familiar with the identification of bird species known to occur in southern California. The City-approved biologist shall conduct the preconstruction nesting bird and raptor surveys during the time of day when bird species are active and for a sufficient duration to reliably conclude presence/absence of nesting birds and raptors within the 300-foot buffer. The City-approved biologist shall submit a summary of the nesting bird and raptor survey results to the Planning and Environmental Review Director, or designee. Survey conclusions shall be reviewed and approved by the Planning and Environmental Review Director, or designee, prior to initiation of construction. If no bird nests are observed no further mitigation is required. If an active nest of species protected by the California Fish and Game Code (§ 3503) or Migratory Bird Treaty Act are found within 300 feet of the disturbance footprint, the City-approved biologist shall flag their locations and map their locations on an aerial photograph of the disturbance footprint at a scale no less than 1"=200' and/or recorded with the use of a Global Positioning System (GPS) unit. If active raptor nests are detected, the map shall include topographic lines, parcel boundaries, adjacent roads, known historical nests for protected nesting species, and known roosting or foraging areas, as required by Conservation Element Policy 8.3 of the Goleta Community Plan/Coastal Land Use Plan. The buffer shall be 300 feet in compliance with Conservation Element Policy 8.4 of the Goleta General Plan/Coastal Land Use Plan. If the 300-foot buffer is infeasible, the City-approved biologist may reduce the buffer distance as appropriate, dependent upon the species and the proposed work activities. If any active non-raptor bird nests are found, the City-approved biologist shall establish a suitable buffer area (varying from 25 to 300 feet), depending on the species. The construction contractor shall ensure that no ground disturbance occurs within the buffer until the City-approved biologist confirms that the breeding/nesting is completed and all the young have fledged and removes the buffer. If work within the buffer is necessary, a City-contracted biological monitor (funded by the Applicant/Permittee) shall monitor the active nest full-time during construction activities within the buffer to ensure project activities are not indirectly impacting protected nesting birds and raptors. If work ceases for more than 30 days, a new nesting bird survey shall be conducted in accordance with this measure.	The construction contractor is responsible for: ▪ Scheduling initiation of ground disturbing activities and vegetation removal outside of the nesting bird season or scheduling a City-approved biologist to conduct pre-construction surveys. ▪ Ensure no ground disturbance occurs within established buffers. The City-approved biologist is responsible for: ▪ Conducting the preconstruction survey. ▪ Preparing and submitting a survey summary to the Planning and Environmental Review Director, or Designee. ▪ Establishing buffers around active nests. ▪ Conducting monitoring within buffers. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving survey reports. ▪ Verifying requirements of this measure, and any buffer requirements, are incorporated into the grading plans. ▪ Conducting periodic site inspections to verify compliance with survey recommendations. The project design engineer is responsible for: ▪ Incorporating the requirements of this measure, and any buffer requirements, into the grading plans.	The survey shall be conducted no more than seven (7) days prior to commencement of any demolition, grading, and/or vegetation removal activities. Survey conclusions shall be reviewed and approved by the Planning and Environmental Review Director, or designee, prior to the commencement of construction activities that could disturb suitable nesting habitat, such as demolition, grading, and/or vegetation removal. This measure, and any buffer requirements, shall be incorporated into the grading plans.	The Planning and Environmental Review Director, or designee, shall review any biological survey reports and conduct periodic site inspections to verify compliance with survey recommendations in the field.			
BIO-2: Belding's Savannah Sparrow Avoidance						
To avoid indirect impacts to nesting habitat for the Belding's savannah sparrow (*Passerculus sandwichensis beldingi* (BSS), the construction contractor shall schedule noise and vibration-generating construction (excavation) within 250 feet of suitable salt marsh (pickleweed) habitat within San Jose Creek and Old San Jose Creek to avoid the BSS breeding season. If avoidance during the BSS nesting season (March 15 through July 15) is infeasible, not more than seven (7) days before initiation of excavation a City-approved biologist (retained by the Applicant/Permittee) with experience identifying and observing BSS shall conduct BSS surveys in suitable habitat with 250 feet of construction to ensure that nests or individuals are not present in the work area or 250-foot buffer. The City-approved biologist shall conduct two morning surveys (1/2 hour before sunrise to 10:00 am) in saltmarsh habitat within 250 feet of the development footprint determine the presence of Belding's savannah sparrows in these areas. A recording of this species may not be used to detect the species unless the City-approved biologist has a Memorandum of Understanding issued by CDFW. The City-approved biologist shall note the type of bird activity observed and behavior such as defending territory, singing for a mate, scolding intruders, perching together, nest building, feeding young, and aerial chasing. If no BSS are observed within the 250-foot buffer excavation may commence.	The construction contractor is responsible for: ▪ Scheduling excavation within 250 feet of suitable salt marsh habitat outside of the BSS nesting season or scheduling a City-approved biologist to conduct a BSS survey. ▪ Ensure no construction occurs within established buffers. The City-approved biologist is responsible for: ▪ Conducting BSS surveys. ▪ Preparing survey summaries. ▪ Contacting CDFW and the City's Planning and Environmental Review Director if an active BSS nest is observed.	Not more than seven (7) days before ground disturbance if ground disturbances commences between March 15 through July 15, including exporting or importing of soil, within 250 feet of salt marsh vegetation, the Planning and Environmental Review Director, or designee, shall verify that construction and grading occurs outside the nesting season, or that BSS nest surveys have been conducted, and buffer requirements specified above are in place (if applicable). This measure, and	The Planning and Environmental Review Director, or designee, shall verify compliance not more than seven (7) days before ground disturbances within 250 feet of salt marsh vegetation if commencing between March 15 through July 15. Planning and Environmental Review Director, or designee, shall conduct periodic site inspections to ensure compliance throughout the construction period.			

Mitigation Measure	Implementation Responsibility	Plan Requirement and Timing	Monitoring Action	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
The City-approved biologist shall then continue weekly surveys during all project activities to monitor for the presence of the BSS from March 15 through July 15. If an active BSS nest is observed within 250 feet of the development area, the construction contractor shall cease project activities within 250 feet of the nest, and the City-approved biologist shall contact the California Department of Fish and Wildlife (CDFW) and the City's Planning and Environmental Review Director within 48 hours. No project activities shall occur in in the 250-foot buffer until any young birds have fledged and left the area. Verification that the construction schedule, surveys, and monitoring are being implemented shall be sent to the CDFW and the City. The City-approved biologist shall document observations of BSS on California Natural Diversity Database forms and submitted to the CDFW upon project completion.	▪ Sending verification that this measure was implemented to CDFW and the City's Planning and Environmental Review Director. ▪ Notifying CDFW and the City's Planning and Environmental Review Director of BSS observations. ▪ Submit documentation of observations to the California Natural Diversity Database and CDFW. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Verifying the requirements of this measure are implemented. ▪ Conducting periodic site inspections to ensure compliance throughout the construction period. The project design engineer is responsible for: ▪ Incorporating the requirements of this measure, limits of salt marsh habitat, and any buffer requirements, into the grading plans.	any buffer requirements, shall be incorporated into the grading plans. A 250-foot buffer from salt marsh habitat shall be depicted on the grading plans.				
BIO-3: Tidewater Goby and Southern California Steelhead Habitat Protection						
To avoid and minimize impacts to jurisdictional aquatic resources, tidewater goby critical habitat, and Southern California steelhead critical habitat the Applicant/Permittee must: A. Develop and receive approval from the Planning and Environmental Review Director or designee of a Toxic Materials Control and Spill Response Plan for materials that may be used/stored on-site, such as petroleum-based products, fuel and lubricants, and other potentially toxic materials prior to the issuance of the Zoning Clearance for grading or construction activities whichever is permitted first. The plan shall specify that cleaning and refueling of equipment and vehicles during construction shall occur only within designated staging areas that are at least 100 feet from San Jose Creek and Old San Jose Creek. The Toxic Material Control and Spill Response Plan must be implemented by the contractor if needed throughout the construction period. B. Provide the City Planning & Environmental Review Department Director or designee with copies of permits and/or waivers or similar from the USACE (including NMFS and USFWS Section 7), RWQCB, and CDFW for storm drain outlet work prior to the issuance of the Zoning Clearance grading permit. C. Schedule the storm drain outlet work on San Jose Creek to occur during the dry season (June 1 to October 15) when surface water flows are low and during low tides when no surface water is present in the staging area. It shall also be scheduled to avoid peak high tides. No concrete or any cement products shall be used in areas where they may be conveyed by runoff into San Jose Creek during the rainy season, or when there is a 25 percent or greater chance of 0.10 inches of rain within 10 days prior to a scheduled cement pour. The cofferdam installed in the creek bed staging area shall be removed 10-15 days after the concrete has been poured on the creek bank at the detention basin outfall location to allow time for the concrete to cure before coming into contact with tidal surface water.	The Applicant is responsible for: ▪ Preparing a Toxic Materials Control and Spill Response Plan. ▪ Submitting copies of permits and/or waivers from USACE, RWQCB, and CDFW. The construction contractor is responsible for: ▪ Scheduling storm drain outlet work to occur between June 1 to October 15 and to avoid high tides. ▪ Prohibiting the use of concrete or cement products where they may be conveyed into San Jose Creek. ▪ Removing the coffer dam within 10-days after concrete has been poured ▪ Installing ESHA fencing prior to construction. ▪ Ensuring no construction occurs within ESHA fenced areas. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the Toxic Materials Control and Spill Response Plan. ▪ Conducting periodic site inspections to verify compliance. The qualified biologist is responsible for:	These requirements and prohibitions shall be included and the cleaning and refueling area depicted on all construction plans submitted for grading or building permit issuance. The Toxic Materials Control and Spill Response Plan must be approved by the Planning and Environmental Review Director, or designee, prior to grading or building Zoning Clearance permit issuance. ESHA fencing shall be erected prior to construction.	The Planning and Environmental Review Director, or designee, shall verify compliance prior to grading or building permit Zoning Clearance issuance and shall conduct periodic site inspections to verify compliance in the field.			

Mitigation Measure	Implementation Responsibility	Plan Requirement and Timing	Monitoring Action	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
	▪ Supervising installation of ESHA fencing. The project design engineer is responsible for: ▪ Incorporating the staging areas into the grading plans. ▪ Incorporating the requirements and prohibitions in this measure on all construction plans. ▪ Incorporating cleaning and refueling areas on all construction plans.					
BIO-4: Preconstruction Semi-Aquatic Species Survey						
Prior to the start of construction activities for the proposed outfall to San Jose Creek, or any other construction activities occurring within 100 feet of San Jose Creek or Old San Jose Creek, a City-approved biologist (retained by the Applicant/Permittee) shall conduct a preconstruction survey for semi-aquatic species (e.g., California Red-legged Frog, western pond turtle) of the development area within a 100-foot buffer from the affected creek. The survey shall be completed within seven days in dry conditions or within 48 hours in favorable conditions for upland amphibian migration (e.g., during or immediately after heavy rain events, heavy fog, or high humidity). The survey shall include the development area within a 100-foot buffer from San Jose Creek and Old San Jose Creek, and the buffer emphasizing native vegetation, as these areas are more likely to harbor special-status wildlife than cleared areas. The City-approved biologist shall submit a summary of the survey results to the Planning and Environmental Review Director, or designee, for review and approval prior to initiation of ground disturbance within 100 feet of San Jose Creek or Old San Jose Creek. If a special status species is identified during construction, the construction contractor shall halt construction activities within 100 feet of the creek and contact the biologist. If identified during pre-construction surveys, individual special-status species in the work area shall be allowed to move out of the work area of their own volition. If special-status species are detected and do not move out of the work area, a Species Relocation and Exclusion Plan shall be prepared by the City-approved biologist and submitted to the Planning and Environmental Review Director, or designee, for approval prior to relocation. The Species Relocation and Exclusion Plan shall specify that if relocation by humans is required, the animal shall be captured by a City-approved biologist and relocated out of harm's way to the nearest suitable habitat, a minimum of 100 feet from the maintenance project work area where it was found. Species listed as threatened or endangered (e.g., California Red-legged Frog) shall only be handled as authorized by United States Fish and Wildlife Service. The City-approved biologist shall document observations of special-status species on California Natural Diversity Database forms and submit the documentation to the California Department of Fish and Wildlife upon project completion. If one or more special status semi-aquatic species are detected, surveys are required each day prior to construction activities within 100 feet of San Jose Creek or Old San Jose Creek. Construction can commence when the semi-aquatic species moves or is relocated out of the work area and when approved by the City-approved biologist. If construction within 100 feet of San Jose Creek or Old San Jose Creek ceases for more than 30 days, a new special status survey is required.	The construction contractor is responsible for: ▪ Scheduling a City-approved biologist to conduct the preconstruction survey. ▪ Stopping work within 100 feet of a creek if a special-status species is identified. ▪ Ensuring no construction occurs within established buffers. The City-approved biologist is responsible for: ▪ Conducting preconstruction surveys. ▪ Preparing and submitting a survey summary to the Planning and Environmental Review Director, or Designee. ▪ Preparing a Species Relocation and Exclusion Plan, if required. ▪ Relocating species from the project site. ▪ Submitting observations to the California Natural Diversity Database. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the survey summary. ▪ Reviewing and approving the Species Relocation and Exclusion Plan. ▪ Conducting periodic site inspections to verify compliance with survey recommendations. The project design engineer is responsible for: ▪ Incorporating the requirements of this measure, and any buffer requirements into the grading plans.	Prior to the initiation of ground disturbance for the proposed outfall, a summary of the survey results shall be transmitted via email to the Planning and Environmental Review Director, or designee. If no special-status species are found, grading activities can commence and no further reporting is required. If species are detected and do not move out of the work area, a Species Relocation and Exclusion Plan shall be prepared by the City-approved biologist and submitted to the Planning and Environmental Review Director, or designee, for approval prior to relocation and commencing outfall construction. If species are detected a Survey Report shall be submitted to the Planning and Environmental Review Director, or designee within 14 days of the survey and any relocation. If construction within 100 feet of San Jose Creek or Old San Jose Creek ceases for more than 30 days, a new special status survey is required.	The Planning and Environmental Review Director, or designee, shall review any biological survey, relocation, or exclusion reports in consultation with any resource/trustee agency as needed. The Planning and Environmental Review Director, or designee, shall conduct periodic site inspections to verify compliance with survey recommendations in the field.			
BIO-5: Biological Monitor and Worker Education						
A City-contracted biological monitor (funded by the Applicant/Permittee) familiar with special-status plant and wildlife species with the potential to occur in the project work area shall be present during all work within 100 feet of San Jose Creek and Old San Jose Creek during construction activities to ensure compliance with all mitigation measures. The monitor shall be responsible for the following: A. Ensuring that procedures for verifying compliance with biological resource mitigation measures are followed.	The construction contractor is responsible for: ▪ Ensuring construction personnel attend the Worker Environmental Awareness Training Program. ▪ Submitting verification of attendance at the Worker Environmental Awareness Training	This measure shall be incorporated into the grading plans and the WEAP will be available on-site during construction. The City-approved biological monitor shall submit a monitoring summary to the	Monitoring summaries shall be kept on file with the City for the duration of construction.			

Mitigation Measure	Implementation Responsibility	Plan Requirement and Timing	Monitoring Action	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
B. Lines of communication and reporting methods. C. Daily and weekly reporting of compliance. D. Construction crew Worker Environmental Awareness Training Program (WEAP) training. E. Authority to stop non-emergency work. F. Action to be taken in the event of non-compliance. G. Conducting daily wildlife sweeps prior to construction. The biological monitor shall also conduct a Worker Environmental Awareness Training Program for construction personnel prior to the commencement of construction activities and new personnel or crews after construction is initiated. As needed, training shall be conducted in Spanish for Spanish language speakers.	Program to the Planning and Environmental Review Director, or Designee. ▪ Retaining the Worker Environmental Awareness Training Program materials on the construction site. The City-contracted biological monitor is responsible for: ▪ Monitoring construction work within 100 feet of San Jose Creek and Old San Jose Creek. ▪ Conducting a Worker Environmental Awareness Training Program. ▪ Preparing and submitting monitoring summaries to the Planning and Environmental Review Director, or Designee. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Verifying construction personnel attend the Worker Environmental Awareness Training Program. The project design engineer is responsible for: ▪ Incorporating the requirements of this measure into the grading plans.	Planning and Environmental Review Director, or designee, within 30 days after completing each phase of construction such as rough grading, precise grading, storm drain outlet, vertical construction, and project completion.				
BIO-6: Landscaping: Invasive Species						
Non-native, invasive plant species shall not be included in landscaping plans associated with the project. The California Invasive Plant Inventory Database contains a list of non-native, invasive plants (Cal-IPC 2023, or its successor). The Applicant/Permittee's landscape plan shall prohibit the use of non-native invasive plants and be approved by the City's biologist in conjunction with the Design Review Board prior to the issuance of the Zoning Clearance permit for the building construction. Further, prior to issuance certificate of occupancy, the Planning and Environmental Review Director, or designee, shall inspect landscape planting features and habitat restoration areas (if required) to ensure that they have been installed consistent with approved plans.	The Applicant is responsible for: ▪ Submitting the landscape plan to the City-approved biologist and Design Review Board. The landscape architect is responsible for: ▪ Preparing landscape plans, and verifying that non-native invasive plants are not part of the plant palette. The City-approved biologist is responsible for: ▪ Reviewing and approving the landscape plan with the Design Review Board. The Design Review Board is responsible for: ▪ Reviewing and approving the landscape plan with the City-approved biologist. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Inspecting landscape features to ensure they are installed in accordance with the landscape plan.	The Landscaping Plan shall be approved by the Design Review Board prior to issuance of grading or building Zoning Clearance, whichever occurs first.	The Planning and Environmental Review Director, or designee, shall verify compliance before Zoning Clearance for grading or building issuance. Prior to issuance certificate of occupancy, the Planning and Environmental Review Director, or designee, shall inspect landscape planting features to ensure that they have been installed consistent with approved plans.			

Mitigation Measure	Implementation Responsibility	Plan Requirement and Timing	Monitoring Action	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
BIO-7: Invasive Species Control Plan						
The City-approved biologist (retained by the Applicant/Permittee) shall prepare an Invasive Species Control Plan for all construction equipment and activities within 100 feet of San Jose Creek. The Invasive Species Control Plan, which shall be implemented by the construction contractor(s), shall also include, but not be limited to, the following measures to prevent the introduction of invasive weed species: A. Imported fill material shall be obtained from a source that is known not to be infested with invasive plant species. B. Stockpile topsoil shall be redeposited after construction or transported to a permitted landfill for disposal in order to minimize colonization of disturbed areas and spread of invasive species. C. All erosion control materials, including straw bales, straw wattles, or mulch used on-site shall be free of invasive species seed. D. Exotic and invasive plant species shall be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project. E. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas	The construction contractor is responsible for: ▪ Implementing the Invasive Species Control Plan. The City-approved biologist is responsible for: ▪ Preparing and submitting an Invasive Species Control Plan to the Planning and Environmental Review Director, or Designee. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the Invasive Species Control Plan. ▪ Verifying compliance with the Invasive Species Control Plan during construction. The project engineer is responsible for: ▪ Incorporating the requirements of this measure into the grading plans.	The Invasive Species Control Plan shall be approved by the Planning and Environmental Review Director, or designee, prior to issuance of the Zoning Clearance for grading or building permits, whichever occurs first.	The Planning and Environmental Review Director, or designee, shall verify compliance before Zoning Clearance for grading or building issuance. During construction, the Planning and Environmental Review Director, or designee, shall verify compliance with the Invasive Species Control Plan.			
BIO-8: Environmentally Sensitive Habitat Fencing and Protection						
A. The City-contracted biological monitor (funded by the Applicant/Permittee) shall identify sensitive biological resources to be avoided. Prior to construction mobilization, the Applicant/Permittee must install temporary construction fencing and signage (as appropriate) around the ESHA within 100 feet of development under the direction of the biological monitor to avoid impacts to the sensitive habitat throughout the duration of construction. The fencing shall serve as a visual boundary for construction personnel. B. At the conclusion of project construction, a post-construction biological survey shall be conducted by the City-approved biologist within seven days of project completion, to document if any inadvertent impacts to ESHA have occurred. If work occurred outside the development area and ESHA is inadvertently removed or damaged, a Habitat Mitigation Plan shall be prepared by the City approved biologist consistent with the General Plan Conservation Element and shall specify acres impacted and restored, timing, plant palette, and monitoring. The Habitat Mitigation Plan shall require a replacement ratio of 1:1 for temporary impacts and a minimum of a 3:1 ratio for permanent impacts and shall require the establishment of native percent cover that reflects that of an unimpacted adjacent ESHA reference site. If required, the Habitat Mitigation Plan shall be approved by the Planning and Environmental Review Director, or designee within 30 days of any inadvertent damage	The construction contractor is responsible for: ▪ Installing ESHA construction fencing and signage. ▪ Ensuring no construction occurs within established buffers. The biological monitor is responsible for: ▪ Identifying sensitive biological resources to be avoided. ▪ Overseeing installation of ESHA construction fencing and signage. ▪ Conducting a post-construction survey. ▪ Preparing and submitting a Habitat Mitigation Plan, if required, to the Planning and Environmental Review Director, or Designee. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the Habitat Mitigation Plan. ▪ Verifying compliance prior to and during construction.	Temporary ESHA construction fencing and signage shall be erected prior to construction and removed upon project completion. Project completion reports shall be submitted to the Planning and Environmental Review Director, or designee, within 30 days of project completion. If required, a Habitat Mitigation Plan shall be prepared by a City approved biologist and approved by the Planning and Environmental Review Director, or designee within 30 days of any inadvertent damage.	The biological monitor shall ensure fencing is in place and ensure sensitive habitat avoidance for the duration of construction in the affected area. Planning and Environmental Review Director, or designee, staff shall verify compliance prior to construction and shall verify compliance in the field during all construction activities.			

Mitigation Measure	Implementation Responsibility	Plan Requirement and Timing	Monitoring Action	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
BIO-9: Landscape Chemical and Pest Management Plan						
Prior to issuance of a Zoning Clearance for the building construction, the Applicant/Permittee shall submit a Landscape Chemical and Pest Management Plan to the Planning and Environmental Review, or designee, for review and approval. The Landscape Chemical and Pest Management Plan shall specify a prohibition of the use of pesticides, herbicides, fertilizers, and rodenticides unless approved by the Planning and Environmental Review Director (e.g., organic pesticides in emergency circumstances). All pesticides, herbicides, fertilizers, and rodenticides used at the project site shall be those designated for use near aquatic and wetland habitats and are prohibited within 100 feet of San Jose and Old San Jose Creeks. Chemicals shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Integrated Pest Management principles shall be implemented to the extent practicable for chemical pesticides, herbicides, and fertilizers. The Landscape Chemical and Pest Management Plan shall include measures alternative weed control measures (e.g., removal by hand), pest management and extermination; proper application techniques; identify the fertilizers, rodenticides, pesticides, or herbicides proposed to be used; location and storage requirements; and map area used. The use of second-generation anticoagulant rodenticides shall be prohibited during construction and for the life of the permit. Any use of fertilizers, pesticide, herbicide, or rodenticide products shall be consistent with federal and state requirements. Trash and recycling receptacles shall be wildlife proof.	The Applicant is responsible for: ▪ Preparing and submitting a Landscape Chemical and Pest Management Plan to the Planning and Environmental Review Director, or Designee. ▪ Implementing the requirements of the Landscape Chemical and Pest Management Plan. ▪ Providing requirements to the tenants and management company. ▪ Preparing annual monitoring reports. The landscape architect is responsible for: ▪ Including Chemical and Pest Management Plan requirements on the landscape plans. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the Landscape Chemical and Pest Management Plan.	A Landscape Chemical and Pest Management Plan shall be developed by the Applicant/Permittee and approved by the Planning and Environmental Review Director, or designee, prior issuance of Zoning Clearance for the building permit. The requirements shall be printed on the final approved landscape plans, each lease document, and recorded on the property deed. The Landscape Chemical and Pest Management Plan shall provide a prohibition on use of pesticides, herbicides, fertilizers, and rodenticides unless approved by the Planning and Environmental Review Director (e.g., organic pesticides in emergency circumstances). These prohibitions shall be the subject of at least one annual communication by the Applicant/Permittee to the tenants and management company in the form of a meeting and/or newsletter or electronic update that is distributed to tenants.	Planning and Environmental Review Director, or designee, shall review and approve the Landscape Chemical and Pest Management Plan prior to the issuance of the Zoning Clearance. The Applicant/Permittee is responsible for the ongoing use of said plan and shall keep annual monitoring reports demonstrating the use of aquatic and wetland habitat appropriate fertilizer, herbicides, and pesticides consistent with the Landscape Chemical and Pest Management Plan on the property for the life of the on-site development. These reports shall be furnished to the Planning and Environmental Review Department upon request.			
Geology and Soils						
GEO-1: Geotechnical Design Considerations						
The project design engineer shall incorporate the recommendations listed below from the Revised Geotechnical Engineering Report Update (Appendix G) into the project's grading and building plans. The applicant shall submit the grading and building plans to the Planning and Environmental Review Director or designee for review and approval prior to issuance of grading and building permits for the project. Grading 1. Following site preparation, the soil within the building and improvement areas shall be removed to a level plane to a minimum depth of 2 feet below ground surface (bgs). During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil. 2. Following site preparation, the soils in fill areas beyond the building and surface improvement areas shall be removed to a minimum depth of 2 feet bgs. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil. 3. Voids created by dislodging cobbles and/or debris during scarification shall be backfilled and compacted, and the dislodged materials shall be removed from the area of work. 4. On-site material and approved import materials may be used as general fill and up to 4 feet below the deepest mat foundation element within the building area of the building. All imported soil shall be non-expansive. Proposed imported soils shall be evaluated by	The Applicant is responsible for: ▪ Submitting the grading and building plans to the Planning and Environmental Review Director, or Designee. The project design engineer is responsible for: ▪ Incorporating recommendations listed in this measure into grading and building plans. The project soils engineer is responsible for: ▪ Observing placement of fill and reporting observations. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the grading and building plans. ▪ Conducting field inspections.	Grading and building plans shall be submitted for review and approval by the Planning and Environmental Review Director or designee before the City issues grading and building permits.	The project soils engineer shall observe all excavations before placement of fill and report observations to the City. The City will conduct field inspections as needed.			

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the geotechnical engineer before being used, and on an intermittent basis during placement on the site.

5. All materials used as fill shall be cleaned of any debris and rocks larger than 6 inches in diameter. No rocks larger than 3 inches in diameter shall be used within the upper 3 feet of finish grade. When fill material includes rocks, the rocks shall be placed in a sufficient soil matrix to ensure that voids caused by nesting of the rocks will not occur and that the fill can be properly compacted.
6. Under the mat foundation for the building, Tensar IX 160 triaxial geogrid or an approved equivalent shall be placed on a level plane 4 feet below the bottom of the deepest foundation element within the building area. The geogrid shall also extend vertically up the 4-foot sides of the excavation. Two feet of moisture conditioned and compacted Class 2 AB (Caltrans, 2018) shall then be placed to a level plane on top of the first geogrid within the building area. Another or second layer of Tensar TX 160 triaxial geogrid or an approved equivalent shall be placed on the top of the first layer of AB within the building area; however, it does not need to extend up the sides of the excavation. Another 2 feet of moisture conditioned and compacted AB shall then be placed to a level plane on the geogrid within the building area. The bottom layer of geogrid that was extended up the sides of the excavation shall then be folded down on top of the second layer of compacted AB such that it creates a minimum 5-foot overlap on top of the compacted AB surface. Previously excavated soil or Class 2 AB may then be placed as moisture conditioned and compacted fill back up to pad grade. The geogrid shall be placed and overlapped as recommended by the manufacturer.
7. Fill slopes shall be keyed and benched into competent soil as generally shown on the Typical Bench and Keyway Detail presented in Appendix E. The geotechnical engineer shall approve all keyways and benches. The keyway shall be a minimum of 10 feet wide.
8. Slopes under normal conditions shall be constructed at 2 to 1 (horizontal to vertical) or flatter inclinations. Slopes subject to inundation shall be constructed at 3 to 1or flatter inclinations.

Foundations (General)

1. The allowable bearing capacity and/or modulus of subgrade reaction may be increased by one-third when transient loads, such as wind or seismicity, are included if the structural engineer determines they are allowed. The foundations shall be designed using the seismic information presented in the “Seismic Design Parameters” listed in the “Ground Motion Analyses” section of this report.
2. Foundation excavations shall be observed by the geotechnical engineer prior to rebar and PCC placement. Footing excavations shall be thoroughly moistened prior to PCC placement and no desiccation cracks shall be present.
3. The Corrosion Evaluation Report prepared by CERCO Analytical, Inc. and presented in Subappendix C of the Revised Geotechnical Engineering Report Update shall be used by the architect/engineer in specifying appropriate corrosion protection measures for all foundation elements.

Drainage

1. Unpaved ground surfaces shall be finish graded to direct surface runoff away from foundations and other improvements at a minimum 5 percent grade for a minimum distance of 10 feet. The site shall be similarly sloped to drain away from foundation, slopes, and other improvements during construction. Where this is not practicable due to property lines, other improvements, etc., swales with improved surfaces, area drains, or other drainage facilities, shall be used to collect and discharge runoff.
2. To reduce the potential for planter drainage from gaining access to subslab areas, any raised planter boxes adjacent to foundations shall be installed with drains and sealed sides and bottoms. Drains shall also be provided for areas adjacent to the foundations that would not otherwise freely drain.
3. The building roof shall be fitted with roof gutters. Runoff from flatwork, roof gutters, downspouts, planter drains, area drains, etc. shall discharge in a nonerosive manner

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away from foundations and other improvements in accordance with the requirements of the governing agencies. 4. The on-site soils are highly erodible; stabilization of soils disturbed during construction by vegetation or other means during and following construction is essential to reduce erosion damage. Care shall be taken to establish and maintain vegetation. The landscaping shall be planned and installed to maintain the surface drainage recommended above. Surface drainage shall also be maintained during construction. 5. To reduce migration of surface drainage into the subgrade, maintenance of pavement areas is critical. Any cracks that develop in the pavement shall be promptly sealed. 6. The owner or site maintenance personnel shall periodically observe the areas within and around the site for indications of rodent activity and soil instability. The owner or site maintenance personnel shall also implement an aggressive program for controlling the rodent activity in the general area						
Hazards and Hazardous Materials						
HAZ-1: Asbestos Containing Materials Abatement						
Prior to the issuance of Zoning Clearance associated with the demolition permit, the project applicant/Permittee shall prepare an asbestos abatement plan addressing the items/topics listed below. The asbestos abatement plan shall be reviewed and approved by the Santa Barbara County Air Pollution Control District (SBCAPCD). Proof of SBCAPCD approval shall be provided to the Planning and Environmental Review Director or designee. During project construction and demolition activities, the project applicant shall follow the measures outlined in the asbestos abatement plan and shall be undertaken by properly trained and licensed asbestos contractors currently registered with Cal/OSHA and/or OSHA (herein referred to as "abatement contractors"). Abatement contractors shall be selected and vetted by the project applicant, and reviewed by SBCAPCD 10 working days prior to starting demolition as part of the Notification for Renovation and Demolition Form ENF-28 submittal. Project-specific requirements to be addressed in the asbestos abatement plan include the following: Disturbance activities shall be performed only by abatement contractors using appropriate controls to prevent fiber emissions during the removal process. This may include, but is not limited to, the use of wet methods (water mist), negative pressure containment, high efficiency particulate air (HEPA) filtration, and other engineering controls, as deemed appropriate, to keep fibers from being dispersed in accordance with current federal, State, and local regulations. Presumed asbestos containing roofing materials shall be sampled by abatement contractors prior to demolition to determine proper handling and disposal requirements. Windows with trace (defined as less than 1 percent) asbestos in putty shall be removed intact to avoid disturbance of the putty, if possible. Other materials with trace asbestos shall be point counted to determine the asbestos concentrations; if asbestos concentrations are not determined, these materials shall be managed as ACMs. Workers performing removal shall be properly protected to prevent exposure, including the use of respiratory protection with HEPA filtration, protective suits, or other protective equipment deemed necessary by abatement contractors. Disturbance of greater than 100 square feet of any ACMs or asbestos-containing construction materials (ACCMs) must be performed by trained and licensed abatement contractors. Asbestos containing waste materials must be properly contained and transported for off-site disposal at a permitted landfill or disposal facility. Friable asbestos with greater than 1 percent asbestos content is considered hazardous waste per current federal and State regulations and must be transported and disposed using proper manifest documentation. Non-friable asbestos is categorized as non-hazardous, asbestos containing waste and can typically be disposed to the local Class III landfill with prior approval from landfill operators. As noted, materials with less than 1 percent total asbestos can be disposed of as construction debris if proper lab analysis is provided. The abatement contractor shall be responsible for complying with local, State, and federal standards for worker protection and National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations regarding asbestos fiber emissions. Proper removal techniques must be	The Applicant is responsible for: ▪ Preparing an asbestos abatement plan and submitting to SBCAPCD. ▪ Submitting Notification for Renovation and Demolition Form ENF-28 to SBCAPCD. ▪ Providing proof of SBCAPCD approval to the Planning and Environmental Review Director, or Designee. ▪ Contracting with an abatement contractor. The abatement contractor is responsible for: ▪ Implementing the requirements of the asbestos abatement plan. SBCAPCD is responsible for: ▪ Reviewing and approving the asbestos abatement plan. ▪ Reviewing and approving the Applicant's Notification for Renovation and Demolition Form ENF-28 submittal. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Verifying proof of SBCAPCD approval of the asbestos abatement plan and Notification for Renovation and Demolition Form ENF-28 submission. ▪ Reviewing and approving the abatement contractor. ▪ Verifying completion of asbestos abatement and compliance with asbestos abatement plan. ▪ Spot-check compliance with the asbestos abatement plan during demolition activities	The project applicant shall prepare the asbestos abatement plan, obtain SBCAPCD's approval, and contract with an abatement contractor prior to the issuance of the Zoning Clearance associated with the demolition permit. Abatement activities shall be completed prior to the start of demolition.	The Planning and Environmental Review Director, or Designee or Designee shall verify SBCAPCD has approved the asbestos abatement plan prior to the issuance of Zoning Clearance. Planning and Environmental Review Director, or Designee shall spot-check compliance with the asbestos abatement plan during demolition activities and verify compliance documentation following the project's demolition activities.			

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followed to prevent the dissemination of asbestos fibers. All required notification and permitting shall be administered by the abatement contractor, and proper completion shall be verified by the City's Director of Planning and Environmental Review. There is the potential suspect materials previously unidentified could be discovered during site renovation/demolition work. This could include suspect materials located inside walls, under floors, above ceilings, and in other areas. If suspect materials are found during site work, the area shall be isolated, and any suspect materials tested to confirm or deny the presence of asbestos, lead, or other hazards, as determined appropriate by the abatement contractor.						
HAZ-2: Lead-Based Paint Abatement						
Prior to the issuance of a Zoning Clearance associated with the demolition permit, the project applicant/Permittee shall prepare a lead based paint abatement plan. This plan can be combined with the plan required in Mitigation Measure HAZ-1. The lead based paint plan shall be reviewed and approved by the Planning and Environmental Review Director or designee. During project construction and demolition activities, the project applicant shall follow the measures outlined in the lead based paint abatement plan. specific requirements related to lead-based paint. These requirements shall be undertaken by properly trained contractors that utilize lead-safe work practices (or "abatement contractors"). Abatement contractors shall be selected and vetted by the project applicant and reviewed by the City of Goleta. Prior to abatement, the applicant shall notify the California Department of Public Health (CDPH) of lead-based abatement activities through submittal of CDPH Form 8551, and provide evidence of the notification to the Planning and Environmental Review Director or designee. Project-specific requirements of the lead based paint abatement plan include the following: Any disturbance by abatement contractors that might generate dust or create a lead exposure hazard shall be performed by lead-trained workers using lead-safe work practices. Lead safe work practices include appropriate containment, wet methods, and use of hand tools or similar methods that will minimize the generation of airborne dust emissions and potential lead hazards. To prevent lead exposure hazard due to the generation of lead dust and debris, lead painted components (e.g., windows, doors, baseboards) or similar lead containing items shall be removed intact and segregated from the overall waste stream by abatement contractors. Lead containing waste shall be properly disposed of by abatement contractors in accordance with local, State, and federal regulations. Lead containing waste is classified as Hazardous Waste if total lead concentration exceeds 1,000 milligrams per kilogram (or parts per million) or if soluble lead concentration exceeds 5.0 milligrams per liter. Proper waste characterization testing or waste profiling shall be conducted prior to disposal of lead containing waste. If practicable, lead wastes shall be segregated to minimize the volume of possible hazardous waste. If lead-containing and non-lead waste materials are comingled during demolition, composite samples of representative waste shall be analyzed by a certified lab to determine proper disposal requirements.	The Applicant is responsible for: ▪ Preparing an lead based paint abatement plan and submitting to the Planning and Environmental Review Director, or Designee. ▪ Submitting From 8551 to CDPH. ▪ Providing proof of Form 8551 submittal to the Planning and Environmental Review Director, or Designee. ▪ Contracting with an abatement contractor. The abatement contractor is responsible for: ▪ Implementing the requirements of the lead based paint abatement plan. CDPH is responsible for: ▪ Reviewing and approving the Form 8551 submittal. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the asbestos lead based paint abatement plan. ▪ Reviewing and approving the abatement contractor. ▪ Verifying proof of Form 8551 submittal to CDPH. ▪ Checking the abatement contractor's monitoring log to ensure project-specific recommendations are implemented.	The project applicant shall prepare the lead-based pain abatement plan, notify CDPH, and contract with an abatement contractor prior to the issuance of the Zoning Clearance associated with the demolition permit. Abatement activities shall be completed prior to the start of demolition.	The Planning and Environmental Review Director, or Designee shall approve the lead based paint abatement plan and verify CDPH has been notified prior to the issuance of Zoning Clearance and then check the abatement contractor's monitoring log to ensure project-specific recommendations are enacted during project demolition activities.			
HAZ-3: Groundwater Investigation and Disposal						
Prior to issuance of Zoning Clearance for construction or grading, the project applicant shall retain a qualified environmental consultant (Professional Geologist [PG] or Professional Engineer [PE]) to conduct a groundwater investigation of groundwater at the project site for potential contaminants of concern. The PG or PE shall prepare a groundwater investigation report, which shall be submitted to the City's Director of Planning and Environmental Review for review and approval prior to the issuance of the Zoning Clearance associated with grading permits. As part of the groundwater investigation, analytical results shall be screened against the San Francisco Bay Regional Water Quality Control Board (RWQCB) environmental screening levels (which are utilized by the Central Coast RWQCB). These environmental screening levels are risk-based screening levels for direct exposure of a construction worker and commercial/ industrial land use. The groundwater investigation report shall include recommendations to	The Applicant is responsible for: ▪ Consulting with Santa Barbara County Environmental Health Services if disposal of contaminated groundwater is required. ▪ Providing proof of consultation to the Planning and Environmental Review Director, or Designee. ▪ Retaining a qualified environmental consultant (PG or PE).	The project applicant shall retain a qualified environmental consultant to conduct the groundwater investigation prior to the issuance of Zoning Clearance associated with the issuance of grading permits. If dewatering is required, the applicant shall consult with Santa Barbara County Environmental Health Services and provide proof of consultation to the Planning and	Following submittal of the subsurface investigation report, the Planning and Environmental Review Director, or Designee shall review project construction plans to ensure applicable recommendations from the groundwater investigation report are integrated into construction plans. If disposal of contaminated groundwater is required, the Planning and Environmental Review Director, or Designee shall verify consultation with			

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address identified hazards and indicate when to apply those recommended actions in relation to project activities. If contaminants are detected in groundwater at the project site, the project applicant shall implement the recommendations specified in the groundwater investigation report to protect site workers during project construction. If disposal of contaminated groundwater is required during construction of the project, Santa Barbara County Environmental Health Services shall be consulted to determine if the treated groundwater can be disposed of through one of their waste discharge permit options. Based on the concentrations of chemical constituents of contaminated groundwater, an individual National Pollution Discharge Elimination System (NPDES) permit and/or waste discharge requirements may be required to be obtained for dewatering activities. If disposal of contaminated groundwater is required, proof of consultation with Santa Barbara County Environmental Health Services shall be submitted to the Director of Planning and Environmental Review or Designee.	The qualified environmental consultant is responsible for: ▪ Conducting groundwater investigation. ▪ Preparing a groundwater investigation report and submitting to the Planning and Environmental Review Director, or Designee. The construction contractor is responsible for: ▪ Implementing the recommendations of the groundwater investigation report. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the groundwater investigation report. ▪ Reviewing construction plans to ensure applicable recommendations from the groundwater investigation report incorporated. ▪ Verifying proof of consultation with Santa Barbara County Environmental Health Services prior to disposal of contaminated groundwater.	Environmental Review Director, or Designee.	Santa Barbara County Environmental Health Services has occurred prior to the issuance of Zoning Clearance.			
HAZ-4: Soil Remediation						
The 15-foot diameter area that is to the west of the existing concessions stand and encompasses soil sample location SS-1, as defined in the *Environmental Soils Analysis* (Appendix O), shall be sequestered for further analysis to determine if the soils can be reused on site or if should be disposed of off-site. If the soil testing results indicate that the soils exceed environmental screening levels, then the soils shall not be reused on site. The City shall retain a qualified consultant (Professional Geologist or Professional Engineer) approved by Santa Barbara County Environmental Health Services to properly sample, delineate, and remove and/or dispose of the contaminated soil. The qualified consultant shall utilize the project site analytical results for waste characterization purposes to determine the appropriate methods for off-site transportation and disposal of potentially impacted soils. The qualified consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils and/or provide recommendations for remedial engineering controls, if appropriate. Santa Barbara County Environmental Health Services shall review and approve the disposal recommendations for regulated waste prior to transportation of impacted soils off-site, and review and approve remedial engineering controls prior to construction. The project applicant shall submit proof of approval from Santa Barbara County Environmental Health Services to the Director of Planning and Environmental Review or Designee. Subsequently, the project applicant shall review and implement the project site disposal recommendations for regulated waste prior to transportation of impacted soils off-site, and review and implement remedial engineering controls, prior to the start of grading.	The Applicant is responsible for: ▪ Providing proof of Santa Barbara County Environmental Health Services approval of the soil disposal recommendations to the Planning and Environmental Review Director, or Designee. ▪ Retaining a qualified environmental consultant (PG or PE). The qualified environmental consultant is responsible for: ▪ Sampling and delineating contaminated soil. ▪ Providing disposal recommendations and arranging for proper disposal of the waste soils. The construction contractor is responsible for: ▪ Implementing the soil disposal recommendations. Santa Barbara County Environmental Health Services, is responsible for: ▪ Reviewing and approving the soil disposal recommendations. The Planning and Environmental Review Director, or Designee, is responsible for:	The project applicant shall retain a qualified environmental consultant to sequester, sample, and dispose of contaminated soil prior to the issuance of grading permits. The project applicant shall submit proof of approval from Santa Barbara County Environmental Health Services to the Planning and Environmental Review Director, or Designee.	The Planning and Environmental Review Director, or Designee shall verify Santa Barbara County Environmental Health Services has reviewed and approved contaminated soil disposal recommendations prior to transportation of impacted soils off-site.			

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	▪ Verifying proof of Santa Barbara County Environmental Health Services' approval of the soil disposal recommendations.					
HAZ-5: Site Management Plan						
The project applicant shall retain a qualified environmental consultant (Professional Geologist or Professional Engineer) approved by Santa Barbara County Environmental Health Services to prepare a Site Management Plan (SMP) prior to the issuance of Zoning Clearance associated with grading permit. The SMP, or equivalent document, shall be prepared to address on-site handling or management of impacted soils or groundwater if such soils or impacted wastes are encountered during the groundwater investigation or soil remediation, and reduce hazards to construction workers and offsite receptors during construction. The project applicant shall submit the SMP to Santa Barbara County Environmental Health Services who shall review and approve the SMP. The project applicant shall submit proof of Santa Barbara County Environmental Health Services' approval of the SMP to the Director of Planning and Environmental Review or Designee. The SMP shall establish remedial measures and/or soil or groundwater management practices to ensure construction worker safety, the health of future workers and visitors, and the prevention of offsite migration of contamination from the project site. These measures and practices may include, but are not limited to: ▪ Stockpile management including stormwater pollution prevention and the installation of Best Management Practices (BMPs) ▪ Collection of groundwater samples during dewatering ▪ Proper disposal procedures of impacted materials ▪ Monitoring and reporting ▪ A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of project site construction activities with the requirements and procedures for employee protection. ▪ The health and safety plan shall outline proper soil and groundwater handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. ▪ Proper handling procedures for unexpected contamination, such as halt-work and avoidance protocols, and City and contractor notifications The SMP shall also specify the procedures to be implemented in the event unexpected hazardous materials are encountered during construction. If unexpected odorous or visually stained soils, other indications of hydrocarbon piping or equipment, or debris are encountered during ground-disturbing activities, the construction contractor shall halt work in the immediate area and a qualified environmental consultant (PG or PE) shall be contacted immediately to evaluate the situation. The qualified environmental consultant shall evaluate the material and recommend the appropriate testing, removal, and disposal methods. The construction contractor shall ensure hazardous materials are removed or remediated in accordance with the requirements of the qualified environmental consultant and the SMP. Construction work may continue on other parts of the project while soil investigation and/or remediation takes place. The construction contractor shall not resume work until approved by the qualified environmental consultant and the City.	The Applicant is responsible for: ▪ Submitting the SMP to Santa Barbara County Environmental Health Services. ▪ Retaining a qualified consultant (PG or PE) ▪ Providing proof of Santa Barbara County Environmental Health Services approval of the SMP to the Planning and Environmental Review Director, or Designee. The qualified environmental consultant is responsible for: ▪ Preparing a SMP. ▪ Providing disposal recommendations and arrange for proper disposal of the waste soils. ▪ Deciding with the Planning and Environmental Review Director, or Designee, when to resume construction work at the location of contaminated soils. The construction contractor is responsible for: ▪ Implementing the SMP. ▪ Stopping work and contacting the qualified environmental consultant if hazardous soils are encountered. Santa Barbara County Environmental Health Services, is responsible for: ▪ Reviewing and approving the SMP. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Verifying the Applicant has provided proof of approval of the SMP from Santa Barbara County Environmental Health Services. ▪ Reviewing construction plans to ensure applicable recommendations from the SMP are incorporated. ▪ Deciding with the qualified environmental consultant when to resume construction work at the location of contaminated soils.	The project applicant shall retain a qualified environmental consultant to prepare the SMP prior to the issuance of Zoning Clearance and provide proof of Santa Barbara County Environmental Health Services' approval of the SMP to the Planning and Environmental Review Director or designee for approval prior to the issuance of the Zoning Clearance associated with grading permits.	Prior to approval of the Zoning Clearance for construction, the Planning and Environmental Review Director, or Designee shall verify Santa Barbara County Environmental Health Services' approval of the SMP and review project construction plans to ensure applicable recommendations from the SMP are integrated into construction plans.			

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Noise						
NOI-1: Construction Noise Reduction						
The construction contractor shall prepare and submit a Construction Noise Control Plan to the City of Goleta Planning and Environmental Review Director or designee for review and approval prior to issuance of a Zoning Clearance for a grading permit/demolition permit. The Construction Noise Control Plan shall specify the noise reduction measures to be implemented during project construction to ensure noise levels do not exceed 65 dBA at nearby sensitive receptors at the Rancho Goleta mobile home community to the east. The measures specified in the Construction Noise Control Plan shall be included on the building and grading plans and shall be implemented by the construction contractor during construction. Measures in the Construction Noise Control Plan may include, but would not be limited to, the following: ▪ Prior to the start of and for the duration of construction, the contractor will properly maintain and tune all construction equipment in accordance with the manufacturer's recommendations to minimize noise emissions. ▪ Prior to use of any construction equipment, the contractor will fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds that are no less effective than as originally equipped by the manufacturer. ▪ Staging and delivery areas will be located as far as feasible from existing residences. ▪ Installation of temporary sound barriers/blankets to break the line of sight between construction equipment and nearby residences at the Rancho Goleta mobile home community to the east. See Figure 4.4-2 for an approximation of the extent of an example temporary noise barrier. ▪ To the extent consistent with applicable safety regulations, trucks operating with reverse motions alarms will be outfitted with SAE J994 Class D or equivalent alarms (ambient-adjusting, or "smart alarms" that automatically adjust the alarm to 5 dBA above the ambient near the operating equipment), or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws. ▪ A construction notification sign will be posted at the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City of Goleta's and the contractor's authorized representatives that are assigned to respond in the event of a noise complaint. ▪ If the authorized contractor's representative receives a complaint, a contractor-retained and City-approved noise consultant will conduct noise measurements at the properties that registered the complaint. The noise measurements will be conducted for a minimum of one hour to determine if noise levels are compliant with the City's 65 dBA standard. The consultant shall prepare a letter report for the Planning and Environmental Review Director or designee that summarizes the measurements, calculation data used in determining impacts, and measures to reduce construction noise levels to below 65 dBA at nearby sensitive receptors.	The construction contractor is responsible for: ▪ Preparing and submitting a Construction Noise Control Plan to the Planning and Environmental Review Director, or Designee. ▪ Implementing the Construction Noise Control Plan. ▪ Halting construction and notifying the Planning and Environmental Review Director or designee if a noise complaint is received. The Planning and Environmental Review Director, or Designee, is responsible for: ▪ Reviewing and approving the Construction Noise Control Plan. ▪ Approving the contractor-retained noise consultant. ▪ Periodically monitoring compliance with the requirements of the Construction Noise Control Plan ▪ Investigating and responding to all noise complaints. The City's Code Compliance Division or a contractor-retained and City-approved noise consultant, is responsible for: ▪ Conducting noise measurements. ▪ Preparing a letter report with measures to reduce construction noise. The project design engineer is responsible for: ▪ Including the measures specified in the Construction Noise Control Plan on the building and grading plans.	The Planning and Environmental Review Director or designee shall approve the Construction Noise Control Plan prior to issuance of the Zoning Clearance for the grading permit/demolition permit. The measures specified in the Construction Noise Control Plan shall be included on the building and grading plans.	The City shall monitor compliance with the requirements of the Construction Noise Control Plan periodically during construction and shall promptly investigate and respond to all noise complaints.			
Utilities and Service Systems						
UTIL-1: Waste Management Plan Additions						
In addition to the required components of the Waste Management Plan listed in Chapter 8.10, Article IV of the City's Municipal Code, the City shall require the Waste Management Plan for the proposed project to include the following: Implementation of a program to purchase materials that have recycled content, as appropriate, for project construction. The project applicant shall note the vendor, types of materials, and quantity of materials with recycled content the applicant shall purchase for construction. Implementation of a program which requires the construction contractor to separate excess demolition and construction materials on-site for reuse/recycling or proper disposal. The project applicant shall describe the on-site locations where recyclable and non-recyclable materials shall be stored prior to removal. The project applicant shall provide separate on-site bins as needed for recycling.	The Applicant is responsible for: ▪ Preparing a Waste Management Plan. ▪ Submitting receipts of construction materials to submit to the City Director of Public Works Department, or Designee. The construction contractor is responsible for: ▪ Implementing the requirements of the Waste Management Plan. ▪ Provide recycling bins on the construction site.	The applicant shall coordinate with the Director of the Public Works Department, or designee, and prepare a Waste Management Plan as specified in the measure prior to the issuance of the Zoning Clearance associated with a demolition permit. The applicant shall submit a compiled list of receipts for the purchase of construction materials with recycled content to the Director of the Public	A monitor chosen by the Director of Public Works Department, or designee, shall inspect the project site on a quarterly basis from the start of construction activities.			

Mitigation Measure	Implementation Responsibility	Plan Requirement and Timing	Monitoring Action	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
The applicant shall submit the Waste Management Plan, with the additional requirements listed above, to the Director of Public Works Department, or designee, for review and approval prior to the issuance of the Zoning Clearance associated with the demolition permit. The Director of the Public Works Department, or designee, shall assign a monitor to the project who shall confirm, on a quarterly basis, demolition and construction waste is being separated on-site for reuse/recycling or proper disposal. The applicant shall submit proof of purchased construction materials with recycled content through a one-time submittal of receipts for the purchase of these materials no later than 15 days following the end of construction. The Director of the Public Works Department, or designee shall certify the requirements of the Waste Management Plan, with implementation of additional measures listed above, have been met no later than 30 days following the end of construction.	The City Director of Public Works Department, or Designee, is responsible for: ▪ Reviewing and approving the Waste Management Plan. ▪ Assigning a monitor to the project. ▪ Verify compliance with the requirements of the Waste Management Plan. The monitor is responsible for: ▪ Inspecting the construction site on a quarterly basis. ▪ Confirming demolition and construction waste is being separated on-site for reuse/recycling or proper disposal.	Works Department, or designee, prior to the issuance of the Certificate of Occupancy. The Director of the Public Works Department, or designee shall confirm the requirements of the applicant's Waste Management Plan have been met no later than 30 days after the end of construction.				

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ATTACHMENT 2

Development Plan Resolution

RESOLUTION NO. 25-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, APPROVE THE ALTERNATIVE 2:100-FOOT STREAMSIDE PROTECTION AREA SETBACK DEVELOPMENT PLAN FOR THE SYWEST INDUSTRIAL WAREHOUSE BUILDING PROJECT AND DENY THE ORIGINAL PROJECT AT 907 S. KELLOGG AVENUE, GOLETA; APN 170-190-035; CASE NO. 17-121-DP

WHEREAS, on October 3, 2017, Robert Atkinson of Sywest Development for Sycal Inc.(“Applicant”) submitted an application requesting approval of a Development Plan (Case No. 17-121-DP) with a Streamside Protection Area Buffer reduction, for a 70,594 sq. ft. industrial warehouse building and associated improvements; and

WHEREAS, the proposed building would have a height of 35 feet on top of four to six feet of fill in order to be elevated two feet above the base flood elevation of the site; and

WHEREAS, the property is located at 907 South Kellogg Avenue in the Coastal zone and is also known as APN 071-190-035; and

WHEREAS, on April 11, 2018, the application was deemed complete; and

WHEREAS, following application completeness, City staff determined that an Environmental Impact Report (EIR) was clearly necessary, allowing the City to forgo the Initial Study process pursuant to California Code Regulations, Title 14, Section 15063(a); and

WHEREAS, in May of 2018, the Applicant placed the application on hold while the Applicant considered their options for the project given the requirement for an EIR; and

WHEREAS, effective on April 3, 2020, the City adopted new zoning regulations and incorporated those into the Goleta Municipal Code (GMC) as Title 17; and

WHEREAS, Section 17.01.040(E)(4)(a) of the GMC allows for applications deemed complete prior to September 1, 2019, to continue to be processed under the zoning regulations and provisions in effect at the time the project was deemed complete; and

WHEREAS, Section 17.01.040(E)(4)(b) of the GMC established a sunset provision for the use of the prior zoning provisions of December 31, 2021, unless

an applicant secured approval of a Development Agreement from the City Council; and

WHEREAS, on May 18, 2021, the City Council adopted Ordinance No. 21-04, entering into a Development Agreement with the Applicant to allow the continued use of the previous Coastal Zoning Ordinance (Article II of the County Code) in exchange for the granting of a license agreement to access the San Jose Creek channel; and

WHEREAS, on April 6, 2022, the California Coastal Commission approved the Development Agreement; and

WHEREAS, the Development Agreement allows Case No. 17-121-DP for the proposed industrial warehouse building to be subject to the previous Coastal Zoning Ordinance (Article II) that was in effect prior to adoption of Title 17 of the GMC; and

WHEREAS, on October 10, 2022, the Applicant requested the City to start the processing of Case No. 17-121-DP again; and

WHEREAS two subsequent amendments to the Development Agreement were approved by City Council as authorized by Ordinance Nos. 23-10 and 24-03 to allow the continued use of the previous Coastal Zoning Ordinance process and standards; and

WHEREAS, the largest difference between Title 17 standards and Article II standards is the manner in which height is measured. The continued use of Article II standards would allow for the height of the building to be measured from finish grade elevation as opposed to natural grade as required by Title 17; and

WHEREAS, the City, as the lead agency for the proposed Project, reviewed the Project's environmental impacts in accord with California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§ 15000 et seq., the "CEQA Guidelines"), and the City's Environmental Review Guidelines ("Goleta Guidelines"); and

WHEREAS, pursuant to State CEQA Guidelines Section 15087(e), a Draft EIR was circulated for the 45-day public review and comment period from October 10, 2024, to November 25, 2024, and was made available online at the City of Goleta website and available for review at City Hall, and available for review at the Goleta Public Library and Goleta Community Center in hard copy form; and

WHEREAS, the Draft EIR prepared in connection with the Project sufficiently analyzes the Project's potentially significant environmental impacts, in addition to three alternatives to the Project, examining the environmental impacts of each alternative as well as the ability of the alternatives to meet Project objectives; and

WHEREAS, Alternative 2: 100-foot SPA Setback would include demolition of the same existing drive-in theater structures and construction of the same sized storage warehouse, but the layout and shape of the proposed industrial building would be reconfigured and the location of the project site would be shifted to the northwest and southwest in order to avoid development within the San Jose Creek 100-foot Streamside Protection Area buffer to the extent feasible; and

WHEREAS, in contrast to the Project, Alternative 2: 100-foot SPA Setback would reduce the Project's significant and unavoidable impact to biological resources to a less than significant impact by complying with the 100-foot SPA buffer and still fulfill all of the Project objectives; and

WHEREAS, the City prepared a Final EIR and on April 17, 2025, released the Final EIR for public review at least ten (10) days prior to the City's Planning Commission consideration of the Final EIR and the Project on April 28, 2025. The Final EIR in Resolution No. 25-__ is incorporated herein by reference into this Resolution; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on April 28, 2025, at which time the Planning Commission considered the entire administrative record, Final EIR, Mitigation Monitoring and Reporting Program ("MMRP"), Statement of Overriding Considerations, including staff reports and oral and written testimony from interested persons; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GOLETA, AS FOLLOWS:

SECTION 1. Factual Findings

The Planning Commission finds as follows:

a. The property consists of 11.71 total gross acres with a proposed 6.75-acre development area. Since 2006, the property has a General Plan land use designation of Service/Industrial (IS) and is located in the Coastal area of the City. Exhibit 2 contains the Project General Plan Consistency Analysis.

b. The property has been located in IS Zoning District since 2020 when Title 17 of the GMC was adopted. However, the applicable zoning associated with the processes of the Project is Light Industry (M-1) and Service Industrial-Goleta (M-S-GOL) based on that the Project was deemed complete prior to September 1, 2019, and the applicant has been following the vesting provision outlined in Section 17.01.040(E)(4) of the GMC.

c. The Project includes a request for a Development Plan for the construction of a 70,594-square foot industrial warehouse and associated improvements. The Project includes a request to reduce the 100-foot Streamside Protection Area buffer from San Jose Creek to 25 feet along the entire project site boundary adjacent to San Jose Creek, as measured from top of bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater.

d. Along with developing the industrial warehouse, the Project includes the installation of 60,939 square feet of landscaping, 101 parking spaces, and six loading zones.

e. The site does not have an active use and is mostly vacant. The proposed Project involves the demolition of an existing freestanding movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, and an agricultural box. Development of the proposed project would require approximately 600 cubic yards (CY) of soil cut and approximately 38,000 CY of soil fill.

f. The property is gently sloping and has an irregular shape.

g. The property is located in the 100-year floodplain of San Jose Creek and in order to build on the property, the site needs between four to six feet of fill to elevate the building's finished floor two feet above the base flood elevation in accordance with Section 15.10.160(C) of the Goleta Municipal Code.

h. Article II Coastal Zoning ordinance allows for the measurement of height from the finish grade of the site.

i. Stormwater runoff from approximately 217,812 square feet of the project site consisting of the paved and landscaped areas of the parking lot and southern portion of the development area would be directed to a detention basin which would be constructed at the southern border of the development area. The basin outlet is elevated above the basin bottom to allow treatment of stormwater up to two times the 85th percentile storm water elevation (2.6 inches of rainfall). Outflow from the basin would be directed to a hydrodynamic separator for treatment, prior to discharge to San Jose Creek.

j. The property has adequate ingress and egress from S. Kellogg Avenue that meets Fire Department requirements.

k. The factual findings in this Section are based upon substantial evidence found within the entirety of the administrative record.

SECTION 2. **Environmental Assessment Findings**

a. Resolution No. 25- ____ recommends certification of the Final EIR (State Clearinghouse #2023040690), adoption of findings under CEQA, adoption of the MMRP and Statement of Overriding Consideration, and, among other things, properly assesses the environmental impact of the Project in accordance with CEQA. Resolution No.25-____ is incorporated herein by reference.

SECTION 3. Development Plan Findings for the Original Project pursuant to Section 35-174.7 of Article II.

The Planning Commission makes the following findings relative to the Original Project :

a) That the site is adequate in size, shape, location and physical characteristics to accommodate the density and level of development proposed

The Planning Commission does not make any statements about the Original Project design relative to this finding.

b) That the adverse are mitigated to the maximum extent feasible.

The Planning Commission does not make any statements about the Original Project design relative to this finding.

c) The streets and highways are adequate and property designed to carry the type and quantity of traffic generated by the proposed use.

The Planning Commission does not make any statements about the Original Project design relative to this finding.

d) That there is adequate public services, including but not limited to fire protection, water supply, sewer disposal, and police protection to serve the project.

The Planning Commission does not make any statements about the Original Project design relative to this finding.

e) *That the project will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood and will not be incompatible with the surrounding area.*

The Planning Commission does not make any statements about the Original Project design relative to this finding.

f) *The Project is in conformance with the 1) the Comprehensive Plan, the including the Coastal Land Use Plan and 2) with the applicable provision of Article II and/or the project falls the limited exception allowed under Section 35-161.7.*

General Plan Policy CE 2.2. states: SPA upland buffer shall be 100' outwards on both sides of the creek measured from the top of bank or the outer limits of wetlands and/or riparian whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of the upland buffer to be less than a 100 feet wide, but not less than 25 feet wide, based on a site specific assessment if (1) there is no alternative feasible siting for development that will avoid the SPA upland buffer and (2) the project's impacts will not have a significant adverse effects on streamside vegetation or biotic quality of the stream.

The Planning Commission finds the original Project site plan and design is inconsistent with General Plan/Coastal Land Use Plan, Conservation Element CE 2.2 as there is a feasible alternative location on the same site that would be outside of the buffer as demonstrated by Alternative 2 discussed in the Final EIR. Therefore, the original Project as design is inconsistent with the General Plan and should not be recommended for approval

g) *That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.*

The Planning Commission does not any statements about the Original Project design relative to this finding.

h) *The project will not conflict with any easements required for public access through, or public use of the property*.

The Planning Commission does not make any statements regarding the original Project's consistency with this finding.

SECTION 4. Development Plan Findings for Alternative #2 (100-foot SPA Setback) as identified in the Final EIR per Section 35-174.7 of Article II.

The Planning Commission makes the following findings relative to Alternative #2: 100-foot SPA Setback:

a. *That the site is adequate in size, shape, location and physical characteristics to accommodate the density and level of development proposed*

The Project site is adequate in size, shape, location, and physical characteristics to accommodate the intensity of the proposed Project as all of the setbacks, parking, building coverage, building height, and landscaping requirements can be met on the 11.71-acre site. In addition, the proposed building pad will be raised four to six feet above existing grade of the site so that the proposed building's finished floor would be two feet above the base flood elevation as required by the GMC.

b. *That the adverse are mitigated to the maximum extent feasible.*

As set forth in the administrative record including, without limitation, the Project's Final EIR, MMRP and the Statement of Overriding Considerations, the Project's environmental impacts have been fully analyzed, and the environmental impacts will be mitigated to the maximum extent feasible. The Final EIR and MMRP identified 17 mitigation measures in the topic areas of Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise with the expressed intention of minimizing environmental impacts.

c. *The streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.*

As set forth in the administrative record including, without limitation, the accompanying staff report, requirements from the City's Public Works Department, and the Project's Final EIR, the adjacent streets and highways are adequate and properly designed to accommodate the additional traffic anticipated to be generated by this project. No new streets are proposed to be created with this project and internal circulation within the project will be provided via driveways. Further, the project has been conditioned to repair/restore any street damage resulting from the soil export and construction activities associated with the development of the Project.

d. That there is adequate public services, including but not limited to fire protection, water supply, sewer disposal, and police protection to serve the project.

There are adequate public services, including but not limited to the Santa Barbara County Fire Protection District, Goleta Water District, Goleta Sanitary District and Santa Barbara County Sheriff's Department to serve the Project. These agencies and districts have adequate personnel and capacity to serve the Project. These agencies have provided conditions of approval which have been incorporated into Exhibit 4 to ensure that the project complies with these agencies' requirements.

e. That the project will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood and will not be incompatible with the surrounding area.

As set forth in the Project's Final EIR and secured by the MMRP and Conditions of Approval, the Project will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood and will not be incompatible with the surrounding areas. The project would be served by the appropriate water and wastewater districts and would have safe and adequate vehicular access for users of the Project and emergency vehicles. Further, the type and intensity of the project is consistent with the General Plan/Coastal Land Use Plan Land Use designation for the site and would provide employment opportunities for the community. The adjacent streets of South Kellogg Avenue, Hollister Avenue, and Highway 217 all have capacity to handle the increase in traffic volume as documented in the Final EIR.

f. The Project is in conformance with the 1) the Comprehensive Plan, the including the Coastal Land Use Plan and 2) with the applicable provision of Article II and/or the project falls the limited exception allowed under Section 35-161.7.

For the reasons set forth in General Plan Consistency Analysis (Exhibit B) and the Zoning Consistency Analysis (Exhibit C) to this Resolution, and as set forth in the entire administrative record including the Final EIR, Alternative 2 conforms with the Coastal Zoning Ordinance (Article II) and the General Plan/Coastal Land Use Plan, with the adoption of a Good Cause Finding provided in Section 5 of this Resolution, Alternative 2 can be found consistent with the General Plan. Alternative 2 would reduce the severity of this impact by having an increased setback from the Highway 217 Scenic Corridor. All

the required development standards of the M-S-GOL and M-1 zoning districts are met or exceeded.

g. *That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.*

The site is not located within a designated rural area; therefore this finding is not applicable to the Project.

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

The approved Development Agreement, Ordinance No. 21-04, and subsequent amendments 23-10 and 24-03, grants a license agreement for the City of Goleta and the Santa Barbara County Flood Control to access the San Jose Creek channel. Upon approval of the project, the creek access will be recorded as an easement to allow for ongoing maintenance access to San Jose Creek. There is no public access to the creek required or allowed. Therefore, the Project will not conflict with easements acquired by the public at large, for access through or use of property within the proposed development.

SECTION 5. Good Cause Finding

a. The DRB reviewed photo-simulations of the original project. The DRB also reviewed supporting site plans and elevations for the original project. The original project completed *Conceptual* review to the DRB's satisfaction on February 28, 2023, with comments regarding the use of landscaping and building design and color to reduce visual impacts from SR 217, neighborhood compatibility, driveway sight distance, using landscaped areas in the stormwater retention design, and tree selection that will be incorporated into the final design. Alternative 2 further reduces visual impacts from SR 217 due to its larger setback and allows room for additional landscaping and the potential for habitat restoration. The building is designed to meet finished floor requirements for development in a flood plain, while still maintaining consistency with zone district building height requirements, thus meeting good cause findings for architectural design, resource protection, community character, aesthetics, and public views.

b. Alternative 2 will preserve and expand the existing industrial employment center in the area and will help provide a well-rounded mix of industries and economic activities in order to provide a wide range of employment activities that will provide critical jobs and tax revenue for the City. In

addition, Alternative 2 provides a permanent access easement to San Jose Creek for the City of Goleta and Santa Barbara County Flood Control, thus meeting good cause findings for community benefit.

SECTION 6. Actions

The Planning Commission recommends that the City Council take the following actions:

a. Deny the originally proposed Project design that does not observe the 100' SPA buffer based on the findings outlined in Section 3 above.
b. Approve the good cause finding outlined in Section 5 above.
c. Approve the Development Plan associated with Alternative #2 (Exhibit A Development Plan Site Plan) for the industrial warehouse building and associated improvements based on the findings of Sections 1, 2, 4, and 5 above, the General Plan Consistency Analysis (Exhibit B), the Zoning Consistency Analysis (Exhibit C) and subject to conditions of approval provided (Exhibit D).

SECTION 7. Reliance on Record

Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8. Limitations

The Planning Commission analysis and evaluation of the project, including this Resolution, are based on the entire record, including the best information currently available. This includes competent and substantial evidence, both oral and written. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9. Summaries of Information

All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 10. **Duration of the Resolution**
This Resolution will remain effective until superseded by a subsequent Resolution

SECTION 11. Copies of the Resolution
The City Clerk is directed to mail a copy of this Resolution to Sywest Development and to any other person requesting a copy.

SECTION 12. **Effective date of the Resolution**
This Resolution will become effective immediately after adoption.

SECTION 13. Certification of the Resolution
The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 28th day of April 2025.

_____
JENNIFER FULLERTON
CHAIR

ATTEST:

_____
DEBORAH S. LOPEZ
CITY CLERK

APPROVED AS TO FORM:

_____
WINNIE CAI
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 25-__ was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the ___ day of _____, 2025 by the following roll call vote of the Planning Commission:

AYES:

NOES:

ABSENT:

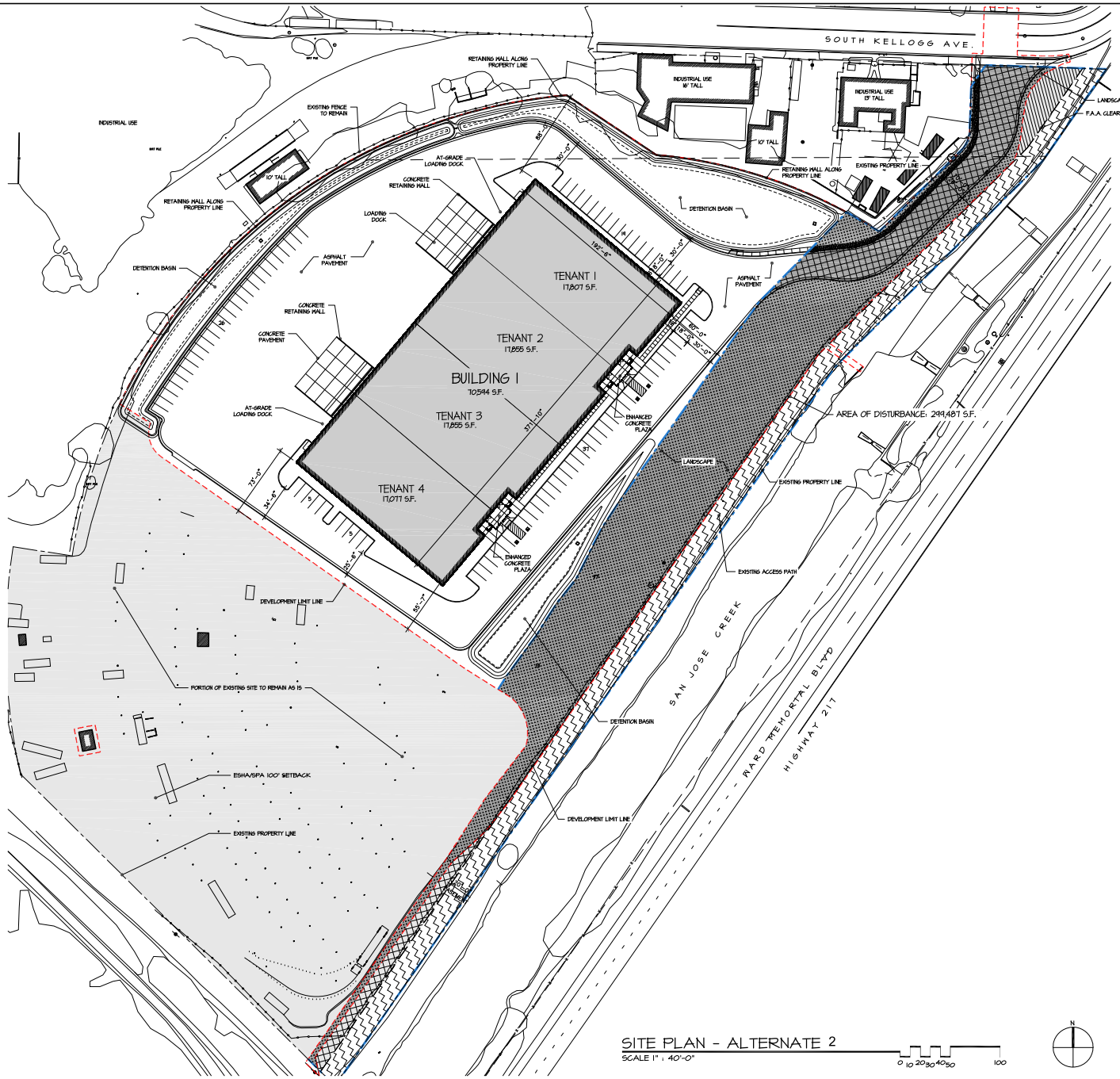
(SEAL)

_____
DEBORAH S. LOPEZ
CITY CLERK

Exhibit A – Site Plan
Exhibit B – GP/CLUP Consistency Analysis
Exhibit C – Zoning Consistency Analysis
Exhibit D – Development Plan Conditions of Approval

ATTACHMENT 2, EXHIBIT A

ALTERNATIVE 2 PLANS



SITE PLAN - ALTERNATE 2

SCALE 1" = 40'-0"

0 10 20 30 40 50 100

N

GENERAL INFORMATION

OWNER:
SYNEST DEVELOPMENT
150 PELICAN WAY
SAN RAFAEL, CA 94901
(415)448-8362

ARCHITECT:
RASMUSSEN & ASSOCIATES
21 S. CALIFORNIA STREET
FOURTH FLOOR
VENTURA, CA. 93001
VOICE: (805)648-1234

CIVIL ENGINEER:
STANTEC
111 EAST VICTORIA STREET
SANTA BARBARA, CA. 93101
VOICE: (805)963-9532

SITE SUMMARY

ADDRESS: 907 S. KELLOGG AVENUE
APN: 071-190-035

(N) DEVELOPMENT AREA	216,965 S.F.
(E) SITE TO REMAIN AS IS	293,122 S.F.
TOTAL	510,087 S.F.

TENANT 1	17,807 S.F.
TENANT 2	17,855 S.F.
TENANT 3	17,855 S.F.
TENANT 4	17,077 S.F.
TOTAL BUILDING AREA	70,544 S.F.

DEVELOPMENT AREA	216,965 S.F.	100% (6.82 ACRES)
BUILDING FOOTPRINT	71,324 S.F.	23%
PARKING/PAVING	115,113 S.F.	34%
SIDEWALK	4,738 S.F.	2%
LANDSCAPING	106,520 S.F.	36%
AREA OF DISTURBANCE	299,481 S.F.	(6.88 ACRES)
TOTAL SENSITIVE AREA	159,215 S.F.	(3.65 ACRES)

SENSITIVE AREA BREAKDOWN:

FLOOD EASEMENT	25,942 S.F.
UNDEVELOPED AREA	71,251 S.F.
DEVELOPED AREA	62,082 S.F.
TOTAL SENSITIVE AREA:	159,215 S.F.

DEVELOPED AREA IN SENSITIVE AREA BREAKDOWN:

PARKING/PAVING	10,546 S.F.
SIDEWALK	1,234 S.F.
LANDSCAPE	50,247 S.F.
TOTAL AREA:	62,082 S.F.

PARKING SUMMARY

REQUIRED

1 SPACE PER 1000 S.F.	= 71 SPACES
1 SPACE PER 4 EMPLOYEES @ 25 PEOPLE PER ACRE (71,324/43,560) * 25/4	= 11 SPACES
TOTAL	82 SPACES

PROVIDED

STANDARD	88 SPACES
ACCESSIBLE	4 SPACES
TOTAL	92 SPACES

LOADING ZONES

REQUIRED:	3 ZONES
PROVIDED:	6 ZONES

PLANNING INFORMATION

CITY OF GOLETA GENERAL PLAN/COASTAL LAND USE PLAN (GP/CLUP)
CITY OF GOLETA COASTAL ZONING ORDINANCE ARTICLE II OF CHAPTER 35

ZONING	M1/M-S-60L
GENERAL PLAN DESIGNATION	SERVICE/INDUSTRIAL

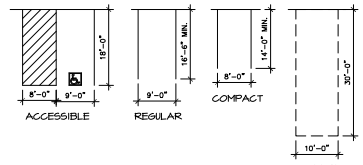
SERVICES AGENCIES:

FIRE PROTECTION	SANTA BARBARA COUNTY FIRE DEPARTMENT
SANITARY SEWER DISTRICT	GOLETA WEST SANITARY DISTRICT
WATER DISTRICT	GOLETA WATER DISTRICT
SCHOOL DISTRICT	GOLETA UNIFIED SCHOOL DISTRICT
GAS	SOUTH CALIFORNIA GAS COMPANY
ELECTRIC	SOUTH CALIFORNIA EDISON

GENERAL NOTES:

1. PARKING LOT LIGHTING SHALL BE SHIELDED AND HOODED TO LIMIT SPILL OVER EFFECTS. POLE SUPPORTS SHALL BE OF A DARKER FINISH REDUCE GLARE.
2. BUILDING WALL-MOUNTED AND PEDESTRIAN WALKWAY LIGHTING FIXTURES WILL BE PLACED AT HEIGHTS WHICH ARE HIGH ENOUGH TO PROMOTE PROJECT SAFETY, BUT LIGHT WILL BE CONTAINED.

TYPICAL PARKING SPACES



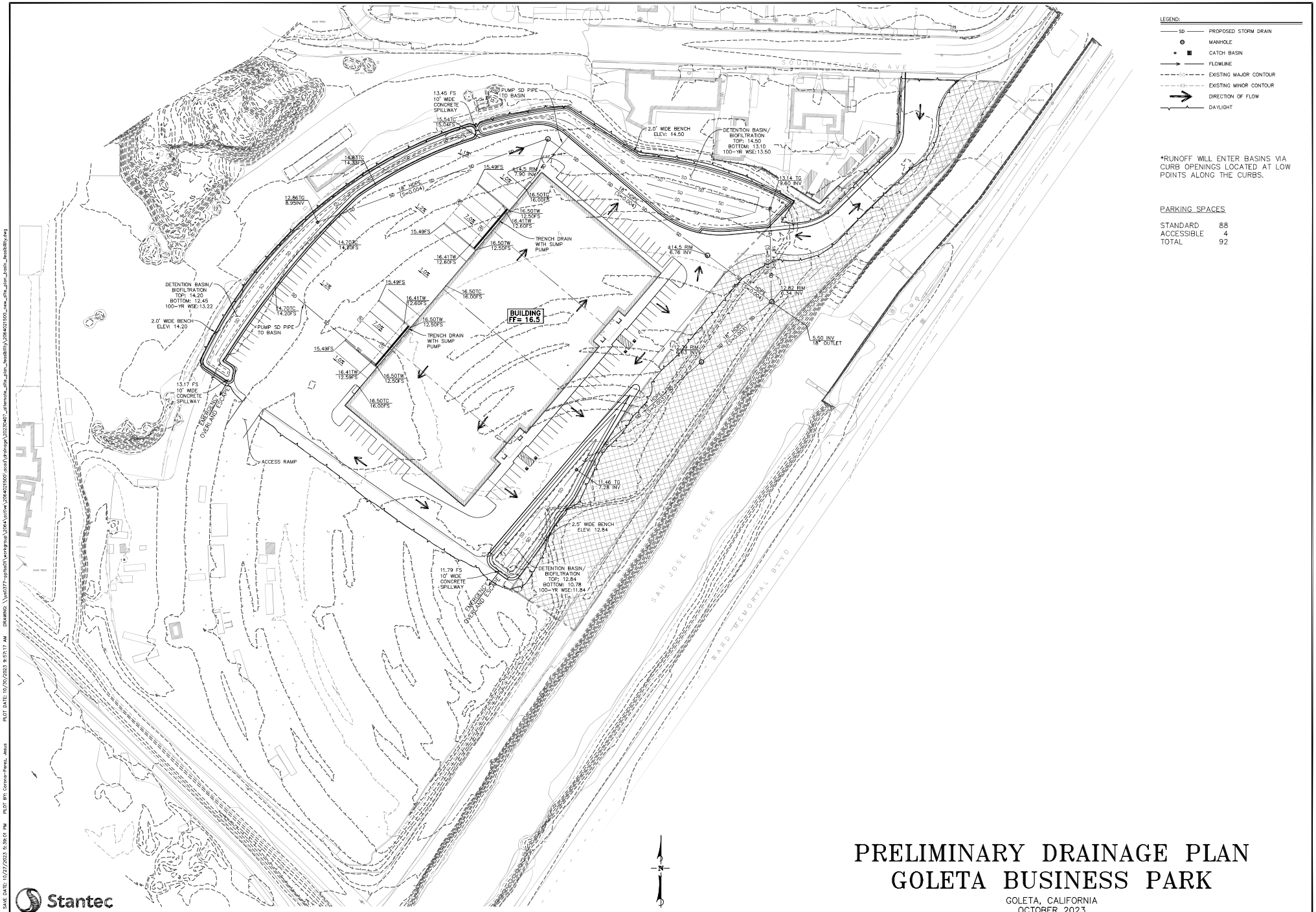
GOLETA BUSINESS CENTER

907 SOUTH KELLOGG AVE., GOLETA, CA

MARCH 20, 2024

RASMUSSEN & ASSOCIATES
Architecture
Planning
Interiors
21 S. CALIFORNIA STREET
VENTURA, CA 93001
VOICE: (805) 648-1234
CONTACT: JAY LOMAGNO
JLOMAGNO@RA-Arch.com

A1



PRELIMINARY DRAINAGE PLAN
GOLETA BUSINESS PARK

GOLETA, CALIFORNIA
OCTOBER 2023

Stantec
2446 Santa Barb Way, Suite 107, Santa Maria, CA 93455
Phone: (805) 925-2345

SHEET 1 OF 1

ATTENTION: IF THIS DOCUMENT IS PROVIDED AS A COURTESY IN AN ELECTRONIC FORMAT, THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF THE PROFESSIONAL WORK PRODUCT. ONLY A HARD COPY DOCUMENT THAT IS SIGNED AND SEALED BY AN AUTHORIZED PROFESSIONAL EMPLOYEE OF STANTEC CONSTITUTES THE PROFESSIONAL WORK PRODUCT. IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE HARD COPY MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT INFORMATION. STANTEC SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY AN AUTHORIZED PROFESSIONAL EMPLOYEE OF STANTEC. COPYRIGHT 2016, STANTEC CONSULTING SERVICES INC

PRELIMINARY LANDSCAPE PLAN

LANDSCAPE STATISTICS:

DESCRIPTION:	TOTAL
15 GAL TREES	15
24" BOX TREES	39
TOTAL TREES:	54

PRELIMINARY PLANT PALETTE

Sunset Zone 24 / WUCOLS South Coastal Region

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	O.C. SPACING	WUCOLS
TREES AND PALMS					
CAL VIM	CALLISTEMON VIMINALIS	WEEPING BOTTLEBRUSH	15 GAL	STD.	L
CHA HUM	CHAMAEROPS HUMILIS VAR. ARGENTEA	BLUE ATLAS PALM	24" BOX	MULTI-TRUNK	L
CUP GOV	CUPRESSUS GOVENIANA SSP. GOVENIANA*	GOWEN CYPRESS	15 GAL		L
LAU NOB	LAURUS NOBILIS	BAY LAUREL	15 GAL	L.B.	L
LYO FLO	LYONOTHAMNUS FLORIBUNDUS SUBSP. ASPLENIFOLIUS*	CATALINA IRONWOOD	24" BOX	STD.	L
PRU ILI	PRUNUS ILICIFOLIA SUBSP. LYONII*	CATALINA CHERRY	15 GAL	STD.	L
QUE TOM	QUERCUS TOMENTELLA*	ISLAND OAK	24" BOX	MULTI-TRUNK	L
SAL LAS	SALIX LASIOLEPIS*	ARROYO WILLOW	5 GAL		L
UMB CAL	UMBELLULARIA CALIFORNICA*	CALIFORNIA BAY	15 GAL	NATURAL	L
SHRUBS, GRASSES AND GROUNDCOVERS					
ACA ITE	ACACIA ITEAPHYLLA	WILLOW WATTLE	5 GAL	6'-0" O.C.	L
ATR LEN	ATRIPLEX LENTIFORMIS*	SALTBUSH	1 GAL.	4'-0" O.C.	VL
CAR BAR	CAREX BARBARAE*	SANTA BARBARA SEDGE	1 GAL	24" O.C.	L
CAR DIV	CAREX DIVULSA	BERKELEY SEDGE	4" POT	18" O.C.	L
CAR PAN	CAREX PANSA*	CALIFORNIA MEADOW SEDGE	4" POT	18" O.C.	L
CAR TUT	CARISSA 'TUTTLE'	NATAL PLUM	5 GAL	4'-0" O.C.	L
CHO TEC	CHONDROPETALUM ELEPHANTINUM	LARGE CAPE RUSH	5 GAL	5'-0" O.C.	L
COT DAM	COTONEASTER DAMMERI 'CORAL BEAUTY'	PROSTRATE COTONEASTER	1 GAL	4'-0" O.C.	L
ENC CAL	ENCELIA CALIFORNICA*	COAST SUNFLOWER	1 GAL	4'-0" O.C.	VL
DIA REV	DIANELLA REVOLUTA 'BABY BLISS'	BABY BLISS FLAX LILY	1 GAL	24" O.C.	L
JUN PAT	JUNCUS PATENS*	CALIFORNIA RUSH	1 GAL	2'-0" O.C.	L
HET ARB	HETEROMELES ARBUTIFOLIA*	TOYON	15 GAL	6'-0" O.C.	L
LIP NOD	LIPPIA NODIFLORA	KURAPIA	FLAT	2'-0" O.C.	L
LEU SAF	LEUCADENDRON 'SAFARI GOLDSTRIKE'	YELLOW CONEBUSH	15 GAL	6'-0" O.C.	L
LEP LEV	LEPTOSPERMUM REEVESII	DWARF TEA TREE	5 GAL	3'-0" O.C.	L
LYG SPA	LYGEUM SPARTUM	ESPARTO GRASS	1 GAL	30" O.C.	L
LOM LON	LOMANDRA LONGIFOLIA 'BREEZE'	DWARF MAT RUSH	5 GAL	4'-0" O.C.	L
LOM SEA	LOMANDRA 'SEASCAPE'	SEASCAPE MAT RUSH	1 GAL	30" O.C.	L
MUH DUB	MUHLENBERGIA DUBIA	PINE MUHLY	1 GAL	3'-0" O.C.	L
MYO PUT	MYOPORUM 'PUTAH CREEK'	PROSTRATE MYOPORUM	1 GAL	5'-0" O.C.	L
RHU INT	RHUS INTEGRIFOLIA*	LEMONADEBERRY	5 GAL	10'-0" O.C.	VL
SAM MEX	SAMBUCUS MEXICANA*	ELDERBERRY	5 GAL	7'-0" O.C.	L
WES MUN	WESTRINGIA 'MUNDI'	DWARF COAST ROSEMARY	5 GAL	36" O.C.	L
VINES & ESPALIERS					
VIT ROG	VITIS 'ROGER'S RED' *	ROGERS RED GRAPE	5 GAL	TRAIN ON FENCE	L
NON IRRIGATED NATIVE HYDROSEED MIX					
	BROMUS CARINATUS 'CUCAMONGA'	CUCAMONGA BROME	SEED		VL
	FESTUCA MICROSTACHYS	SMALL FESCUE	SEED		VL
	TRIFOLIUM CILIOLATUM	TREE CLOVER	SEED		VL
	ESCHOLZIA CALIFORNICA	CALIFORNIA POPPY	SEED		VL
	LUPINUS BICOLOR	BICOLOR LUPINE	SEED		VL

NOTE: S&S SEEDS SHALL PROVIDE FINAL HYDROSEED SEED AND SLURRY SPECIFICATIONS: (805) 684-0436

NOTES:
* = California Native
STD. = Standard
L.B. = Low Branch
'OR EQ.' = Contractor to locate variety listed or equivalent variety within same species with similar characteristics. Similar characteristics include mature size, growth habit and color of foliage and flowers.
W.U.C.O.L.S. = Water Use Classification of Landscape Species. Jan. 2014. This is a guide to identifying irrigation water needs of landscape species and is intended for reference only.
All trees are to be selected and tagged by the Landscape Architect.
Contractor shall notify Landscape Architect a minimum four (4) weeks in advance of planting time.
Above-grade utilities shall be screened to the maximum extent feasible.
Plants listed as 'alert status' by the California Invasive Plant Council (CAL-IPC 2006) shall not be used for landscaping.

CJM::LA
LANDSCAPE ARCHITECTURE
1021 STATE STREET SUITE 205
SANTA BARBARA CA 93101

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NOT FOR CONSTRUCTION

PRELIMINARY
LANDSCAPE PLAN - ALT

SYWEST INDUSTRIAL
907 South Kellog Ave.
Goleta, CA 93117

REVISIONS
09/18/17 CITY SUBMITTAL
12/20/17 CITY SUBMITTAL
04/04/18 CITY SUBMITTAL
02/17/23 CITY SUBMITTAL
05/12/23 CITY SUBMITTAL
10/16/23 CITY SUBMITTAL

PROJECT NUMBER
2302
DRAWN BY
JC
DATE DRAWN
04/04/18
SCALE
AS NOTED
PRINT DATE
10/16/23

SHEET NUMBER
L-1 of 1

1 VIEW FROM HIGHWAY 217 - SITE AND BUILDING ALTERNATE

2 VIEW FROM KELLOGG AVENUE - SITE AND BUILDING ALTERNATE

GOLETA BUSINESS CENTER
907 SOUTH KELLOGG AVE., GOLETA, CA

FEBRUARY 13, 2024

RASMUSSEN & ASSOCIATES
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Planning
Interiors
21 S. CALIFORNIA STREET
VENTURA, CA 93001
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X1

3 VIEWS FROM HIGHWAY 217 - SITE AND BUILDING ALTERNATE

4 VIEWS FROM SOUTH FAIRVIEW AVENUE - SITE AND BUILDING ALTERNATE

ATTACHMENT 2, EXHIBIT B

ALTERNATIVE 2 GENERAL PLAN CONSISTENCY ANALYSIS

Sywest Industrial Warehouse Project
General Plan/Coastal Land Use Plan
Consistency Analysis for Alternative 2

Project Alternative 2's consistency with applicable goals and policies from the General Plan/Coastal Land Use Plan is summarized below. Alternative 2 would be consistent with 46 of the 50 applicable Goleta General Plan land use policies. Potential policy inconsistency would arise due to visual impacts from the proposed building's height.

There are mitigation measures identified in the Sywest Final EIR in Section 4.3 for Biological Resources and Section 4.11 for Noise that would reduce impacts to the extent feasible. However, Alternative 2 would continue to result in significant and unavoidable impacts involving conflict with the Goleta General Plan. The City acknowledges the importance and breadth of the potential General Plan inconsistencies associated with the project by finding them to be significant and unavoidable impacts.

1. Land Use Element:
Policy LU 1.1: Land Use Plan Map. *The Land Use Plan map establishes the future distribution, extent, and geographic locations of the various land uses within Goleta.* **Consistent.** The Land Use Plan map identifies the project site as Service Industrial (I-S). The use proposed with the Project (warehousing) is consistent with uses allowed under the IS land use designation pursuant to Land Use Element Table 2-3. For these reasons, the project is consistent with this policy.
Policy LU 1.4: Employment Centers. *Existing developed office and industrial areas shall be preserved and protected to continue their role of providing employment opportunities for the community. A mix of industries and economic activities is encouraged in order to provide a wide range of employment opportunities and wage levels and to avoid overreliance on any one economic sector.* **Consistent**. The project site is located in an existing industrial area and would provide employment opportunities for the community.
Policy LU 1.5: Compatibility of Existing and New Industrial Areas with Adjacent Residential Development. *The Zoning Code shall include performance standards that will mitigate the effects of industrial uses and development on nearby residential areas.* **Consistent.** The project would control construction site emissions through watering construction areas and covering trucks hauling soil. Following project completion, the

project area would either be paved or landscaped, controlling dust during regular operations.

Short-term construction of the project would temporarily increase local noise levels that may exceed Goleta's construction noise standard of 65 A-weighted decibels; however, the project would include mitigation that would ensure noise levels do not exceed 65 dBA at nearby sensitive receptors. Following project completion, it is not anticipated that regular operations would exceed 65 dBA at nearby sensitive receptors as the majority of the warehouse use is housed indoors and the truck deliveries are behind the building away from the sensitive receptors.

Regarding drainage and stormwater runoff, the project would not diminish the natural drainage course of the project site, would not alter San Jose Creek, and would not include drainage controls or improvements that are prohibited. The project would include flood-proofing measures such as the use of between 4 to 6 feet of fill to elevate the proposed building above the 100-year floodplain elevation, installation of a proposed detention basin that would capture stormwater flows on the project site and proposed vegetated drainage swale for eventual discharge into San Jose Creek. The detention basin and vegetated drainage swale would improve water quality and reduce water pollution.

All project lighting would use light emitting diode (LED) fixtures and would include semi- and fully cut-off light fixtures, which would minimize light trespass and glare. Project lighting would be designed in accordance with City and Federal Aviation Administration standards, would be compatible with industrial lighting in the vicinity, and would not detract from views of the night sky. Light fixtures used for the proposed building would be appropriate for an industrial building and compatible with the industrial and commercial setting of the surrounding area. Additionally, the project applicant has prepared a photometric plan that demonstrates project lighting would be contained on the project site and would not spill onto adjacent properties.

The project would involve construction of an industrial building that would be similar in material and color to surrounding industrial buildings in the area. Project landscaping would include native and climate appropriate plants including trees and palms, shrubs, grasses, groundcovers, vines, and espaliers, that would resemble vegetation in the surrounding area.

Truck traffic related to the warehouse use is not anticipated to exceed the capacity of the surrounding road network. For these reasons, the project is consistent with this policy.

Policy LU 1.7: New Development and Protection of Environmental Resources. *Approvals of all new development shall require adherence to high environmental standards and the preservation and protection of environmental resources, such as environmentally sensitive habitats, consistent with the standards set forth in the Conservation Element and the City's Zoning Code.*

Consistent. As described in the Sywest EIR, Alternative 2 is consistent with Conservation Element policies, including CE 2.2, Streamside Protection areas, which requires a 100-foot buffer from San Jose Creek and its environmentally sensitive habitats (ESHA). Alternative 2 development proposed in the 1.68-acre San Jose Creek 100-foot SPA buffer would be limited to the access road improvements, installation of the underground utility trench, drainage outfall, and the addition of landscaping, which are allowable uses within the SPA buffer. Alternative 2 provides increased protection for the SPA and surrounding ESHA and would allow for restoration of San Jose Creek, returning it to a nature state envisioned under Policy CE 2.2. For these reasons, the project is consistent with this policy.

Policy LU 1.8: New Development and Neighborhood Compatibility. *Approval of all new development shall require compatibility with the character of existing development in the immediate area, including size, bulk, scale, and height. New development shall not substantially impair or block important viewsheds and scenic vistas, as set forth in the Visual and Historical Resources Element.*

Consistent. The warehouse proposed is consistent with uses allowed in the IS land use designation. The project would consist of an industrial warehouse building that is taller than adjacent industrial structures and could impair views of the Santa Ynez Mountains and foothills experienced from the SR 217 local scenic corridor for a few seconds of passing the site in a northbound direction. For such exceptions to be granted, a good cause finding must be made, per the GP/CLUP Glossary, if the exception is:

> "defined as a better site or architectural design, will result in better resource protection, will provide a significant community benefit and/or does not create an adverse impact to the community character, aesthetics or public views."

This good cause finding for Alternative 2 can be made based on the Design Review Board's review/analysis of the project, the larger setback from SR 217 resulting in the provision of additional landscaping and habitat restoration areas, the need to allow the raising of the site in order to accommodate the floodplain issues, and the project will contribute to the city's employment base. The specific good cause finding language is contained in Section 5 Attachment 2.

Policy LU 1.9: Quality Design in the Built Environment. *The City shall encourage quality site, architectural, and landscape design in all new development proposals. Development proposals shall include coordinated site planning, circulation, and design. Public and/or common open spaces with quality visual environments shall be included to create attractive community gathering areas with a sense of place and scale.*

Consistent. The project would involve construction of an industrial building that would be similar in material and color to surrounding industrial buildings in the area. Project landscaping would include native and climate appropriate plants including trees and palms, shrubs, grasses, groundcovers, vines, and espaliers, that would resemble vegetation in the surrounding area. For these reasons, the project is consistent with this policy.

Policy LU 1.13: Adequate Infrastructure and Services. *For health, safety, and general welfare reasons, approvals of new development shall be subject to a finding that adequate infrastructure and services will be available to serve the proposed development in accordance with the Public Facilities and Transportation Elements.*

Consistent. The project would include the construction of on-site utility infrastructure that would serve the proposed development. The project site is not located in an area where infrastructure and services would not be able to serve the proposed development.

Policy LU 4.1: General Purpose. *Table 2-3 shows the various office and industrial land use designations, including permitted uses and recommended standards for building intensity for each category. The categories are intended to provide appropriate locations for a range of employment-creating economic activities, from those based on advanced technology to storage and warehousing, while seeking to minimize traffic congestion, visual, and other impacts on the surrounding residential areas.*

Consistent. The proposed Project is consistent with uses allowed under the IS land use designation (warehousing) and is consistent with standards for density (no density standard for I-S) and building intensity (max structure height 35 feet) pursuant to Land Use Element Table 2-3. For these reasons, the project is consistent with this policy.

Policy LU 4.4: Service Industrial (I-S). *This designation is applied to properties within the airport flight path where airport operations limit the range and density of activities that may be allowed. Densities shall not exceed 25 persons per acre to conform to the Airport Land Use Plan and airport operations, as well as to maintain acceptable levels of service on roadways serving these areas. Uses may occur in a less-managed environment than in the Business Park category. Allowed uses include warehouses, storage, outdoor storage (including storage of vehicles and recreational vehicles), automotive sales and rentals, manufacturing, heavy commercial uses, and similar uses that may be compatible with airport operations.*

The processing or storage of flammable or hazardous materials shall be strictly controlled. Near the airport, heights of structures and landscaping shall be limited so as not to interfere with the airspace in the airport approach zone and clear zone.

Consistent. The project site has a Goleta General Plan land use designation of Service Industrial. The project would comply with the standards of this land use designation, and would not conflict with the 25 persons per acre density limit. The Hollister Avenue/Kellogg Avenue intersection is forecast to operate at LOS D under cumulative plus project conditions during the PM peak hour. However, following the implementation of the project-specific Deficiency Plan and improvements to that intersection through fees under the Goleta Transportation Improvement Program, this intersection would operate at LOS C. As an industrial warehouse building with office space, the project would be consistent with allowable uses for the Service Industrial land use designation.

All hazardous materials used during project construction or operation would be transported, handled, and disposed of in compliance with existing federal, State, and local regulations. Furthermore, project height and landscaping would not conflict with limits for the airport clear zone within the Service Industrial land use designation.

2. Open Space Element:

Policy OS 6.2: Equitable Distribution of Park Facilities. *To the extent feasible, park and recreation facilities shall be equitably distributed throughout the city to serve the various neighborhoods and all socioeconomic segments of the city's population. Particular emphasis shall be placed on the provision of new park and recreation facilities in areas that were underserved as of 2005 and in areas of the city that are designated for new residential use and development in the future. These areas include, but are not limited to, the Goleta Old Town (Old Town)) and the Mid-Hollister areas.*

Consistent. The proposed project would not directly generate population growth that would result in a need for additional parkland because the proposed project does not include residential uses. Employment opportunities associated with the proposed project may result in an incremental increase in the use of existing neighborhood and regional parks or other recreational facilities. As such, the project will be required to pay all applicable Development Impact Fees, including Park Fees, that are a proportionate share of the costs of new or upgraded capital facilities attributable to new development, including parks and recreation facilities, and will offset any incremental increase in park use the Project might have. For these reasons, the project is consistent with this policy.

Policy OS 6.11: Planned New Parks and Open Space. *The locations of planned new public parks and open space are shown on Figure 3-2. Specific improvements will be implemented as conditions require and when funding is available.*

Consistent. While Figure 3-2 of the General Plan indicates a potential future park site on the project site, the City does not have a plan or funding to acquire the site for park purposes. Further, the development of a park at this site may not be possible given the population per acre limitations that result from the proximity to the Santa Barbara Airport. Further, there have been park improvements made within Old Town (Armitos Park and Johnny D. Wallace Park) in the recent past. Lastly, the project will be paying the applicable park Development Impact Fees to offset the development's impact on recreational facilities. . For these reasons, the project is consistent with this policy.

Policy OS 8.1: Definition. *Cultural resources include Native American archaeological sites and areas of the natural landscape that have traditional cultural significance. Archaeological sites include prehistoric sites that represent the material remains of Native American societies and their activities and ethnohistoric sites that are Native American settlements occupied after the arrival of European settlers in California. Such archaeological sites may include villages, seasonal campsites, burial sites, stone tool quarry sites, hunting sites, traditional trails, and sites with rock carvings or paintings. Areas of traditional cultural significance include Native American sacred areas where religious ceremonies are practiced or which are central to their origins as a people, as well as areas traditionally used to gather plants for food, medicinal, or economic purposes.*

Consistent. The project site is located in an archaeologically sensitive area, as is most of the City of Goleta. As such, the project was required to submit a Phase 1 Cultural Resource Study, which was analyzed in the Sywest Final EIR. Further, there are conditions of approval proposed related to archaeological resources and grading activities as stated in Exhibit D to Attachment 2. For these reasons, the project is consistent with this policy.

Policy OS 8.4: Evaluation of Significance. *For any development proposal identified as being located in an area of archaeological sensitivity, a Phase I cultural resources inventory shall be conducted by a professional archaeologist or other qualified expert. All sites determined through a Phase 1 investigation to potentially include cultural resources must undergo subsurface investigation to determine the extent, integrity, and significance of the site. Where Native American artifacts have been found or where oral traditions indicate the site was used by Native Americans in the past, research shall be conducted to determine the extent of the archaeological significance of the site.*

Consistent. A cultural resources records search indicated no archaeological resources have been recorded within the project site, and there is minimal potential for undiscovered archaeological resources to exist within the project site based on Phase 1 analysis of soils within the property. Since the project site does not contain a resource

of cultural significance that would be adversely impacted by proposed development, additional research is not required. However, as a condition of approval, an archaeological monitor will be required. For these reasons, the project is consistent with this policy.

Policy OS 8.5: Mitigation. *If research and surface reconnaissance shows that the project area contains a resource of cultural significance that would be adversely impacted by proposed development and avoidance is infeasible, mitigation measures sensitive to the cultural beliefs of the affected population shall be required. Reasonable efforts to leave these resources in an undisturbed state through capping or covering resources with a soil layer prior to development shall be required. If data recovery through excavation is the only feasible mitigation, the City shall confer with the affected Native American nation or most-likely descendants, as well as agencies charged with the responsibility of preserving these resources and organizations having a professional or cultural interest, prior to the removal and disposition of any artifacts.*

Consistent. The project site is located in an archaeologically sensitive area, as is most of the City of Goleta. A cultural resources records search indicated no archaeological resources have been recorded within the project site, and there is minimal potential for undiscovered archaeological resources to exist within the project site. Since the project site does not contain a resource of cultural significance that would be adversely impacted by proposed development, mitigation is not required. However, as a condition of approval, archaeological monitors will be required at the request of a local Tribal group.

Policy OS 8.6: Monitoring and Discovery. *On-site monitoring by a qualified archaeologist and appropriate Native American observer shall be required for all grading, excavation, and site preparation that involves earth moving operations on sites identified as archaeologically sensitive.*

Consistent. While the site is not anticipated to contain archaeologically sensitive resources, as a condition of approval, archaeological monitors will be required. For these reasons, the project is consistent with this policy.

Policy OS 9.2: Mitigation of Impacts of New Development on Parks and Recreation Facilities. *To ensure new development pays a proportionate share of the cost of acquisition and improvement of parks, recreation facilities, and open space, the City shall require a one-time impact fee to offset costs necessary to accommodate the development. These fees shall be used for acquiring and/or developing new or improving/rehabilitating existing park, recreation, or open space facilities.*

Consistent. The project will be required to pay all applicable Development Impact Fees, including Park Fees, that are a proportionate share of the costs of new or

upgraded capital facilities attributable to new development, including parks and recreation facilities. For these reasons, the project is consistent with this policy.

3. Conservation Element:

Policy CE 1.6: Protection of ESHAs. *ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:*

a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs and/or ESHA buffers.

b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.

c. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures—such as signage, placement of boardwalks, and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.

d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, 5) biological research, and 6) Public Works projects as identified in the Capital Improvement Plan, only where there are no feasible, less environmentally damaging alternatives.

e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.

Consistent. Alternative 2 development proposed in the 1.68-acre San Jose Creek 100-foot SPA buffer, which is considered ESHA, would be limited to the access road improvements, installation of the underground utility trench, drainage outfall, and the addition of landscaping, which are allowable uses within the SPA buffer. Alternative 2 provides increased protection for ESHAs and SPAs and would allow for restoration of San Jose Creek. Therefore, Alternative 2 would not conflict with CE 1.6.

Policy CE 1.7: Mitigation of Impacts to ESHAs. *New development shall be sited and designed to avoid impacts to ESHAs. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Any impacts that cannot be avoided shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on site. If impacts to onsite ESHAs occur in the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. All mitigation sites shall be monitored for a minimum period of 5 years following completion, with changes made as necessary based on annual monitoring reports. Where appropriate, mitigation sites shall be subject to deed restrictions. Mitigation sites shall be subject to the protections set forth in this plan for the habitat type unless the City has made a specific determination that the mitigation is unsuccessful and is to be discontinued.*

Consistent. Under Alternative 2, the development proposed within the San Jose Creek 100-foot SPA buffer would be limited to the access road improvements, installation of the underground utility trench, drainage outfall, and the addition of landscaping. These uses are allowable uses within the SPA buffer. Alternative 2 provides increased protection for ESHAs and SPAs and would allow for restoration of San Jose Creek. For these reasons, the project is consistent with this policy.

Policy CE 1.8: ESHA Buffers. *Development adjacent to an ESHA shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation shall be provided in buffer areas to serve as transitional habitat. All buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.*

Consistent. Alternative 2 provides increased protection for ESHAs and SPAs and would allow for restoration of San Jose Creek using native vegetation. For these reasons, the project is consistent with this policy.

Policy CE 1.9: Standards Applicable to Development Projects. *Design standards shall apply to consideration of developments within or adjacent to ESHAs.*

Consistent. Under Alternative 2, the development proposed within the San Jose Creek 100-foot SPA buffer would be limited to the access road improvements, installation of the underground utility trench, drainage outfall, and the addition of landscaping. These uses are allowable uses within the SPA buffer. Alternative 2 provides increased protection for ESHAs and SPAs and would allow for restoration of San Jose Creek.

Project landscaping, including landscaping used for San Jose Creek restoration, shall receive Preliminary/Final review by the DRB, which will ensure native species are used in the restoration area and that there is a good planting buffer adjacent to the ESHA.

Site grading on the previously disturbed site will be the minimum required to bring the building's finished floor two feet above base flood elevation as required by the GMC. No alteration of natural landforms or excessive vegetation clearance is necessary for the Project.

Stormwater runoff will be reduced, and infiltration will be increased through use of the proposed retention basin and bioswale.

All project lighting would use light emitting diode (LED) fixtures and would include semi- and fully cut-off light fixtures, which would minimize light trespass and glare into the ESHA.

Short-term construction of the project would temporarily increase local noise levels that may exceed Goleta's construction noise standard of 65 A-weighted decibels; however, the project would include mitigation that would ensure noise levels do not exceed 65 dBA at nearby sensitive receptors. As discussed in the Sywest Final EIR under Impact NOI-1 in Section 4.11, *Noise*, mitigation would include temporary noise barrier installation as needed, construction signage, and outfitting trucks with "smart alarms" that would reduce noise when operating in reverse. Further, noise generating construction activities above 65 dBA, are limited to occur Monday – Friday between the hours of 8 am -5 pm and not on State designated holidays. Following project completion, operational noise is not anticipated to exceed 65 dBA at nearby sensitive receptors as the majority of the warehouse use is housed indoors, the truck deliveries are behind the building away from the sensitive receptors, and roof mounted mechanical equipment is located behind parapet walls.

Project conditions will require that, prior to grading activities, the City approve a Stormwater Control Plan and Stormwater Pollution Prevention Plan, which will protect the ESHA from the potential negative effects of grading.

For these reasons, the project is consistent with this policy.

Policy CE 1.10: Management of ESHAs. *Specific standards shall apply to the ongoing management of ESHAs.*

Consistent. The Project will be conditioned to prevent the use of insecticides, herbicides or other toxic chemical substances that have the potential to degrade the ESHA. The project involves the removal of nonnative invasive plant species through weed abatement and the installation and maintenance of native landscaping, including potential habitat restoration.

The Project will also be conditioned to provide an access easement to the City of Goleta and the Santa Barbara County Flood Control District for maintenance of the San Jose Creek channel. This creek maintenance will provide ongoing management of the San Jose Creek ESHA. For these reasons, the project is consistent with this policy.

Policy CE 2.1: Designation of Protected Creeks. *The provisions of this policy shall apply to creeks shown in Figure 4-1. These watercourses and their associated riparian areas are defined as ESHAs. They serve as habitat for fish and wildlife, provide wildlife movement corridors, provide for the flow of stormwater runoff and floodwaters, and furnish open space and passive recreational areas for city residents.*

Consistent. The analysis in the Sywest Final EIR, Section 4.3, *Biological Resources*, considers San Jose Creek and Old San Jose Creek and the associated riparian areas as ESHA, and analyzes project impacts to those ESHA areas. The overall design of Alternative 2 respects the creeks as much as possible given the lot configuration and the uses proposed within the SPA buffer are allowable uses.

Policy CE 2.2: Streamside Protection Areas. *A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the SPA in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA upland buffer shall be as follows:*

a. The SPA upland buffer shall be 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of a SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, based on a site specific assessment if (1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and (2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.

b. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.

Consistent. Alternative 2 development proposed in the 1.68-acre San Jose Creek 100-foot SPA buffer would be limited to the access road improvements, installation of the underground utility trench, drainage outfall, and the addition of landscaping, which are allowable uses within the SPA buffer. Alternative 2 provides increased protection for the SPA and would allow for restoration of San Jose Creek, returning it to a nature state envisioned under Policy CE 2.2. Therefore, Alternative 2 would not conflict with CE 2.2 and is consistent with this policy.

Policy CE 2.3: Allowable Uses and Activities in Streamside Protection Areas. *The following compatible land uses and activities may be allowed in SPAs, subject to all other policies of this plan, including those requiring avoidance or mitigation of impacts: a. Agricultural operations, provided they are compatible with preservation of riparian resources. b. Fencing and other access barriers along property boundaries and along SPA boundaries. c. Maintenance of existing roads, driveways, utilities, structures, and drainage improvements. d. Construction of public road crossings and utilities, provided that there is no feasible, less environmentally damaging alternative. e. Construction and maintenance of foot trails, bicycle paths, and similar low-impact facilities for public access. f. Resource restoration or enhancement projects. g. Nature education and research activities. h. Low-impact interpretive and public access signage. i. Other such Public Works projects as identified in the Capital Improvement Plan, only where there are no feasible, less environmentally damaging alternatives.*

Consistent. Alternative 2 development proposed in the 1.68-acre San Jose Creek 100-foot SPA buffer includes the access road improvements, installation of the underground utility trench, drainage outfall, the addition of landscaping, and a construction noise barrier required under Sywest Final EIR, Mitigation Measure NOI-1. The construction of utilities, maintenance of existing drainage improvements, access maintenance, and fencing (walls) are allowed uses in the SPA. Therefore, Alternative 2 does not conflict with CE 2.3.

Policy CE 2.5: Maintenance of Creeks as Natural Drainage Systems. *Creek banks, creek channels, and associated riparian areas shall be maintained or restored to their natural condition wherever such conditions or opportunities exist. Creeks carry a significant amount of Goleta's stormwater flows. The following standards shall apply: a. The capacity of natural drainage courses shall not be diminished by development or other activities. b. Drainage controls and improvements shall be accomplished with the minimum vegetation removal and disruption of the creek and riparian ecosystem that is necessary to accomplish the drainage objective. c. Measures to stabilize creek banks, improve flow capacity, and reduce flooding are allowed but shall not include installation of new concrete channels, culverts, or pipes except at street crossings, unless it is demonstrated that there is no feasible alternative for improving capacity. d. Drainage controls in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. Onsite treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices (BMPs) shall be required in order to protect water quality and the biological functions of creek ecosystems. e. Alteration of creeks for the purpose of road or driveway crossings shall be prohibited except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel. Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers shall be located*

outside creek beds and banks, unless an environmentally superior alternative exists.

Consistent. The project would not diminish the natural drainage course of the project site, would not alter San Jose Creek, and would not include drainage controls or improvements that are prohibited in this policy.

Policy CE 2.6: Restoration of Degraded Creeks. *Segments of several creeks in Goleta have been covered or channelized by concrete culverts, causing degradation of the creek ecosystem. Restoration activities for improving degraded creek resources shall include the following: a. Channelized creek segments and culverts shall be evaluated and removed to restore natural channel bed and bank, where feasible. b. Creek courses in public rights-of-way shall be uncovered as part of public works improvement projects. c. Barriers that prevent migration of fish such as anadromous salmonids from reaching their critical habitat shall be removed or modified. d. Restoration of native riparian vegetation and removal of exotic plant species shall be implemented, unless such plants provide critical habitat for monarch butterflies, raptors, or other protected animals. e. Creek rehabilitation projects shall be designed to maintain or improve flow capacity, trap sediments and other pollutants that decrease water quality, minimize channel erosion, prevent new sources of pollutants from entering the creek, and enhance in-creek and riparian habitat. f. The use of closed-pipe drainage systems for fish-bearing creeks shall be prohibited unless there is no feasible, less environmentally damaging alternative. When the use of culverts is necessary, the culverts shall be oversized and have gravel bottoms that maintain the channel's width and grade.*

Consistent. The project would remove the on-site agricultural storage box storing flattened cardboard boxes, which is currently within the SPA for San Jose Creek. The majority of the development proposed with Alternative 2 is outside of the San Jose Creek 100-foot SPA buffer, allowing for the potential for preservation and restoration of San Jose Creek. With Alternative 2, the SPA for San Jose Creek could be enhanced as directed under this policy. Therefore, Alternative 2 would be consistent with CE 2.6.

Policy CE 3.1: Definition of Wetlands. *Wetlands are defined as any area that meets the definition of a wetland as defined by the California Coastal Commission, California Department of Fish and Game, and U.S. Fish and Wildlife Service. The most protective of definitions shall be applied and used to determine the boundary of a wetland. The City of Goleta uses the identification of a single indicator (soil, hydrology, or plants) to determine the boundary of a wetland.*

Consistent. A jurisdictional waters and wetland delineation was conducted as part of the 2023 Wetland Delineation Report, which updates the original delineation prepared in 2018. Mapped wetlands within the development area include the detention basin outfall. Soil samples were taken in nine locations in the development area. The delineation also included vegetation, and hydrology data from nine sample locations in

the project site and study area. For these reasons, the project is consistent with this policy.

Policy CE 3.2: Designation of Wetland ESHAs. *Wetland ESHAs are included on GP/CLUP Figure 4-1. In the Coastal Zone, wetlands are lands that may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. All wetlands are defined as ESHAs. Any unmapped areas that meet the criteria identified in CE 3.1 are wetlands and shall be granted all of the protections for wetlands set forth in this plan.*

Consistent. In the study area, there are approximately 1.95 acres of state-designated, CDFW-managed Marine Protected Area (MPA), part of the Goleta Slough State Marine Conservation Area (SMCA), which extends from sea level to the mean high tide line of 4.51 feet elevation along the segment of San Jose Creek in and east of the project site. The location of the proposed drainage outfall is within the MPA. The proposed outfall is also within the 7.1-foot high tide line regulated by the USACE and subject to daily tidal influences. With the exception of the proposed drainage outfall location, the project site and development area do not contain jurisdictional waters or wetlands. For these reasons, the project is consistent with this policy.

Policy CE 3.3: Site-Specific Wetland Delineations. *In considering development proposals where an initial site inventory or reconnaissance indicates the presence or potential for wetland species or indicators, the City shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils or a preponderance of wetland indicator species will be considered presumptive evidence of wetland conditions. At a minimum, the delineation report shall contain: a. A map at a scale of 1":200' or larger showing topographic contours. b. An aerial photo base map. c. A map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the locations of sampling points. d. A description of the survey methods and surface indicators used for delineating the wetland polygons. e. A statement of the qualifications of the person preparing the wetland delineation.*

Consistent. The project is consistent with this policy as a detailed biological study of the project site, including a wetland delineation, was completed as part of this project. Biological studies are included in the Sywest Final EIR as Appendices D-1 and D-2, and the wetland delineation is included as Appendix D-3.

Policy CE 3.4: Protection of Wetlands in the Coastal Zone. *The biological productivity and the quality of wetlands shall be protected and, where feasible, restored in accordance with the federal and state regulations and policies that apply to wetlands within the Coastal Zone. Only uses permitted by the regulating agencies shall be allowed within wetlands. The filling, diking, or dredging of open coastal waters, wetlands, estuaries, and lakes is prohibited unless it can be demonstrated that:*

a. There is no feasible, environmentally less damaging alternative to wetland fill.
b. The extent of the fill is the least amount necessary to allow development of the permitted use.
c. Mitigation measures have been provided to minimize adverse environmental effects.
d. The purposes of the fill are limited to: incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities.

A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. Generally the required buffer shall be 100 feet, but in no case shall wetland buffers be less than 50 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland, and the need for upland transitional habitat. A 100-foot minimum buffer area shall not be reduced when it serves the functions and values of slowing and absorbing flood waters for flood and erosion control, sediment filtration, water purification, and ground water recharge. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.

Consistent. Trenching for underground utilities from an existing power pole is proposed in degraded asphalt beginning 40 feet north of a small stand of Pickleweed mats at the terminus of Old San Jose Creek. No activity or "fill" is proposed in the wetland. Burying collocated utility cables is considered an "incidental public service" under Policy CE 3.4 and is allowed under Policy CE 1.6 provided there are no feasible, less environmentally damaging alternatives. Sywest Final EIR Mitigation Measures BIO-1, BIO-2, and BIO-4 through BIO-9 would minimize indirect impacts to the Old San Jose Creek wetland. Temporary trenching for utility undergrounding is consistent with Policy CE 3.4. For these reasons, the project is consistent with this policy.

Policy CE 8.1: ESHA Designation. *Requisite habitats for individual occurrences of special-status plants and animals, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, and other species protected under provisions of the California Fish and Game Code shall be preserved and*

protected, and their occurrences, including habitat requirements, shall be designated as ESHAs.

Consistent. No sensitive plant communities are present on the project site. The project site is not expected to support a very diverse wildlife population since it is paved and lacks native vegetation. Species expected to occur on the project site include common small mammals and birds. For larger birds, the barrenness of the project site dramatically reduces the diversity and abundance of the native rodent prey base. No historical raptor nests have been identified or recorded in the project vicinity, and no nests were identified during surveys of adjacent woodland habitat at the appropriate time of year. Direct and indirect impacts to nesting raptors (if present) in the study area would be avoided though adherence to Sywest Final EIR Mitigation Measure BIO-1. For these reasons, the project is consistent with this policy.

Policy CE 8.2: Protection of Habitat Areas. *All development shall be located, designed, constructed, and managed to avoid disturbance of adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.*

Consistent. The project would be located, designed, and constructed to avoid disturbance of special-status species and their habitats consistent with this policy. Project construction would be managed to avoid special-status species and their habitats. As discussed in the Sywest Final EIR under Impacts BIO-1 through BIO-4 in Section 4.3, *Biological Resources*, implementation of Mitigation Measures BIO-1 through BIO-4 would ensure that impacts to special-status species and their habitat areas are less than significant.

Policy CE 8.3: Site-Specific Biological Resources Study. *Proposals for development on sites where ESHAs are shown on GP/CLUP Figure 4-1, or where there is probable cause to believe that an ESHA may exist, shall be required to provide the City with a site-specific biological study.*

Consistent. The site-specific study of biological resources incorporates the results of 2017, 2022, and 2023 reconnaissance-level surveys and jurisdiction delineations. The surveys were conducted by Rachael Tierney Consulting in 2017 and Watershed Environmental Inc. (Watershed Environmental) in 2022 and 2023. For these reasons, the project is consistent with this policy.

Policy CE 8.4: Buffer Areas for Raptor Species. *Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the biological study described in CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation*

clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season.

Consistent. No historical raptor nests have been identified or recorded in the project vicinity, and no nests were identified during surveys of adjacent woodland habitat at the appropriate time of year. Direct and indirect impacts to nesting raptors (if present) in the study area would be avoided though adherence to Sywest Final EIR Mitigation Measure BIO-1. For these reasons, the project is consistent with this policy.

Policy CE 10.1: New Development and Water Quality. *New development shall not result in the degradation of the water quality of groundwater basins or surface waters; surface waters include the ocean, lagoons, creeks, ponds, and wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources.*

Consistent. The proposed project would be subject to regulatory requirements which would minimize the potential to impair water quality. In addition, the proposed project would implement Sywest Final EIR Mitigation Measures GEO-1, HAZ-3, and BIO-3 to reduce potential water quality impacts related to construction. These measures would ensure the proposed project would not conflict with the Central Coast Regional Water Quality Control Board's Basin Plan. The proposed project would not conflict with or obstruct groundwater management requirements and not degrade water quality. For these reasons, the project is consistent with this policy.

Policy CE 10.2: Siting and Design of New Development. *New development shall be sited and designed to protect water quality and minimize impacts to coastal waters.*

Consistent. Demolition of existing facilities and construction and operation of the project would minimize impacts to water quality and coastal waters with construction of the proposed stormwater detention basin and bioswale and through implementation of Sywest Final EIR Mitigation Measures GEO-1, HAZ-3, and BIO-3. For these reasons, the project is consistent with this policy.

Policy CE 10.3: Incorporation of Best Management Practices for Stormwater Management. *New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from nonpoint sources to the maximum extent feasible, consistent with the City's Storm Water Management Plan or a subsequent Storm Water Management Plan approved by the City and the Central Coast Regional Water Quality Control Board. Post construction structural BMPs shall be designed to treat, infiltrate, or filter stormwater runoff in accordance with applicable standards as required by law.*

Consistent. Through implementation of the Stormwater Control Plan, Stormwater Pollution Prevention Plan, and standard best management practices required as conditions of approval, the Project will minimize impacts to water quality due to

increased runoff volumes. Following construction of the proposed stormwater detention basin and bioswale, the project site will have reduced runoff volumes compared to existing levels. For these reasons, the project is consistent with this policy.

Policy CE 10.4: New Facilities. *New bridges, roads, culverts, and outfalls shall not cause or contribute to creek bank erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality. BMPs shall include construction phase erosion control, polluted runoff control plans, and soil stabilization techniques. Where space is available, dispersal of sheet flow from roads into vegetated areas, or other onsite infiltration practices, shall be incorporated into the project design.*

Consistent. Through implementation of the Stormwater Control Plan, Stormwater Pollution Prevention Plan, and standard best management practices required as conditions of approval, the Project will minimize impacts to creek bank erosion, creek or wetland siltation, and water quality, both during construction and operation of the Project. For these reasons, the project is consistent with this policy.

Policy CE 10.6: Stormwater Management Requirements. *Trash storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.*

Consistent. Project conditions require a trash enclosure that is covered and curbed to prevent stormwater contamination by loose trash and debris. For these reasons, the project is consistent with this policy.

Policy CE 10.7: Drainage and Stormwater Management Plans. *New development shall protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Drainage Plans shall be designed to complement and use existing drainage patterns and systems, where feasible, conveying drainage from the site in a nonerosive manner. Disturbed or degraded natural drainage systems shall be restored where feasible, except where there are geologic or public safety concerns.*

Consistent. Through implementation of the Stormwater Control Plan, Stormwater Pollution Prevention Plan, and standard best management practices required as conditions of approval, the Project will minimize impacts to water quality due to increased runoff volumes. Following construction of the proposed stormwater detention basin and bioswale, the project site will have reduced runoff volumes compared to existing levels and the detention basin outfall into San Jose Creek will be improved. For these reasons, the project is consistent with this policy.

Policy CE 10.8: Maintenance of Stormwater Management Facilities. *New development shall be required to provide ongoing maintenance of BMP measures where maintenance is necessary for their effective operation. The permittee and/or owner, including successors in interest, shall be responsible for all structural treatment controls and devices.*

Consistent. The project will be conditioned to execute a Drainage and Stormwater Facilities Maintenance Agreement. This will include an Operations and Maintenance Plan that will ensure proper maintenance of drainage and stormwater facilities in perpetuity. For these reasons, the project is consistent with this policy.

Policy CE 12.2: Control of Air Emissions from New Development: *The following shall apply to reduction of air emissions from new development:*

a. Any development proposal that has the potential to increase emissions of air pollutants shall be referred to the Santa Barbara County Air Pollution Control District for comments and recommended conditions prior to final action by the City.
b. All new commercial and industrial sources shall be required to use the best available air pollution control technology. Emissions control equipment shall be properly maintained to ensure efficient and effective operation.
c. Adequate buffers between new sources and sensitive receptors shall be required.
d. Any permit required by the Santa Barbara County Air Pollution Control District shall be obtained prior to issuance of final development clearance by the City.

Consistent. The project will use the best available air pollution control technology and ensure equipment is properly maintained during construction. The project is not directly adjacent to sensitive receptors and would not require a buffer. Additionally, the operational function of the building once constructed will not require a permit from the SBAPCD. For these reasons, the project is consistent with this policy.

Policy CE 12.3: Control of Emissions during Grading and Construction: *Construction site emissions shall be controlled by using the following measures:*

a. Watering active construction areas to reduce windborne emissions.
b. Covering trucks hauling soil, sand, and other loose materials.
c. Paving or applying nontoxic solid stabilizers on unpaved access roads and temporary parking areas.
d. Hydroseeding inactive construction areas.
e. Enclosing or covering open material stockpiles.
f. Revegetating graded areas immediately upon completion of work.

Consistent. The construction of the building and site development will comply with the applicable regulations and standards. The project would control construction site emissions through watering construction areas and covering trucks hauling soil. After clearing, grading, earth moving or excavation is completed, the disturbed area will be treated by watering, or using roll-compaction, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not

occur. All driveways and sidewalks to be paved/surfaced will be completed as soon as possible. For these reasons, the project is consistent with this policy.

Policy CE 13.2 Energy Efficiency in Existing and New Commercial and Industrial Development. *The following measures shall be employed to reduce energy consumption in existing and new commercial and industrial buildings:*

a. *Reduction of energy consumption in existing buildings through improved design and management of heating, ventilation, air conditioning systems, and lighting is encouraged. Master metering is discouraged, and conversions to metering for individual tenant spaces shall be promoted where feasible.*
b. *The City shall enforce the state's residential energy conservation building standards set forth in Title 24 through its plan check and building permit issuance processes.*
c. *The City shall encourage nonresidential buildings to be designed in a manner that is appropriate for local climate conditions, taking into account natural light and ventilation, placement of landscaping, and use of integrated energy systems. This encompasses concepts such as cogeneration, waste heat systems, and other similar technologies.*

Consistent. As discussed in the Sywest Final EIR in Section 4.5, *Energy*, the project would use 100 percent renewable electricity and would be energy efficient through compliance with the latest Title 24 requirements. As a non-residential structure, the proposed industrial building would use 100 percent renewable electricity, LED lighting, indoor water use efficiency measures, and provided both electric vehicle and bicycle parking, all of which would reduce overall energy consumption and promote energy efficiency. For these reasons, the project is consistent with this policy.

Policy CE 13.3: Use of Renewable Energy Sources. *For new projects, the City encourages the incorporation of renewable energy sources. Consideration shall be given to incorporation of renewable energy sources that do not have adverse effects on the environment or on any adjacent residential uses.*

Consistent. The proposed project would be supplied electricity by Central Coast Community Energy (3CE) using 100 percent renewable energy sources. For these reasons, the project is consistent with this policy.

Policy CE-15.3: Water Conservation for New Development. *In order to minimize water use, all new development shall use low water use plumbing fixtures, water-conserving landscaping, low flow irrigation, and reclaimed water for exterior landscaping, where appropriate.*

Consistent. The proposed project would include water efficient appliances to reduce water consumption for landscaping, plumbing, and irrigation consistent with the latest Title 24 Green Building Code and Building Energy Efficiency Standards.

Policy CE 15.5: Reduction of Construction Wastes. *In instances where demolitions of existing buildings and structures are authorized, it is encouraged that such structures be deconstructed and that structural components, fixtures, and materials be salvaged for future reuse. Provisions for recycling of waste materials at all construction sites, including and demolition sites shall be required.*

Consistent. The project will be conditioned to require a Waste Reduction and Recycling Summary Report both before construction begins and before Certificate of Occupancy is granted following construction. For these reasons, the project is consistent with this policy.

4. Safety Element:

Policy SE 1: Safety in General: *To avoid siting of development or land use activities in hazardous areas, and where this is infeasible, require appropriate mitigation to lessen or minimize exposure to hazards.*

Consistent. The project site would not be located on a hazardous material site identified in the State Water Resources Control Board GeoTracker database or the Department of Toxic Substances Control EnviroStor database.

Policy SE 1.3: Site-Specific Hazards Studies*. Applications for new development shall consider exposure of the new development to coastal and other hazards. Where appropriate, an application for new development shall include a geologic/soils/geotechnical study and any other studies that identify geologic hazards affecting the proposed project site and any necessary mitigation measures. The study report shall contain a statement certifying that the project site is suitable for the proposed development and that the development will be safe from geologic hazards. The report shall be prepared and signed by a licensed certified engineering geologist or geotechnical engineer and shall be subject to review and acceptance by the City.*

Consistent. The appropriate site-specific hazard studies have been prepared for the project. As stated in the Sywest Final EIR Section 4.6, *Geology and Soils*, technical documents that informed project design and environmental analysis include the *Revised Geotechnical Engineering Report Update* prepared by Earth Systems Pacific in 2022 (Appendix G) and the *Preliminary Drainage Design for Goleta Business Park* prepared by Stantec in 2022 (Appendix H). These studies evaluated geologic hazards that may affect the project site, determined that the site was suitable for the proposed development, and provided recommendations to mitigate potential geologic impacts.

As discussed in the Sywest Final EIR Section 4.9, *Hydrology and Water Quality*, a Sea Level Rise Analysis was prepared for the project to analyze the potential for site inundation due to future inundation resulting from climate change.

Policy SE 1.6: Enforcement of Building Codes. *The City shall ensure through effective enforcement measures that all new construction in the city is built according to the adopted building and fire codes.*

Consistent. The proposed project involves the construction of a new building that would comply with the City's adopted building and fire codes.

Policy SE 4.3: Geotechnical and Geologic Studies Required. *Where appropriate, the City shall require applications for planning entitlements for new or expanded development to address potential geologic and seismic hazards through the preparation of geotechnical and geologic reports for City review and acceptance.*

Consistent. The applicant has provided the appropriate reports consistent with this policy. The project included a *Revised Geotechnical Engineering Report Update,* included as Appendix G to the Final EIR, that addresses geologic and seismic hazards for the potential new development.

Policy SE 4.11: Geotechnical Report Required. *The City shall require geotechnical and/or geologic reports as part of the application for construction of habitable structures and essential services buildings (as defined by the building code) sited in areas having a medium-to-high potential for liquefaction and seismic settlement. The geotechnical study shall evaluate the potential for liquefaction and/or seismic-related settlement to impact the development, and identify appropriate structural-design parameters to mitigate potential hazards.*

Consistent. The applicant has provided the appropriate reports consistent with this policy. The project included a *Revised Geotechnical Engineering Report Update,* included as Appendix G to the Final EIR, that addresses geologic and seismic hazards for the potential new development.

Policy SE 6.1: Map of Flood Hazard Areas. *The City shall use the most recent edition of the federal Flood Insurance Rate Maps (FIRM maps) in evaluating applications for new or expanded development on properties subject to flood hazards. All applications for new or expanded development shall be required to show, where applicable, the floodway, 100-year floodplain, and the 500-year floodplain on the site plan showing the proposed development. The map in Figure 5-2 is a facsimile rather than the official flood hazard map and is intended only to be illustrative of possible flood hazard areas.*

Consistent. The most recent FIRM maps were used to evaluate the project's flood hazard. According to Flood Insurance Rate Map No. 06083C1362G, the project site is within Zone A, corresponding to an area within the 100-year floodplain. As outlined in the Sywest Final EIR Section 4.9, *Hydrology and Water Quality*, the flood hazard zone associated with the site is Zone A. Mitigation measures and site design features are

included to address the flooding risk. Therefore the project is consistent with this policy as the mapped flood hazards have been used to evaluate this project.

Policy SE 6.2: Areas Subject to Local Urban Flooding*. In addition to flood hazard areas shown on the FIRM maps, the City may require applications for new or expanded development in areas with known persistent local urban flooding to include measures that lessen the urban flooding hazard and/or that mitigate its effects on the proposed development. This requirement shall apply to flooding on any street or roadway that provides access to the proposed development.*

Consistent. The project site is designated Zone A by FEMA Flood Insurance Rate Map No. 06083C1362H, while San Jose Creek is a mapped regulatory floodway **(**Appendix M of this EIR). Consistent with this policy, the project would include flood-reducing measures such as the use of between 4 to 6 feet of fill to elevate the proposed building above the 100-year floodplain elevation, installation of a proposed detention basin that would capture stormwater flows on the project site, and proposed vegetated drainage swale for eventual discharge into San Jose Creek.

Policy SE 6.4: Avoidance of Flood Hazard Areas. *The City shall discourage any new intensive development in any flood hazard area. Similarly, the City shall require appropriate flood mitigation for intensification of existing development in any flood prone area. The City shall not approve development within areas designated as the 100-year floodplain that would obstruct flood flow (such as construction in the designated floodway), displace floodwaters onto other property, or be subject to flood damage. The City shall not allow development that will create or worsen drainage problems.*

Consistent. Because the project site is located in a flood hazard area, the proposed industrial building would be located on fill to elevate the first floor above the 100-year floodplain elevation consistent with this policy. The project would not obstruct flood flow, displace floodwaters onto other property, or be subject to flood damage. The project would not create or worsen drainage problems in the area.

Policy SE 6.6: Enforcement of a Watercourse Setback Ordinance. *A minimum 50-foot setback shall be required from streambanks and flood control channels for all new development (see related CE 2.2). For projects that would be rendered infeasible by the application of such minimum setbacks, the project applicant shall provide a site-specific engineering study with recommended mitigation measures to allow for a reduced setback that would not expose development to unacceptable risk. Furthermore, in these cases, the City shall consult with the Santa Barbara County Flood Control District to determine whether the proposed lesser setback would be appropriate, in that it would allow access for flood control maintenance and enable proper operation of the channels. The City shall maintain and enforce the policies and standards within a Water Course Setback Ordinance.*

Consistent. The majority of Alternative 2 development has a streambank setback greater than 50 feet. The improvements that will be located within the 50' setback area include access road improvements, installation of the underground utility trench, drainage outfall, and landscaping. Although the setback would be reduced for these purposes, the applicant would grant the City an easement on the project site for maintenance access to San Jose Creek. The proposed easement would improve access for flood control maintenance and enable proper operation of the channel and would thus be consistent with the intent of this policy.

Policy SE 7.1: Fire Prevention and Response Measures for New Development. *New development and redevelopment projects shall be designed and constructed in accordance with National Fire Protection Association standards to minimize fire hazards, with special attention given to fuel management and improved access in areas with higher fire risk, with access or water supply deficiencies, or beyond a 5-minute response time.*

Consistent. The project site is not within lands classified as Very High Fire Hazard Severity Zone (VHFHSZ). The nearest VHFHSZ is located approximately 1.95 miles north of the project site. Existing residential development, commercial development, and U.S. 101 separate the project site from the VHFHSZ.

The proposed project would be constructed in accordance with the requirements of the California Fire Code, which are implemented to minimize the potential for fire to occur. Additionally, the proposed project would be constructed in accordance with the Santa Barbara County Fire Department's (SBCFD) development standards, which include requirements for egress on private driveways, fire hydrant spacing and flow rates, automatic fire sprinkler systems, and automatic alarm systems (SBCFD 2022). Adherence to State and local regulations would ensure project construction and operation would not expose people or structures to significant risk of loss, injury, or death involving wildland fires. For these reasons, the project is consistent with this policy.

Policy SE 7.2: Review of New Development. *Applications for new or expanded development shall be reviewed by appropriate Santa Barbara County Fire Department personnel to ensure they are designed in a manner that reduces the risk of loss due to fire. Such review shall include consideration of the adequacy of "defensible space" around structures at risk; access for fire suppression equipment, water supplies, construction standards; and vegetation clearance. Secondary access may be required and shall be considered on a case-by-case basis. The City shall encourage built-in fire suppression systems such as sprinklers, particularly in high-risk or high-value areas.*

Consistent. The proposed project would be constructed in accordance with the Santa Barbara County Fire Department's (SBCFD) development standards, which include requirements for egress on private driveways, fire hydrant spacing and flow rates, automatic fire sprinkler systems, and automatic alarm systems (SBCFD 2022). Project

conditions will require the approval of a Fire Protection Certificate by SBCFD prior to Building Permit issuance. For these reasons, the project is consistent with this policy.

Policy SE 7.5: Automatic Fire Sprinkler Systems. *The City shall require the installation of automatic fire sprinklers for: a) all new buildings that have a total floor area of 5,000 square feet or more and b) any existing building proposed for remodeling or an addition, which, upon completion of the remodel or addition, will have a total floor area of 5,000 square feet or more. The 5,000-square-foot threshold cited in criteria a) and b), above, shall be reduced to 1,000 square feet for any building zoned or used for commercial or industrial purposes if such building is within 100 feet of any residentially zoned parcel.*

Consistent. Fire sprinklers will be a requirement of the Fire Protection Certificate, which will be reviewed and approved by the SBCFD. The requirement for a Fire Protection Certificate is a project condition. For these reasons, the project is consistent with this policy.

Policy SE 9: Airport-Related Hazards. *To minimize the risk of potential hazards associated with aircraft operations at the Santa Barbara Airport.*

Consistent. The risk associated with aircraft operations have been evaluated as stated in the Sywest Final EIR Section 4.8, *Hazards and Hazardous Materials*, the project would not result in significant hazards associated with aircraft operations at the Santa Barbara Airport. The proposed project would comply with existing City of Goleta, ALUC, and FAA regulations related to airport hazards and safety and is therefore consistent with this policy.

Policy SE 9.1: Clear Zone and Airport Approach Zone Regulations. *The City will maintain and enforce through appropriate zoning measures the Clear Zone and Airport Approach Zone regulations pursuant to the plans and policies of the Santa Barbara County ALUC. The City may also require, as a condition of approval of development applications, dedication of avigation easements for areas within the Airport Clear Zones and Airport Approach Zones.*

Consistent. Alternative 2 would comply with applicable regulations, including the 1993 Santa Barbara County Airport Land Use Plan (ALUP) development standard of a maximum intensity of 25 people per acre and the height restrictions of FAR Part 77. According to the 1993 Santa Barbara County ALUP, the project site is located within Airport Safety Zone II within the Airport Influence Area. The northern portion of the project site is located within Safety Area 1 (Clear Zone) and the southern half of the project site is located within Safety Area 3 (General Traffic Pattern Zone). The more restrictive development standards of Safety Area 1 apply to Alternative 2. Therefore, the ALUP development standard of a maximum intensity of 25 people per acre, as a site-wide average, would apply to Alternative 2. Alternative 2's industrial building would employ 75 people daily, and would occupy approximately 1.62 acres of the total 11.77-acre project site, which represents an intensity of 6.37 people per acre. Therefore,

development under Alternative 2 would comply with the standard specified in the 1993 Santa Barbara County ALUP. The project site is located in the 60-65 dB CNEL noise contour for Santa Barbara Airport. Industrial land uses are identified as compatible within this contour in the 1993 Santa Barbara County ALUP. Therefore, Alternative 2 would not conflict with the 1993 Santa Barbara County ALUP.

Policy SE 9.2: Height Restrictions. *The City shall ensure that the heights of proposed buildings, other structures, and landscaping conform to airport operational requirements to minimize the risk of aircraft accidents. The City shall establish and maintain standards in its zoning ordinance for building and structure height restrictions for development in proximity to the Santa Barbara Municipal Airport. To ensure compliance with height restrictions, proposed development or uses that require ALUC review pursuant to the Airport Land Use Plan shall be referred to the ALUC for review.*

Consistent. The 1993 Santa Barbara County ALUP does not specify a maximum height for structures in Safety Area 1 and states that objects should be limited in height consistent with airspace protection surfaces defined by FAR Part 77. Alternative 2's industrial building would have a maximum height of approximately 35 feet from finished grade and would have a maximum height of approximately 39 to 41 feet. Alternative 2 would increase building height on the project site, While the building would be built at a height taller than existing development in the area due to the elevation of the site out of the flood zone, the project would be consistent with the City's development standards and zoning code that existed prior to 2020 as provided for under Article II zoning regulations These standards did consider proximity to the Santa Barbara Municipal Airport.

Alternative 2 would not require Airport Land Use Commission review as the previous zoning ordinance and General Plan were found consistent with the 1993 Santa Barbara County. Alternative 2 would comply with additional applicable FAR Part 77 and Federal Aviation.

Policy SE 9.3: Limitations on Development and Uses. *The City shall establish and maintain standards in its zoning ordinance for use restrictions for development near the Santa Barbara Municipal Airport. These standards should identify uses that may be compatible in each zone. Proposed development or uses that require ALUC review pursuant to the Airport Land Use Plan shall be referred to the ALUC for review.*

Consistent. The proposed project is consistent with the uses allowed in both the M-1 and M-S-GOL zones and, therefore, would not conflict with the operations of the Santa Barbara Airport. As stated in the Sywest Final EIR Section 4.8, *Hazards and Hazardous Materials*, development under the proposed project would comply with standards specified by the 1993 ALUP. The City engaged with SBCAG staff, in their capacity as the ALUC staff, in August 2023. ALUC staff determined that the project would not be required to undergo ALUC review as the previous zoning ordinance and General Plan

were found consistent with the 1993 Santa Barbara County ALUP and the project does not include any legislative amendments request.

Policy SE 9.5: Limitations on Density. *The City shall establish and maintain standards in its zoning ordinance for density limitations for development near the Santa Barbara Municipal Airport. These standards should comply with the Santa Barbara County Airport Land Use Plan and should specify the density considered compatible in each zone. Proposed developments that require ALUC review pursuant to the Airport Land Use Plan shall be referred to the ALUC for review.*

Consistent. As discussed in the Sywest Final EIR Section 4.8, *Hazards and Hazardous Materials,* the project would comply with density limitations specified by the ALUC. The project would employ approximately 75 people daily, and would comply with density limitations of the M-1 and M-S-GOL zones. As stated above, the City engaged with ALUC staff in August 2023 and the determination was made that the project was consistent with the 1993 ALUP that is applicable to this development including on-site population density.

Policy SE 10: Hazardous Materials and Facilities. *To minimize injuries, illnesses, loss of life and property, and economic and social disruption due to potential upsets associated with the storage, use, handling, and transport of hazardous materials, and to ensure proper oversight of hazardous waste sites within the city.*

Consistent. Project construction and operation would involve minimal transport, use, and disposal of hazardous materials. All hazardous materials would be transported, handled, and disposed of in compliance with existing federal, State, and local regulations.

Policy SE 10.2 Compliance with Law. *The storage, handling, and disposal of any hazardous material shall be done only in strict compliance with applicable City, state, and federal law.*

Consistent. As discussed in the Sywest Final EIR Section 4.8, *Hazards and Hazardous* Materials, all hazardous materials used during project construction or operation would be transported, handled, and disposed of in compliance with existing federal, State, and local regulations.

5. Visual and Historic Resources Element:

Policy VH 1.1: Scenic Resources. *An essential aspect of Goleta's character is derived from the various scenic resources within and around the city. Views of these resources from public and private areas contribute to the overall attractiveness of the city and the quality of life enjoyed by its residents, visitors, and workforce. The City shall support the protection and preservation of the following scenic resources:*

a. The open waters of the Pacific Ocean/Santa Barbara Channel, with the Channel Islands visible in the distance.

b. Goleta's Pacific shoreline, including beaches, dunes, lagoons, coastal bluffs, and open costal mesas.
c. Goleta and Devereux Sloughs.
d. Creeks and the vegetation associated with their riparian corridors.
e. Agricultural areas, including orchards, lands in vegetable or other crop production, and fallow agricultural lands.
f. Lake Los Carneros and the surrounding woodlands.
g. Prominent natural landforms, such as the foothills and the Santa Ynez Mountains.

Consistent. The project would consist of an industrial warehouse building that is taller than adjacent industrial structures and could impair views of the Santa Ynez Mountains and foothills experienced from the SR 217 local scenic corridor for a few seconds of passing the site in a northbound direction. For such exceptions to be granted, a good cause finding must be made, per the GP/CLUP Glossary, if the exception is:

> "defined as a better site or architectural design, will result in better resource protection, will provide a significant community benefit and/or does not create an adverse impact to the community character, aesthetics or public views."

This good cause finding for Alternative 2 can be made based on the Design Review Board review/analysis of the project, the provision of a large setback from SR 217 resulting in the provision of landscaping and habitat restoration areas, the need to allow the raising of the site in order to accommodate the floodplain issues, and will contribute to the city's employment base. The specific good cause finding language is contained in Section 5 of Attachment 2. These project components and conditions of approval for the development would make the project considered to be consistent with this policy.

Policy VH 1.4: Protection of Mountain and Foothill Views. *Views of mountains and foothills from public areas shall be protected. View protection associated with development that may affect views of mountains or foothills should be accomplished first through site selection and then by use of design alternatives that enhance, rather than obstruct or degrade, such views. To minimize structural intrusion into the skyline, the following development practices shall be used where appropriate:*
a. Limitations on the height and size of structures.
b. Limitations on the height of exterior walls (including retaining walls) and fences.
c. Stepping of buildings so that the heights of building elements are lower near the street and increase with distance from the public viewing area. Increased setbacks along major roadways to preserve views and create an attractive visual corridor.
d. Downcast, fully shielded, full cut off lighting of the minimum intensity needed for the purpose.
e. Limitations on removal of native vegetation.
f. Use of landscaping for screening purposes and/or minimizing view blockage as applicable.
g. Revegetation of disturbed areas.
h. Limitations on the use of reflective materials and colors for roofs, walls (including retaining walls), and fences.

i. Selection of colors and materials that harmonize with the surrounding landscape.
j. Clustering of building sites and structures.

Consistent. Although the proposed industrial building would block views of the Santa Ynez Mountains and foothills, the project would implement development practices that minimize structural intrusion into the skyline, including height limitations, shielded lighting, landscaping for screening purposes, limitations on the use of reflective materials and colors, and selection of colors and materials that are muted and blend with the surrounding landscape.

***Policy VH 2.2: Preservation of Scenic Corridors**. The aesthetic qualities of scenic corridors shall be preserved through retention of the general character of significant natural features; views of the ocean, foothills, and mountainous areas; and open space associated with recreational and agricultural areas including orchards, prominent vegetation, and historic structures. If landscaping is used to add visual interest or for screening, care should be taken to prevent a wall-like appearance. Bridges, culverts, drainage ditches and other roadway ancillary elements should be appropriately designed; side slopes and earthen berms adjacent to roadways should be natural in appearance.*

Consistent. Please refer to the consistency discussion for Policy VH 1.1, Scenic Resources. Alternative 2 would block views of the Santa Ynez Mountains and foothills, obstructing views of this scenic resource from the SR 217 scenic corridor.

***Policy VH 2.3 Development Projects Along Scenic Corridors.** Development adjacent to scenic corridors should not degrade or obstruct views of scenic areas. To ensure visual compatibility with the scenic qualities, the following practices shall be used, where appropriate:*
a. Incorporate natural features in design.
b. Use landscaping for screening purposes and/or for minimizing view blockage as applicable.
c. Minimize vegetation removal.
d. Limit the height and size of structures.
e. Cluster building sites and structures.
f. Limit grading for development including structures, access roads, and driveways. Minimize the length of access roads and driveways and follow the natural contour of the land.
g. Preserve historical structures or sites.
h. Plant and preserve trees.
i. Minimize use of signage.
j. Provide site-specific visual assessments, including use of story poles.
k. Provide a similar level of architectural detail on all elevations visible from scenic corridors.
l. Place existing overhead utilities and all new utilities underground.
m. Establish setbacks along major roadways to help protect views and create an attractive scenic corridor. On flat sites, step the heights of buildings so that the

height of building elements is lower close to the street and increases with distance from the street.

Consistent. The project will place utilities underground, will plant trees, will have minimal usage of signage, will have similar level of architectural details on all elevations, and will observe 100' setback from SR 217 consistent with this policy. However, the proposed industrial building would block views of the Santa Ynez Mountains and foothills, obstructing views of this scenic resource from the SR 217 scenic corridor. Please refer to the consistency discussion for Policy VH 1.1, Scenic Resources for good cause findings. These project components and conditions of approval for the development would make the project considered to be consistent with this policy.

Policy VH 3.1: Community Design Character. *The visual character of Goleta is derived from the natural landscape and the built environment. The city's agricultural heritage, open spaces, views of natural features, established low-density residential neighborhoods, and small-scale development with few visually prominent buildings contribute to this character. Residential, commercial, and industrial development should acknowledge and respect the desired aspects of Goleta's visual character and make a positive contribution to the city through exemplary design.*

Consistent. The DRB reviewed photo-simulations of the original project. The DRB also reviewed supporting site plans and elevations for the original project. The original project completed *Conceptual* review to the DRB's satisfaction on February 28, 2023, with comments regarding the use of landscaping and building design and color to reduce visual impacts from SR 217, neighborhood compatibility, driveway sight distance, using landscaped areas in the stormwater retention design, and tree selection, all of which will improve the design character of the Project. Alternative 2 further improves the design character with a larger setback.

Policy VH 3.4: Building Design. *The city's visual character shall be enhanced through development of structures that are appropriate in scale and orientation and that use high quality, durable materials. Structures shall incorporate architectural styles, landscaping, and amenities that are compatible with and complement surrounding development.*

Consistent. The project would involve construction of an industrial building that would be similar in material and color to surrounding industrial buildings in the area, albeit taller in height. The height difference is primarily due to the nature of the future use of the building compared to the auto-related uses in the immediate area and the need to raise the building pad up to be higher than the base flood elevation. Project landscaping would include native and climate appropriate plants including trees and palms, shrubs, grasses, groundcovers, vines, and espaliers, that would resemble vegetation in the surrounding area.

Policy VH 4.1: Lighting. *Outdoor lighting fixtures shall be designed, located, aimed downward or toward structures (if properly shielded), retrofitted if feasible, and maintained in order to prevent over-lighting, energy waste, glare, light trespass, and sky glow. The following standards shall apply:*

a. Outdoor lighting shall be the minimum number of fixtures and intensity needed for the intended purpose. Fixtures shall be fully shielded and have full cut off lights to minimize visibility from public viewing areas and prevent light pollution into residential areas or other sensitive uses such as wildlife habitats or migration routes.
b. Direct upward light emission shall be avoided to protect views of the night sky.
c. Light fixtures used in new development shall be appropriate to the architectural style and scale and compatible with the surrounding area.

Consistent. The lighting plan for the site is consistent with this policy. As discussed in the Sywest Final EIR Section 4.1, *Aesthetics*, all project lighting would use light emitting diode (LED) fixtures and would include semi- and fully cut-off light fixtures, which would minimize light trespass and glare. Project lighting would be designed in accordance with City and Federal Aviation Administration standards, would be compatible with industrial lighting in the vicinity, and would not detract from views of the night sky. Light fixtures used for the proposed building would be appropriate for an industrial building and compatible with the industrial and commercial setting of the surrounding area. Additionally, the project applicant has prepared a photometric plan that demonstrates project lighting would be contained on the project site and would not spill onto adjacent properties.

Policy VH 4.6: Industrial Areas. *The following standards shall be applicable to industrial development (see related LU 4.2):*

a. All structures shall be designed to be compatible with adjacent development relative to size, bulk, and scale.
b. Where residential or commercial uses exist adjacent to industrial properties, such areas shall be buffered from industrial uses by increased setbacks and heavily landscaped screens.
c. Transfer of noise off-site shall be minimized by the use of screen walls, acoustical enclosures, or building placement. Noise generating activities shall be located as far as possible from nonindustrial uses.
d. All outdoor storage or maintenance areas shall be screened. Landscaping may be used alone or in conjunction with fencing or walls.
e. Loading areas and recycling and trash facilities shall be easily accessed and screened from view with landscaping and/or fencing or walls. Adjacent uses shall be considered when siting such areas.
f. Roof-mounted equipment shall be screened and considered as part of the structure for height calculations.
g. Architectural detailing shall be used to break up the box-like appearance of construction typically used for industrial buildings.
h. Adequate lighting shall be provided for security and safety purposes but designed to prevent encroachment onto adjacent uses, wildlife habitats, or the night sky.
i. Sufficient, secure, and protected bicycle parking shall be provided.

j. Public transit shall be encouraged through effective placement of stops for local and regional transit services. Existing stops shall be upgraded as appropriate.

Consistent. The project's industrial building would be similar in design to surrounding industrial development, albeit taller than surrounding structures. However, the proposed industrial building would include a parapet wall along the rooftop that would provide noise screening, would screen outdoor storage areas with landscaping, ensure loading areas and recycling/trash facilities are easily accessed and are screened from view, would use architectural detailing to break building massing, would provide bicycle parking, and would provide adequate lighting. Additionally, the project site is within half a mile of the Santa Barbara Metropolitan Transit District Route 6 and 11 on Fairview Avenue west of the project site.

Policy VH 4.9: Landscape Design. *Landscaping shall be considered and designed as an integral part of development, not relegated to remaining portions of a site following placement of buildings, parking, or vehicular access. Landscaping shall conform to the following standards:*

a. Landscaping that conforms to the natural topography and protects existing specimen trees is encouraged.
b. Any specimen trees removed shall be replaced with a similar size tree or with a tree deemed appropriate by the City.
c. Landscaping shall emphasize the use of native and drought-tolerant vegetation and should include a range and density of plantings including trees, shrubs, groundcover, and vines of various heights and species.
d. The use of invasive plants shall be prohibited.
e. Landscaping shall be incorporated into the design to soften building masses, reinforce pedestrian scale, and provide screening along public streets and off street parking areas.

Consistent. Project landscaping would conform to natural topography, would be comprised of native and climate appropriate plants, would use native plants and not invasive plants, and would be incorporated into building design to soften the proposed industrial building's massing and provide screening.

Policy VH 4.11: Parking Lots. *Parking lots shall be adequately designed and landscaped.*

Consistent. The proposed parking lot will include landscaping and pole-mounted LED lighting that would include semi-cutoff fixtures designed in accordance with City standards. The DRB provided conceptual comments regarding the landscaping that will be implemented into the final design. For these reasons, the project is consistent with this policy.

Policy VH 4.12: Lighting. *Outdoor lighting fixtures shall be designed, located, aimed downward or toward structures (if properly shielded), retrofitted if feasible, and maintained in order to prevent over-lighting, energy waste, glare, light trespass, and sky glow.*

Consistent. All project lighting would use light emitting diode (LED) fixtures and would include semi- and fully cut-off light fixtures, which would minimize light trespass and glare. Project lighting would be designed in accordance with City and Federal Aviation Administration standards, would be compatible with industrial lighting in the vicinity, and would not detract from views of the night sky. Light fixtures used for the proposed building would be appropriate for an industrial building and compatible with the industrial and commercial setting of the surrounding area. Additionally, the project applicant has prepared a photometric plan that demonstrates project lighting would be contained on the project site and would not spill onto adjacent properties. For these reasons, the project is consistent with this policy.

Policy VH 4.14: Utilities. *New development projects shall be required to place new utility lines underground. Existing overhead utility lines should be placed underground when feasible. Undergrounding of utility hardware is encouraged. Any aboveground utility hardware, such as water meters, electrical transformers, or backflow devices, shall not inhibit line of sight or encroach into public walkways and, where feasible, should be screened from public view by methods including, but not limited to, appropriate paint color, landscaping, and/or walls.*

Consistent. Underground utilities from an existing power pole are proposed under the access driveway. Other utility hardware for water meters, transformers, or backflow devices will be screened from public view by landscaping and walled enclosures. For these reasons, the project is consistent with this policy.

Policy VH 4.16: Green Building*. The City encourages the incorporation of green building practices in design. Such practices may include the use of recycled materials, drought tolerant and native plants, energy efficient features, water conservation, allowance for solar access, and permeable surfaces.*

Consistent. The project would use 100 percent renewable electricity and would include energy-efficient features, as discussed in the Sywest Final EIR Section 4.5, *Energy*. Project landscaping would use drought tolerant and native plants, and the project would use indoor water use efficiency measures. Therefore, this project is consistent with this policy.

6. Transportation Element:

Policy TE-1.1: Alternative Modes. *The City's intent shall be to achieve a realistic and cost-effective balance between travel modes, including bikeways, pedestrian circulation, and bus transit. The City shall encourage the use of alternative modes of transportation, such as bus transit, bicycling, and walking, which have the*

additional beneficial effect of reducing consumption of non-renewable energy sources.

Consistent. The proposed project would include installation of ten bicycle parking spaces, which could promote alternative modes of transportation for workers who may reside near the project site and want to commute by bicycle. There are several bike paths either planned or existing in the area that could facilitate this mode of travel for the employees. In addition, the project site is within half a mile of the Santa Barbara Metropolitan Transit District Route 6 and 11 on Fairview Avenue west of the project site.

Policy TE 1.2: Transportation and Land Use. *The design of the City's transportation infrastructure and services, and investments in future improvements, shall be supportive of the land use plan set forth in the Land Use Element and responsive to the transportation impacts of development located in nearby areas outside the city boundary. The design of and improvements to Goleta's transportation system should accommodate not only existing conditions, but also projected growth based on the Land Use Element of this plan and planned growth in adjacent jurisdictions, including UCSB, the County, and the City of Santa Barbara.*

Consistent. The project includes sight distance improvements to the driveway, making the interface between the project site and Kellogg Avenue safer. Project conditions require approval of a Deficiency Plan for the Kellogg Ave/Hollister Ave. intersection to ensure it operates at LOS C or better in the build-out (future) setting. In addition, the payment of Development Impact Fees, including transportation fees, is required as a condition of approval. For these reasons, the project is consistent with this policy.

Policy TE 1.6: Development Review. *As a condition of approval of new non-residential projects, the City may require developers to provide improvements that will reduce the use of single-occupancy vehicles. These improvements may include, but are not limited to, the following:*

a. Preferential parking spaces for carpools.
b. Bicycle storage, parking spaces, and shower facilities for employees.
c. Bus turnouts and shelters at bus stops.
d. Other improvements as may be appropriate to the site.

Consistent. The proposed project would include installation of 10 bicycle parking spaces.

Policy TE 2.3: Diversion of Automobile Trips to Alternative Modes. *The City encourages investment in alternative modes of travel that will make those modes more competitive with auto travel in terms of convenience, accessibility, costs, and safety. These may include, but are not limited to, improvements in the bus transit system, the bikeway system, pedestrian circulation system, and potentially commuter rail services, if the region should determine to pursue this option.*

Consistent. The proposed project would include installation of 10 bicycle parking spaces. The project site is accessible by bicycle, and the nearest transit stops are located approximately 0.6-mile northwest, thereby providing employees with multiple alternatives to driving for transportation to and from the project site.

Policy TE 4.1: General Level of Service Standard*. A traffic LOS standard C shall apply citywide to major arterials, minor arterials, and collector roadways and signalized and unsignalized intersections, except as provided in TE 4.2. The standard shall apply to daily traffic volumes and both AM and PM peak hours for intersections, and to average daily traffic volumes (ADT) for roadway segments.*

Consistent. The Hollister Avenue/Kellogg Avenue intersection is forecast to operate at LOS D under cumulative plus project conditions during the PM peak hour. However, the project is required to implement a project-specific Deficiency Plan, which would be incorporated into the project as a Condition of Approval. In addition to implementation of the Deficiency Plan, the project applicant would also be required to pay all applicable development impact fees, including fees under the Goleta Transportation Improvement Program, which funds roadways improvements. Improvements to the Hollister Avenue/Kellogg Avenue intersection would be funded through the Goleta Transportation Improvement Program, and such improvements would improve the LOS at this intersection to at or above LOS C. Therefore, this project is consistent with this policy.

Policy TE 4.3: Deficiency Correction Plans*. When the LOS for any intersection or arterial link at planned capacity falls below base year standards which are expressed in Table 7-1, the City shall require a Deficiency Plan to be prepared prior to approving any development that would further lower the LOS. The Deficiency Plan shall consider alternative transportation improvements, including alternative modes. Any improvements established in the adopted Deficiency Plan may be provided as mitigation by new development or included in the impact fee system. The Deficiency Plan shall be prepared by the City or at the City's direction within 90 days of publication of a City-approved traffic report indicating degradation of service below base year standards which are expressed in Table 7-1.*

Consistent. The Hollister Avenue/Kellogg Avenue intersection is forecast to operate at LOS D under cumulative plus project conditions during the PM peak hour. However, the project applicant would implement a project-specific Deficiency Plan, which would be incorporated into the project as a Condition of Approval. Additionally, the project applicant would be required to pay all applicable development impact fees, including

fees under the Goleta Transportation Improvement Program, which funds roadways improvements. Improvements to the Hollister Avenue/Kellogg Avenue intersection established within this Deficiency Plan would be included in the impact fee system. Therefore, this project is consistent with this policy.

Policy TE 6.7: Widths of Paved Surfaces. *New rights of way and access easements should be paved to the smallest dimension necessary to accommodate their designed function (including emergency access) and to maintain the character of the neighborhood.*

Consistent. The proposed project design would be reviewed by the Santa Barbara County Fire Department and City to ensure project site access is designed in accordance with applicable emergency access and design standards.

Policy TE 7.12: Transit Amenities in New Development. *The City shall require new or substantially renovated development to incorporate appropriate measures to facilitate transit use, such as integrating bus stop design with the design of the development. Bus turnouts, comfortable and attractive all-weather shelters, lighting, benches, secure bicycle parking, and other appropriate amenities shall be incorporated into development, when appropriate, along Hollister Avenue and along other bus routes within the city. Existing facilities that are inadequate or deteriorated shall be improved or upgraded where appropriate and feasible.*

Consistent. While not feasible to require a bus stop as there is not a bus line directly adjacent to the Project, the Project is providing 10 bike parking spaces to encourage connectivity with existing bus lines on Hollister Ave. For these reasons, the project is consistent with this policy.

Policy TE 9.1: Off-Street Parking. *The primary source of parking supply for new development of all types of uses within the city shall be off-street parking spaces that are provided on site within the development.*

Consistent. The Project is providing sufficient parking for the development on site. Consistent with this policy, all the required and provided parking is located off street. For this reason, the Project is consistent with this policy.

Policy TE 9.2: Adequacy of Parking Supply in Proposed Development. *The City shall require all proposed new development and changes/intensifications in use of existing nonresidential structures to provide a sufficient number of off-street parking spaces to accommodate the parking demand generated by the proposed use(s), and to avoid spillover of parking onto neighboring properties and streets.*

Consistent. The proposed project would provide a parking lot with 102 spaces and six truck loading docks which would accommodate employees and visitors at the project site consistent with this policy.

Policy TE 9.4: Parking within Commercial and Industrial Areas. *The following standards shall apply to parking within nonresidential areas:*

a. *An adequate number and appropriate type of parking spaces shall be provided on site for new development or changes of use in commercial, business parks, and other industrial areas.*
b. *Supplemental satellite parking facilities are encouraged for large employers to prevent spillover parking into neighboring areas.*
c. *In determining the adequacy of proposed parking for new or substantially modified development, the City may consider proximity to transit facilities and the provisions of a TMP where it is demonstrated that the plan's measures will sufficiently reduce the demand for onsite parking.*
d. *Conditions of approval for large nonresidential projects may include a requirement to prepare a TMP that includes monitoring of parking lot utilization and measures that will be implemented if the event that the supply of onsite parking spaces is inadequate.*
e. *Provision of large amounts of excess parking is discouraged, except that surplus landscaped areas may be identified and reserved for future expansion of parking areas if warranted by future conditions.*
f. *Compact parking spaces and 90-degree parking stalls are discouraged in parking lots serving high-turnover uses, such as (but not limited to) retail commercial centers.*

Consistent. The proposed project would include parking which would meet the required parking spaces provided in Article II of Chapter 35, Goleta Municipal Code, Coastal Zoning Ordinance. The project site is located in proximity to existing transit facilities and would not provide large amounts of excess parking consistent with this policy.

Policy TE 9.5: *Design standards applicable to retail, commercial, business parks, and parking lots are set forth in the Visual and Historic Resources Element Subpolicies VH 4.5, 4.7, and 4.11.*

Consistent. The proposed parking lot will include landscaping and pole-mounted LED lighting that would include semi-cutoff fixtures designed in accordance with City standards. The DRB provided conceptual comments regarding the landscaping that will be implemented into the final design. For these reasons, the project is consistent with this policy.

Policy TE 10.4: Pedestrian Facilities in New Development. *Proposals for new development or substantial alterations of existing development shall be required to include pedestrian linkages and standard frontage improvements. These improvements may include construction of sidewalks and other pedestrian paths, provision of benches, public art, informational signage, appropriate landscaping, and lighting. In planning new subdivisions or large-scale development, pedestrian connections should be provided through subdivisions and cul-de-sacs to*

interconnect with adjacent areas. Dedications of public access easements shall be required where appropriate.

Consistent. The proposed project would include construction of a sidewalk to provide pedestrian access between the project site and South Kellogg Avenue, would be landscaped appropriately, and would include adequate exterior lighting consistent with this policy.

Policy TE 11.4: Facilities in New Development. *Bicycle facilities such as lockers, secure enclosed parking, and lighting shall be incorporated into the design of all new developments to encourage bicycle travel and facilitate and encourage bicycle commuting. Showers and changing rooms should be incorporated into the design of all new developments where feasible. Transportation improvements necessitated by new development should provide onsite connections to existing and proposed bikeways.*

Consistent. The proposed project would include the installation of 10 bicycle parking spaces and the proposed industrial building would be adequately lit on the exterior. The project would provide an onsite connection to existing bikeways, as the access road for the project site connects to existing Class III bicycle lanes on South Kellogg Avenue.

Policy TE 13.1: Traffic Studies for Development Proposals. *Future development in Goleta will cause added burdens on the transportation system. Traffic analyses and reports shall be required for development proposals which the City Engineer and Planning Director determine may have effects on the local street system, including but not limited to possible degradation of service levels, potential creation of safety hazards, potential adverse effects on local neighborhood streets, or other substantial transportation concerns. When required by the City, traffic studies shall be performed by a qualified transportation engineer under a contract with the City. The costs of the traffic study, including costs of City staff time, shall be the responsibility of the project applicant.*

Consistent. The Project included a traffic study performed by a qualified transportation engineer. The traffic study was reviewed and approved by the City Engineer or Designee and the costs associated with the review of the study has been borne by the applicant. For these reasons, the Project is consistent with this policy.

Policy TE 13.3: Maintenance of LOS Standards. *New development shall only be allowed when and where such development can be adequately (as defined by the LOS standards in Policy TE 4) served by existing and/or planned transportation facilities.*

Consistent. The Hollister Avenue/Kellogg Avenue intersection is forecast to operate at LOS D under cumulative plus project conditions during the PM peak hour. However, the project applicant would implement a project-specific Deficiency Plan, which has been required as a Condition of Approval. Additionally, the project applicant would be

required to pay all applicable development impact fees, including fees under the Goleta Transportation Improvement Program, which funds roadways improvements. Improvements to the Hollister Avenue/Kellogg Avenue intersection established within this Deficiency Plan would be included in the impact fee system. Therefore, this project is consistent with this policy.

Policy TE 14.1: Traffic Impact Fees. *The City shall adopt a citywide traffic impact fee in accordance with the requirements of Assembly Bill1600 to fund transportation improvements to mitigate the traffic impacts of new development. The impact fee study shall identify and be based on the estimated costs of construction of all transportation system improvements needed to ensure adequate levels of service system wide. Each new development project shall be charged a fee that represents its proportionate share of potential need for and impacts on the facilities included in the fee system. The impact fee system may incorporate improvements made and fees collected by the City since its incorporation in 2002.*

Consistent. The project applicant would be required to pay all applicable development impact fees, including fees under the Goleta Transportation Improvement Program, which funds roadways improvements.

7. Public Facilities Element:

Policy PF 3.4: Fire Safety in New Development. *Fire safety standards, including ingress and egress, and road access, shall be met, where applicable, in new development within the city.*

Consistent. The proposed project would be constructed in accordance with the requirements of the California Fire Code, which are implemented to minimize the potential for fire to occur. Additionally, the proposed project would be constructed in accordance with the Santa Barbara County Fire Department's (SBCFD) development standards, which include requirements for egress on private driveways, fire hydrant spacing and flow rates, automatic fire sprinkler systems, and automatic alarm systems (SBCFD 2022). Adherence to State and local regulations would ensure project construction and operation would not expose people or structures to significant risk of loss, injury, or death involving wildland fires. For these reasons, the project is consistent with this policy.

Policy PF 3.8: Impact Fee for Police Facilities. *The City shall continue to require a development impact fee to provide revenue to assist with funding capital facilities for police services.*

Consistent. The project applicant would be required to pay development impact fees to provide revenue to assist with funding future capital facilities for police services or increased law enforcement personnel as identified in the administrative services development impact fee.

Policy PF 3.9: Safety Considerations in New Development. *All proposals for new or substantially remodeled development shall be reviewed for potential demand for and impacts on safety and demand for police services. The design of streets and buildings should reinforce secure, safe, and crime-free environments. Safety and crime reduction or prevention, as well as ease of policing, shall be a consideration in the siting and design of all new development within the city.*

Consistent. As discussed in the Sywest Final EIR Section 4.12, *Public Services*, the project would not result in a substantial impact to safety or demand for police services given the nature and design of the facility. The design of the project has been with on-site safety of employees and visitors in mind through building access placement, lighting, and landscaping features.

Policy PF 4.1: Water Facilities and Services. *Specific criteria, standards, and procedures, including Goleta Water District standards, shall apply to the project for water facilities and services.*

Consistent. The Sywest Final EIR evaluated water service for the project. The Preliminary Water Service Determination completed by the Goleta Water District determined the project site has adequate historic water credits for its forecasted demand associated with the Project. As a condition of approval, the Project will be required to obtain a Can and Will Serve Letter from the Goleta Water District prior to project completion. For these reasons, the Project can be found consistent with this policy.

Policy PF 4.2: Sewer Facilities and Services. *Specific criteria, standards, and procedures, including Goleta Sanitary District standards, shall apply to Project sewer facilities and services.*

Consistent. The Sywest Final EIR evaluated sewer service capacity for the Project and found adequate capacity for the forecasted demand associated with the Project. As a condition of approval, the project will be required to obtain a Sewer Connection Permit. For these reasons, the Project can be found consistent with this policy.

Policy PF 5.7: School Impact Fees. *Where school districts have adopted development impact fees to help finance provision of facilities, the City shall provide information regarding these impact fees to developers and builders. The City shall not issue a building permit for any development subject to such fees without documentation from the applicable district that its fees have been paid. The developer or builder shall be responsible for providing documentation to the City that school impact fees have been paid.*

Consistent. As discussed in the Sywest Final EIR Section 4.12, *Public Services*, the proposed project would be required to pay state-mandated developer fees to fund the construction of school facilities to accommodate students generated by the new employee opportunity. However, the anticipated number of employees expected to be

created that would be new to the area by the new warehouse building is minimal which in term would have a minimal impact on the local schools. This project will be consistent with this policy. .

Policy PF 6.1: Referral of Development Applications. *The City shall continue to circulate development applications to local utility providers for their review and comment and to ensure that they can and will provide service to individual developments.*

Consistent. The Project has been circulated to all relevant local utility providers and all comments received have been incorporated into the Project's conditions of approval. For these reasons, the Project is consistent with this policy.

Policy PF 6.2: Undergrounding of Overhead Utilities. *The City shall encourage the undergrounding of electrical power lines and other overhead utilities to the greatest extent practical.*

Consistent. Underground utilities from an existing power pole are proposed under the access driveway. Other utility hardware for transformers will be screened from public view by landscaping and walled enclosures. For these reasons, the project is consistent with this policy.

Policy PF 9.3: Responsibilities of Developers. *Construction permits shall not be granted until the developer provides for the installation and/or financing of needed public facilities. If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, the burden shall be on the developer to arrange appropriate financing or provide such facilities in order to develop. Developers shall provide or pay for the costs of generating technical information as to the impacts the proposed development will have on public facilities and services. The City shall require new development to finance the facilities needed to support the development wherever a direct connection or nexus of benefit or impact can be demonstrated.*

Consistent. As discussed in the Sywest Final EIR Section 4.12, *Public Services***,** the project applicant would be required to pay development impact fees which would provide funding for fire protection, parks, schools, and libraries etc.

Policy PF 9.7: Essential Services for New Development. *Development shall be allowed only when and where all essential utility services are adequate in accord with the service standards of their providers and only when and where such development can be adequately served by essential utilities without reducing levels of service below the level of service guidelines elsewhere.*

Consistent. The Sywest Final EIR evaluated the capacity for all essential utility services and found that the Project would not exceed available capacity. For this reason, the Project is consistent with this policy.

Policy PF 10.2 Development Impact Fees. *The City shall adopt and maintain a development impact fee program that requires new development to pay a proportionate share of the costs of new or upgraded capital facilities attributable to new development. Impact fee programs for capital facilities shall include sufficient funding for all of the following:*

a. Design and engineering.
b. Environmental compliance and permitting.
c. Land acquisition and/or right-of-way acquisition.
d. Site preparation, including grading and installation of utilities, drainage, and other necessary infrastructure.
e. Construction of the public facility.
f. Parking, landscaping, and street trees, where applicable.
g. Necessary off-site improvements, such as sidewalks, extensions of utilities, and others as applicable.
h. The impact fee program shall be reviewed regularly to ensure that sufficient funding will be available to construct all required facilities.

Consistent. See discussion for Policy PF 9.3. The project applicant would be required to pay all applicable development impact fees.

8. Noise Element:

Policy NE 1.1: Land Use Compatibility Standards. *The City shall use the standards and criteria of Table 9-2 to establish compatibility of land use and noise exposure. The City shall require appropriate mitigation, if feasible, or prohibit development that would subject proposed or existing land uses to noise levels that exceed acceptable levels as indicated in this table. Proposals for new development that would cause standards to be exceeded shall only be approved if the project would provide a substantial benefit to the City (including but not limited to provision of affordable housing units or as part of a redevelopment project), and if adequate mitigation measures are employed to reduce interior noise levels to acceptable levels.*

Consistent. Short-term construction of the project would temporarily increase local noise levels that may exceed Goleta's construction noise standard of 65 A-weighted decibels; however, the project would include mitigation that would ensure noise levels do not exceed 65 dBA at nearby sensitive receptors. As discussed in the Sywest Final EIR under Impact NOI-1 in Section 4.11, *Noise*, mitigation would include temporary noise barrier installation as needed, construction signage, and outfitting trucks with "smart alarms" that would reduce noise when operating in reverse. Further, noise

generating construction activities above 65 dBA, are limited to occur Monday – Friday between the hours of 8 am -5 pm and not on State designated holidays.

Policy NE 1.4: Acoustical Studies. *An acoustical study that includes field measurement of noise levels may be required for any proposed project that would: a) locate a potentially intrusive noise source near an existing sensitive receptor, or b) locate a noise-sensitive land use near an existing known or potentially intrusive noise source such as a freeway, arterial roadway, railroad, industrial facility, or airport traffic pattern. Acoustical studies should identify noise sources, magnitudes, and potential noise mitigation measures and describe existing and future noise exposure. The acoustical study shall be funded by the applicant and conducted by a qualified person or firm that is experienced in the fields of environmental noise assessment and architectural acoustics. The determination of applicability of this requirement shall be made by the Planning and Environmental Services Department by applying the standards and criteria of Table 9-2.*

Consistent. The Sywest Final EIR included a full acoustical analysis of the Project. It found that project construction would be consistent with this policy with implementation of sound attenuation mitigation measures, including the requirement for a Construction Noise Control Plan that will specify the noise reduction measures to be implemented during project construction to ensure noise levels do not exceed 65 dBA at nearby sensitive receptors at the Rancho Goleta mobile home community to the east. Operational noise levels from loading bay activities and HVAC equipment would be well below the City's 65 dBA CNEL standard, and below the existing ambient noise levels. For these reasons, the Project is consistent with this policy.

Policy NE 1.5: Acceptable Noise Levels. *New construction and substantial alterations of existing construction shall include appropriate noise insulation measures (such as insulation, glazing, and other sound attenuation measures) so that such construction or renovations comply with state and building code standards for allowable interior noise levels. The intent of this policy is to require improved soundproofing for both noise receivers and sources.*

Consistent. Operational noise levels from loading bay activities and HVAC equipment would be well below the City's 65 dBA CNEL standard, and below the existing ambient noise levels. Further, modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows. For these reasons, the Project is consistent with this policy.

Policy NE 3.3: Consultation with the ALUC, ALUC Staff, and City of Santa Barbara Staff. *The City of Goleta shall continue to monitor and comment on airport-related projects and development proposed for the area surrounding the airport that is under the jurisdiction of the City of Santa Barbara. The City of Goleta shall consult with the Airport Land Use Commission (ALUC)) when required by the ALUCP. City*

of Goleta staff may also consult with the ALUC, ALUC staff, and the Santa Barbara Airport Department for development projects within the Airport Influence Area.

Consistent. The City engaged with SBCAG staff, in their capacity as the ALUC staff, in August 2023. ALUC staff determined that the project would not be required to undergo ALUC review as the previous zoning ordinance and General Plan were found consistent with the 1993 Santa Barbara County ALUP and the project does not include any legislative amendments request.

Policy NE 5.1: New, Expanded, or Upgraded Stationary Noise Sources. *The City shall require proposals for new stationary sources or expansions or alterations of use for an existing stationary source to include appropriate noise mitigation measures. Retrofits and facility upgrades under the permitting jurisdiction of the City should ensure that noise levels are reduced, particularly for sources that impact adjacent sensitive receivers.*

Consistent. Operational noise levels from loading bay activities and HVAC equipment would be well below the City's 65 dBA CNEL standard, and below the existing ambient noise levels. As such, no mitigation measures are necessary for stationary noise sources. For these reasons, the Project is consistent with this policy.

Policy NE 5.2: Equipment Maintenance. *The City shall require that new and existing heating, ventilation, and air conditioning equipment and other commercial/industrial equipment be adequately maintained in proper working order so that noise levels emitted by such equipment remain minimal. The City shall also require noise shielding or insulation for such equipment if operation of the equipment results in objectionable noise levels at adjacent properties.*

Consistent. Operational noise levels for HVAC equipment would be well below the City's 65 dBA CNEL standard, and below the existing ambient noise levels. Rooftop HVAC equipment will be located behind a parapet screen wall, further reducing noise levels. For these reasons, the Project is consistent with this policy.

Policy NE 5.4: Noise Barriers for Industrial/Commercial Sources. *Absorptive types of noise barriers or walls should be used to reduce noise levels generated by industrial and certain heavy commercial uses. To be considered effective, the noise barrier should provide at least a 5-dBA-CNEL noise reduction.*

Consistent. The Sywest Final EIR included a full acoustical analysis of the Project. It found that project construction would be consistent with this policy with implementation of sound attenuation mitigation measures, including the requirement for a Construction Noise Control Plan that will specify the noise reduction measures to be implemented during project construction to ensure noise levels do not exceed 65 dBA at nearby sensitive receptors at the Rancho Goleta mobile home community to the east. Operational noise levels from loading bay activities and HVAC equipment would be

well below the City's 65 dBA CNEL standard, and below the existing ambient noise levels. For these reasons, the Project is consistent with this policy.

Policy NE 5.5: Limits on Truck Deliveries and Other Activities. *The City shall consider requiring commercial and industrial uses that abut residential zones to restrict the hours of truck deliveries and trash pickups to minimize disruption to nearby residences, where practicable. Such restrictions may be imposed by incorporation of conditions of approval for new discretionary planning permits, or on a citywide basis through preparation and adoption of a Noise Ordinance. Limitations on hours for trash pickups should be considered during negotiation of new or renewed franchise agreements with trash haulers.*

Consistent. Operational noise levels from loading bay activities would be well below the City's 65 dBA CNEL standard, and below the existing ambient noise levels. For these reasons, the Project is consistent with this policy.

Policy NE 6.4: Restrictions on Construction Hours. *The City shall require, as a condition of approval for any land use permit or other planning permit, restrictions on construction hours. Noise-generating construction activities for projects near or adjacent to residential buildings and neighborhoods or other sensitive receptors shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. Construction in nonresidential areas away from sensitive receivers shall be limited to Monday through Friday, 7:00 a.m. to 4:00 p.m. Construction shall generally not be allowed on weekends and state holidays. Exceptions to these restrictions may be made in extenuating circumstances (in the event of an emergency, for example) on a case by case basis at the discretion of the Director of Planning and Environmental Services. All construction sites subject to such restrictions shall post the allowed hours of operation near the entrance to the site, so that workers on site are aware of this limitation. City staff shall closely monitor compliance with restrictions on construction hours, and shall promptly investigate and respond to all noncompliance complaints.*

Consistent. Project construction would occur Monday to Friday from 8:00 am to 5:00 pm as required by the City.

9. HOUSING ELEMENT

Policy HE 2.2: Linkage of Housing and Jobs. *To encourage adequate housing opportunities that meet the needs of the local workforce, the City will continue to require new non-residential development and proposed expansion or intensification of existing non-residential development to contribute to providing affordable housing within the City. The requirement can be met through the payment of affordable housing impact fees adopted by the City. Alternatives to satisfy this requirement may, at the discretion of the City, include providing housing on site,*

housing assistance as part of employee benefit packages, or other alternatives of similar value.

Consistent. As an industrial project located in close proximity to the end of the commercial runway of the Santa Barbara Airport and given the flood plain issues associated with the site, no housing is proposed on the site. Project conditions will require payment of all Development Impact fees, including the Affordable Housing impact fee. The Affordable Housing in lieu (HIL) fee is a fair-share contribution to providing affordable housing within the City. The applicant will have the option of proposing an alternative to the payment of the HIL as outlined Policy HE 2.2. For this reason, the Project is consistent with this policy.

ATTACHMENT 2, EXHIBIT C

ALTERNATIVE 2 ZONING CONSISTENCY ANALYSIS

Alternative 2
Development Plan
Consistency with Applicable Coastal Zoning Ordinance Requirements
M-S-GOL / M-1

M-S-GOL Zoning Requirements	M-1 Zoning Requirements	Alternative 2
Front Yard Setback on South Kellogg Avenue: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any public street.	**Front Yard Setback on South Kellogg Avenue:** Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any public street.	**Consistent** The proposed industrial building's front setback would be more than 50 feet from the centerline and 20 feet from the right-of-way of South Kellogg Avenue.
Side Yard Setback on East and West Sides: Ten (10) feet.	**Side Yard Setback on East and West Sides:** Ten (10) feet.	**Consistent** The proposed industrial building's side setback would be more than 10 feet from property lines.
Rear Yard Structure Setback: Ten (10) feet.	**Rear Yard Structure Setback:** Ten (10) feet.	**Consistent** The proposed industrial building's rear setback would be more than 10 feet from property lines.
Required Parking Warehouse Total Required: 82	**Required Parking** Warehouse Total Required: 82	**Consistent** Total Provided: 101
Building Coverage: No coverage requirement	**Building Coverage:** Not more than fifty (50) percent of the net area of the property shall be occupied by buildings and structures.	**Consistent** The proposed industrial building, parking lot, landscaping, and sidewalks would occupy approximately 5.73 acres of the total 11.77-acre project site (approximately 48.6 percent).

M-S-GOL Zoning Requirements	M-1 Zoning Requirements	Alternative 2
Building Height limit: 35 feet The zoning ordinance defines building height as the vertical distance from the average finished grade of the lot covered by the building to the **mean height** of the highest gable or pitch of a hip roof.	**Building Height limit:** 45 feet The zoning ordinance defines building height as the vertical distance from the average finished grade of the lot covered by the building to the **mean height** of the highest gable or pitch of a hip roof.	**Consistent** The proposed industrial building would be approximately 39 to 41 feet in height above existing grade; however, the actual building would be 35 feet from finished grade, elevated upon approximately 4 to 6 feet of fill based on Article II standards. Therefore, the industrial building would not exceed 35 feet from finished grade and would be consistent with the applicable requirements.
Landscaping: Not less than ten (10) percent of the net lot area shall be landscaped. Outdoor storage areas shall be screened from view of any street by a wall or fence six (6) feet in height. Such a wall or fence shall be located not closer than ten (10) feet to the street right-of-way line. The space between the wall or fence and the right of way line shall be landscaped.	**Landscaping:** Not less than ten (10) percent of the net lot area shall be landscaped. Outdoor storage areas shall be screened from view of any street by a wall or fence six (6) feet in height. Such a wall or fence shall be located not closer than ten (10) feet to the street right-of-way line. The space between the wall or fence and the right of way line shall be landscaped.	**Consistent** The project would include 60,939 square feet of landscaping, or 25 percent of the project site. The project would include landscaped areas along outdoor trash enclosures such that they are screened from view from South Kellogg Avenue. The trash enclosure walls would be at least six (6) feet in height.

The Project would be consistent with the front, side and rear yard setbacks, parking design, building coverage, height limit, and landscaping requirements of the applicable zoning regulations of Article II.

ATTACHMENT 2, EXHIBIT D

ALTERNATIVE 2 CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL
SYWEST INDUSTRIAL WAREHOUSE PROJECT
DEVELOPMENT PLAN
ALTERNATIVE 2
CASE No. 17-121-DP

In addition to all applicable provisions of the Goleta Municipal Code ("GMC"), Sywest Development ("Applicant" or "Permittee" or "Owner") agrees to the following conditions for the City's approval of Case No.17-121-DP ("Project Conditions"). The terms Applicant/Permittee/Owner in these conditions will be referred to as Permittee.

Unless the contrary is stated or clearly appears from the context, the construction of words and phrases used in these Project Conditions use the definitions set forth in the GMC. For purposes of these Project Conditions, the term "Director" refers to the Planning and Environmental Review Director, or designee.

1. AUTHORIZATION

a. The Development Plan, Alternative 2, allows the construction of a 70,594-square-foot industrial warehouse and associated improvements. The project includes the installation of 106,520 square feet of landscaping, 92 parking spaces, and 8 loading zones. The project involves the demolition of a freestanding movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, and an agricultural storage box storing flattened cardboard boxes. Development of the project would require approximately 600 cubic yards (CY) of soil cut and approximately 39,200 CY of soil fill. Alternative 2 would include demolition of the same existing drive-in theater structures and has identical total building area statistics as the originally proposed project. However, the layout and shape of the industrial building would be reconfigured and the location on the project site would be shifted to the northwest and southwest in order to avoid development within the San Jose Creek 100-foot SPA buffer to the extent feasible. Alternative 2 has an additional 45,581 square feet of landscaping, nine fewer parking spaces, two additional loading zones, and 1,200 CY more fill than the originally proposed project. During operation, the project shall not include any cold storage type uses.

b. Approval of the Development Plan will expire five (5) years after approval, unless before the expiration, substantial physical construction has been completed on the Development Plan, or a time extension has been applied for by the Permittee. The decision-maker with jurisdiction over the project may, upon good cause shown, grant a time extension as specified by City regulations. If the Permittee requests a Time Extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Any new fees imposed, and existing fees will be those in effect at the time of the extension request.

c. This permit runs with the land and the rights and obligations thereof, including the responsibility to comply with the Development Plan, are binding upon successors in interest. The Development Plan may be modified, terminated, or abandoned in accordance with applicable law including, without limitation, the GMC.

d. On the date that a subsequent Development Plan is approved for this site, any previously approved but unbuilt plans must become null and void.

e. Permittee must secure approval from all applicable Agencies with permit jurisdiction including the California Coastal Commission prior to the issuance of Building Permits.

f. The City will only issue permits for development, including grading, when the construction documents (e.g., grading plans, building plans, etc.) are in substantial compliance with the approved Development Plan. The size, shape arrangement, use, and location of buildings, walkways, parking areas, drainage facilities, and landscaped areas must be developed in substantial conformity with the approved plans. Substantial conformity must be determined by the Planning and Environmental Review Director including reflecting any changes made by the California Coastal Commission during its review.

g. Any proposed deviations from the exhibit, project description, or Project Conditions must be submitted to the Planning and Environmental Review Director for review and approval by the appropriate decision maker. Any unapproved deviations from the project approval will constitute a violation of the permit approval. The exhibits associated with this permit include the plans labeled "Attachment C, dated March 20, 2024", GP Consistency, and Zoning consistency and are herein incorporated by reference.

h. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions must prevail. If/when the Project Conditions and Mitigation Measures are in conflict, the written Mitigation Measures must prevail.

i. Permittee agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's certification of the FEIR, adoption of the MMRP, adoption of Statement of Overriding Consideration ("SOC"), and approval of the Development Plan (the "Project) except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same is groundless or not, arising out of the City's approval of the Project, Permittee agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Goleta's elected officials, appointed officials, officers, and employees.

j. In the event than any conditions imposing a fee, exaction, dedication or other mitigation measure is challenged by the Permittee in action filed in a court of competent jurisdiction or threatened to be filed, this approval must 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 Project Condition is invalidated by a court of competent jurisdiction, the Project must be reviewed by the City and substitute conditions may be imposed to validate the Development Plan.

2. **ENVIRONMENTAL IMPACT REPORT MITIGATIONS**

a. The Permittee must comply with all mitigation measures identified in the Final EIR prepared for the project in Attachment 1, Exhibit B to City Council Resolution No. 25- __. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review of the project and is attached as Attachment 1, Exhibit C to City Council Resolution No. 25-__

The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

3. **AGENCY REQUIREMENTS**

a. **Santa Barbara County Fire Department (SBCFD)**: Comply with all conditions and requirements outlined in the October 27, 2017 and February 9, 2018 Santa Barbara County Fire Department letters (Exhibit i) or as amended to the satisfaction of the SBCFD prior to issuance of effectuating Land Use Permit.

b. **Santa Barbara County Air Pollution Control District (APCD).** Comply with all conditions and requirements outlined in the letter dated October 24, 2017 (Exhibit ii), or as amended, from the Santa Barbara County Air Pollution Control District to the satisfaction of the APCD prior to the issuance of the effectuating Land Use Permit.

c. **Goleta Water District (GWD).** Comply with all the requirements of GWD to the satisfaction of the GWD as outlined in the letter dated February 12, 2018 (Exhibit iii), or as amended, including securing a Conditional Can and Will Serve Letter prior to the issuance of the effectuating Land Use Permit.

d. **Goleta Sanitary District (GSD).** Comply with all the conditions and requirements of the Goleta Sanitary District to the satisfaction of the GSD, including securing sewer service connection permits prior to issuance of effectuating Land Use Permit.

e. **U.S. Army Corps of Engineers.** Comply with all conditions and requirements of the U.S. Army Corps of Engineers to the satisfaction of the USACE, including filing an application for Pre-Construction Notification and an application for a Department of the Army Permit. Proof of Army Corps of Engineers approval shall be provided prior to the issuance of the effectuating Land Use Permit.

f. **California Department of Fish and Wildlife (CDFW).** Comply with all conditions and requirements of the California Department of Fish and Wildlife to the satisfaction of CDFW, including applying for a Streambed Alteration Notification. Proof of CDFW approval shall be provided prior to the issuance of the effectuating Land Use Permit.

g. **Central Coast Regional Water Quality Control Board (CCRWQCB).** Comply with all conditions and requirements of the Central Coast Regional Water Quality Control Board to the satisfaction of CCRWQCB, including all required permit applications. Proof of CCRWQCB approval shall be provided prior to the issuance of the effectuating Land Use Permit.

h. **Santa Barbara County Flood Control (SBCFC).** Comply with all conditions and requirements of the Santa Barbara County Flood Control to the satisfaction of SBCFC, including all required encroachment permits. Proof of SBCFC approval shall be provided prior to the issuance of the effectuating Land Use Permit.

i. **U.S. Fish and Wildlife Service (USFW).** Comply with all conditions and requirements of the U.S. Fish and Wildlife Service to the satisfaction of USFW. Proof of USFW approval shall be provided prior to the issuance of the effectuating Land Use Permit.

j. **National Marine Fisheries Service (NMFS).** Comply with all conditions and requirements of the National Marine Fisheries Service to the satisfaction of NMFS. Proof of NMFS approval shall be provided prior to the issuance of the effectuating Land Use Permit.

4. **CITY DEPARTMENT CONDITIONS**

a. **Public Works Department:**

i. Prior to the issuance of any Land Use Permit, the Permittee shall:

Engineering

1) Record the Access and Maintenance Easement, in substantial compliance with the form attached as Exhibit iv, to the City of Goleta and County of Santa Barbara Flood Control and Water Conservation District for the purposes of vehicular and pedestrian access to San Jose Creek for creek maintenance and repair. The portion of the Property subject to the easement are described and depicted in Exhibit iv. Public Works staff will prepare a City Council action item for the acceptance of the easement.

Drainage

2) Obtain approval of the Final Drainage Study from the Public Works Director or designee. The study must:

a) Comply with the requirements of the Santa Barbara County Flood Control District Standard Conditions of Project Plan Approval dated January 2011, available on the City's web site.

b) Use the Santa Barbara County Urban Hydrograph method or approved equal, provide Hydrology and Hydraulics calculations for the 2, 5, 10, 25, and 100-year storm events for both pre and post construction and mitigate any increase in peak flow for the 2,5-,10-, 25-, and 100-year storm events over existing conditions.

(i) Indicate drainage flows to be anticipated from the entire watershed within which the development location.

(ii) Show drainage across property lines shall not exceed that which existed prior to grading unless the Property Owner agreed and signed a Drainage Easement. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility.

(iii) Indicate that all off tract drainage and flood control facilities and installations must be installed and completed prior to any grading of the subject development.

(iv) Be prepared, signed, and stamped by the Registered Engineer in California.

<u>Stormwater</u>

3) Secure approval of a **Stormwater Control Plan (SWCP)** from the Public Works Director or designee**.** The Permittee shall submit a SWCP for regulated projects that create or replace 2,500 square feet or more of impervious surface and utilizes Low Impact Development (LID) measures to detain, retain and treat runoff for review and approval by the Public Works Director or designee. The SWCP shall be prepared in accordance with the California Regional Water Quality Control Board, Central Coast Region, Resolution R3-2013-0032, Post-Construction Stormwater Management Requirements (PCR) for Developmental Projects in the Central Coast Region (PCRs Resolution) and shall use the "Stormwater Technical Guide for Low Impact Development" as set forth by the County of Santa Barbara for guidance in complying with the PCRs Resolution. The following are design considerations when proposing Stormwater Control Measures (SCMs):

a) Surfaced based SCMs including but are not limited to, self-retaining areas, grassy swales, or biofilters should be maximized to the extent practicable to achieve runoff retention before considering SCMs listed within item b of this section.

b) Surface Basin, Subsurface Well, Fluid Distribution System/Galleries and/or Infiltration Trench may require registration as an Environmental Protection Agency (EPA)Class V Injection Well.

c) Fluid Distribution System/Galleries such as **Underground Infiltration Chambers (UICs)** must follow the Public Works UIC Guidance Document be designed to ensure that they are properly sited, detailed, and maintained to function for short- and long-term compliance.

4) Secure approval of a **Stormwater Facilities Operation and Maintenance (O&M) Plan** for all parcels from the Public Works Director or designee. The Owner/Applicant/Owner shall submit an O&M Plan that will be used to plan, direct, and record the maintenance of all SCMs on-site for review and approval by the Public Works Director or designee. The O&M plan will default to the final O&M Plan if no amendments are needed prior to Owner/Applicant request for Final Occupancy Clearance(s).

5) Submit the Stormwater Data Sheet Application (Page 1 and/or 2 as applicable) with the SWCP and O&M Plan.

6) Secure approval of a **Stormwater Pollution Prevention Plan (SWPPP)** for all parcels if project is disturbing greater than or equal to ≥ 1 acre soil disturbance OR less than < 1 acre but part of a larger common plan or development (≥ 1 total acres of disturbance) from the Public Works Director or designee. Once approved, the Owner/Applicant shall submit a copy of the Notice of Intent (NOI) and a copy of the State Water Resources Control Board's (SWRCB) Receipt of NOI Letter with WDID Number as proof of intent to comply with the terms of the National Pollutant Discharge and Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, or proof of exemption from an NPDES permit. The SWPPP shall be prepared in compliance with the Construction General Permit (CGP) using the latest version of the CASQA SWPPP template or equivalent. The SWPPP shall be developed, amended, or revised by a Qualified SWPPP Developer (QSD). SWPPPs developed pursuant to the CGP may substitute for the E&SC Plan for those projects where a SWPPP is required, if it contains the requirements of the E&SC Plan.

7) Secure approval of a **Drainage and Stormwater Facilities Agreement (Maintenance Agreement)** for all parcels concurrently from the Public Works Director or designee and execute the Maintenance Agreement, in a form approved by the City Attorney. The Maintenance Agreement shall include, but not be limited to, insurance, security, and other measures to ensure that Permittee properly installs and maintains the Project's stormwater facilities in perpetuity. The Maintenance Agreement shall include all SCMs that will be inspected and maintained during construction and phased Occupancy Clearances. The Maintenance Agreement will be based on procedures and information outlined in the O&M Plan. The Maintenance Agreement shall include a legal description of the project and project location, and the party responsible for O&M Plan implementation. The Maintenance Agreement shall be signed by the Property Owner accepting responsibility of O&M of the installed onsite and/or offsite treatment and flow control SCMs until such responsibility is legally transferred to another entity in accordance with the

requirements specified within the PCRs Resolution. The Maintenance Agreement shall be recorded with the County of Santa Barbara. The Property Owner shall provide a signed, and notarized Maintenance Agreement to the City for final review and acceptance by the City prior to recordation. The Property Owner is responsible for all of the costs associated with the preparation and recordation of said Maintenance Agreement. Supporting documentation for the Maintenance Agreement may require updates and revisions to reflect 'Record Drawing/As-Built' conditions, and the 'As-Built' information will be submitted to the City for review prior for acceptance prior to inclusion in said Maintenance Agreement.

Grading Plans

8) Show all existing survey monuments to be preserved and/or tied out in coordination with the County of Santa Barbara's Surveyor's Office. Survey monuments that control the location of subdivisions, tract boundaries, roads, streets, or highways or provide horizontal or vertical survey control shall be surveyed and documented in accordance with Section 8771 of the Land Surveyor's At. Preliminary copies of pre- and post- construction Corner Records shall be provided to the City as evidence of compliance with the Land Surveyor's Act.

9) Indicate all Right-of-Way Easements and Monuments.

10) Provide official documentation approving use of an easement from all utilities that have easement rights for the use of the applicable easements.

11) Reset survey monuments if damaged during construction. If survey monuments are damaged or affected by the construction activities, the City will require a security for the resetting of the survey monuments disturbed by construction. The Owner/Applicant shall submit an estimate, signed, and stamped by a Licensed Surveyor in the State of California for monument preservation. This estimate will be used to determine the amount of the security.

ii. Prior to Encroachment Permit(s) Issuance, the Permittee must:

Encroachment Permit

1) Obtain approval of all Public Improvements from the Public Works Director or designee pursuant to adopted City Standards.

2) Comply with City Resolution No. 15-46, Construction and Major Maintenance Limitations in the Public Right-of-Way for construction working hours and lane closure limitations.

3) Construct or Repair 18 feet of Property Frontage.

4) If necessary, submit for and secure approval of a Haul Permit (50 Cubic Yards or more of export or import) from the Public Works Director or designee. All

applicable permits for the placement of exported material at off-site location(s) within the City limits must be provided to the Public Works Director or designee. The Haul Permit must clearly identify:

a) The proposed haul routes.

b) The proposed location for placement of export material.

c) Measures to ensure that all haul trucks hauling debris, sand soil and/or other loose materials shall be covered and/or maintain a minimum 2 feet freeboard.

d) Measures to ensure that construction vehicles only use the City's designated Truck Routes, as clearly indicated on the Haul Route Exhibit. All other routes are prohibited.

e) Measures to ensure that construction parking is implemented in a manner that will minimize the potential for traffic interference. Include construction parking designated area(s) on Haul Route exhibit.

f) Clearly identify the proposed area for construction vehicle staging and location(s) for construction vehicle ingress and egress. The ingress/egress pattern shall be identified on the Haul Route Exhibit.

iii. Prior to Grading/Building Permit issuance, the Permittee must:

Waste Reduction

1) Prior to the design of the enclosure, applicants shall determine the volume of material that will be generated by the facility weekly. Once calculated, Permittee must determine the type of bins required, the appropriate size of the enclosure, and the estimated number of pick-ups per week. The size and dimensions of the trash enclosure are based on the required number and size of containers for trash, recycling, and organic waste (green waste and/or food waste). The City recommends the waste generation calculator available in the City of Santa Barbara's Guidelines on Page 9 and 23.

2) Permittee will display all enclosure parts to scale with labels and dimensions on building plans. Show the containers to scale inside the enclosures, including the size of bins or carts. There must be a 2-foot minimum distance between bins. Permittee must include this information on the Site Plan unless noted otherwise.

3) Secure approval of Trash/Recycling Areas to implement City approved and/or adopted guidelines as approved by the Public Works Director or designee. The design must ensure that organics and other pollutants are not transported to the nearest storm drain or waterway via irrigation.

One Week Before Construction Begins:

4) Secure approval of a Construction and Demolition (C&D) Debris Recycling from the Public Works Director or designee. Provide a copy of the signed Certificate of Implementation of State Law: Construction and Demolition

(C&D) Debris Recycling Program ensuring compliance with the Green Building Code. This form indicates who will haul all material and an account number for the C&D project from the hauler. This will facilitate the recycling of all construction recoverable/recyclable materials. The project will be required to meet the CalGreen minimum diversion requirement of 65% of the project's solid waste to be diverted from the landfill.

One Week Before Project Closeout

5) Submit a Post-Construction Waste Reduction and Recycling Summary Report (WRRS) including the form, weight tickets, and other relevant records to Public Works Environmental Services Division for review and approval. The Report shall substantiate how a minimum 65% diversion goal was met by the project during construction, provides the actual amounts of material generated and what the final diversion rate was, along with either scale house receipts or a summary from the diversion facility used substantiating each load brought to the facility, the tonnage, and the diversion achieved.

iv. Prior to commencement of grading and/or construction activities, the Permittee must:

1) The Permittee is required to invite Environmental Services Division staff to the Pre-Construction Meeting with the Construction Manager, site QSP/QSD, and Construction Crew to receive training on stormwater BMPs and to coordinate inspection of all SCMs including UICs installed during construction.

2) The Permittee must provide Environmental Services Division staff with a schedule 2 weeks in advance of the SCMs including Surface Basin, Subsurface Well, Fluid Distribution System/Galleries including UICs and/or Infiltration Trench installations, so Environmental Services can inspect and verify subgrade and subsequent construction details for all SCMs.

v. During construction, the applicant/permittee must:

1) Ensure ongoing compliance with the E&SC Plan or SWPPP and shall perform inspections and maintenance on all installed BMPs, including work performed within the Road right-of-way, and the SCMs as identified in the Maintenance Agreement. Maintenance Reports shall be submitted to Environmental Services (StormwaterDevelopmentReview@cityofgoleta.org).

2) Ensure ongoing implementation of BMP Requirements, including dust control of soil off-site. The Permittee shall identify appropriate BMPs to control the volume, rate, and potential pollutant load of stormwater runoff; and ensure that BMPs are installed, implemented, and maintained through the duration of the project (construction, new or redevelopment) to minimize the potential discharge of pollutants to the Storm Drain System. These requirements may include a combination of structural and non-structural BMPs that are consistent with the California Storm Water Quality Association (CASQA) Best Management Practice Handbook, most current edition (or equivalent), and

shall include requirements to ensure the proper long-term operation and maintenance of these BMPs.

3) Ensure the use of the SCMs during active construction should be documented within the E&SC Plan or the SWPPP as well as shown on the grading and drainage plans. The following measures must be implemented during active construction to protect post-construction SCMs and while disconnected to ensure that they function properly:

a) SCMs such as UICs or bioretention basins must be protected from sedimentation during construction activities or until the site surface conditions are stabilized. Erosion and Sediment Control BMPs must be inspected and maintained to ensure effectiveness so that inflow of sediment from runoff from nearby stockpiles and disturbed areas, etc. does not occur that could cause SCM to clog and compromise the effectiveness of the long-term operation.

b) SCMs must also be protected from construction wastewater (concrete, stucco, paint, etc.), construction debris or other materials during construction activities that can cause the SCMs to clog and compromise the effectiveness of the long-term operation.

c) SCMs should be kept off-line until the surrounding tributary areas are fully stabilized to prevent clogging.

d) Minimize compaction of soils and restrict heavy equipment in the area of SCMs to ensure infiltration rates are not affected. If compacted, the contractor will restore the native soil infiltration rates through ripping or disking.

e) Infiltration testing may be required to verify infiltration rates after installation.

vi. Prior to Issuance of the Certificate of Occupancy, the Permittee must:

1) Schedule a Final Construction Inspection and PCR Field Verification Inspection**.**

a) Final Construction Inspection - Following the completion of active construction and stabilization of disturbed areas the Public Works Director or designee will conduct an inspection in accordance with the Construction Site Inspection Form, to verify all temporary erosion and sediment control measures and BMPs have been removed and completed work is in compliance with the approved Plans and ‘Record Drawing/As-Built’ Plans. The City shall note that any outstanding issues have been resolved in a manner acceptable to the City.

b) Final PCR Field Verification Inspection - The PCR field verification inspection must include a visual inspection of each of the SCMs to ensure the SCMs are installed according to the SWCP and As-Builts. The Owner/Applicant shall submit all images, dimensions, and elevations of

constructed SCMs prior to the request for Occupancy Clearance to verify the installation of all SCMs that are subgrade or otherwise unable to be verified by Final PCR Field Verification Inspection. If design changes were implemented, 'Record Drawing/As-Built' Plans shall be submitted prior to the request for PCR Field Verification Inspection. The field verification inspection for UICs shall include, but are not limited to:

(i) Photo Documentation: UICs via Inspection Ports and Manholes, Drain Inlet (atrium grates, catch basins, area drains, etc.), Pre-treatment devices, Disconnected Downspouts; and/or

(ii) Video Inspection of UICs via Inspection Ports and Manholes to verify that the chambers are free of sediment, construction wastewater (concrete, stucco, paint, etc.), construction debris or other materials and standing water; and

(iii) Water Depth Measurements.

2) Complete the SWCP Certification of Approval and submit the following support documentation:

a) Record Drawings/As-Built Site Plans - The Plans submission shall include CAD drawing files and GIS files of as-bult conditions including all storm drain infrastructure installation and/or improvements.

b) Quality Assurance/Quality Control Summary Checklist

(i) SCM Installation Elevations by Licensed Surveyor as determined on plan.

(ii) SCM Basin Dimensions and Depths.

(iii) Photo Documentation of SCMs throughout the installation of the project (including installation of Liner and Geotextile Materials).

(iv) Material Submittals for Liner and Geotextile Materials which may be invoices.

(v) Soil Compaction Report by Licensed Soils Engineer documenting compliance with SCMs and project plans (if applicable).

(vi) SCM Proof of EPA Registration for Class V Injection Wells (if applicable).

c) Approved Revised Stormwater Control Plan (if applicable).

d) Approved Revised Operation & Maintenance Plan (if applicable).

3) Pay all required City Fees associated with the Development as outlined in Planning and Environmental Review Condition #4(b)(i)(1).

4) Submit a Waste Reduction and Recycling Summary (WRRS) to the Public Works Department for review and approval. The Report shall substantiate how a minimum 65% diversion goal was met by the project during

construction, provides the actual amounts of material generated and what the final diversion rate was, along with either scale house receipts or a summary from the diversion facility used substantiating each load brought to the facility, the tonnage, and the diversion achieved.

5) Submit a Private Improvement Certification (PIC) for parking lots, roads, sidewalks, etc. by the Engineer of Record. The Certificate shall include Record Drawing/As-Built Plans and Quality Assurance testing information and results or submit a deposit of $5,000.00 until the PIC can be completed.

6) Complete all public improvements required and close out the related encroachment permits for public improvement. Associated As-Built Plans shall be submitted electronically to the Public Works Director or designee. The As-Built Plans shall incorporate all changes and/ or revisions.

7) Implement the improvements identified in the Sywest Updated Traffic and Circulation Study Deficiency Plan dated December 11, 2023, and July 24, 2024, or pay the City an in lieu fee for the cost of the improvements.

b. Planning and Environmental Review Department

i. The following standards/requirements are general/on-going and must be complied with by the Permittee and/or successors in interest:

1) The Permittee is responsible for ascertaining and paying all City Development Impact Fees, including without limitation, fire facility fees, library fees, fire protection, police services fees, public administration fees, and transportation fees as required by the GMC. In addition, the impact fees established by the Goleta Union/Santa Barbara Unified School Districts (School Fees) shall also be paid in accordance with the requirements of those entities. This condition also serves as notice pursuant to Government Code Section 66020 (d) that the City of Goleta is imposing development impact fees ("DIFs") and the applicant has 90 days after the imposition of the fees to protest fees.

The Permittee must pay all applicable development impact fees and other contributions in full no later than at the time specified in the chart below. The actual fee may be different than that listed below, as the Permittee must pay the most current rate of the fee in effect at the time of payment and on the latest edition of the Institute of Traffic Engineers Trip Manual. At the Permittee's discretion, the Permittee may choose to pay the below listed fees at any time after project approval, but no later than the time frame specified.

FEE	RATE	ESTIMATED FEE	TIME DUE	AGENCY
Fire Facility (70,594 sq. ft.)	$747 per ksf.	$52,734	CO	City
Library (70,594 sq. ft.)	$100 per ksf	$7,059	CO	City
Public Administration (70,594 sq. ft.)	$314 per ksf	$22,167	CO	City
Transportation (37 PM Peak Hour Trips)	$15,951 per PM Peak Hour trip	$590,187	CO	City
Bicycle & Pedestrian (70,594 sq. ft.)	$314 per ksf	$22,167	CO	City
Park Fee (70,594 sq. ft.)	$1,203 per ksf	$84,925	CO	City
Affordable Housing (70,594 sq. ft.)	$5,871 per ksf	$414,457	CO	City
Storm Drain (70,594 sq. ft.)	$1,272	$89,796	CO	City
School Fees	Set by School Districts	--	BP	Goleta Union & SB Unified School Districts
TOTAL	__	$1,283,492	__	_

CO = Certificate of Occupancy
BP = Building Permit

2) Any modifications to the approved plans including but not limited to site plan, floor plans, elevations, landscaping, colors and materials, cannot be executed without the Planning and Environmental Review Director or designee's approval.

3) Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, demolition, enlarging or rebuilding of any building structure, or improvement, the Permittee must obtain a grading and/or building permit from the Planning and Environmental Review Director or designee. The grading and building plans must be prepared in accordance with Chapter 15 of the GMC.

4) All plans submitted for permit issuance (e.g., grading, building permit, etc.) must include all applicable conditions of project approval.

5) Before the start of any work on-site, the Permittee must conduct a pre-construction meeting that includes the Permittee, project superintendent, architect, subcontractors, as well as City representatives from the Planning

and Environmental Review and Public Works Departments and including all elements included in the Mitigation Monitoring and Reporting Program.

6) All work within the public right-of-way, including without limitation, utilities and grading, must be explicitly noted on the building plans. The Permittee must obtain all necessary encroachment permits from the Public Works Director or designee, before commencing work within or over the public right-of-way including without limitation, water meters, backflow devices, signs, and curb/gutter/sidewalk improvements.

7) Any temporary building, trailer, commercial coach etc. installed or used in connection with the construction of this project must comply with the requirements of Section 35-132 Article II of the City's Coastal Zoning Ordinance.

8) The Permittee is responsible for informing all sub-contractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with these conditions including, without limitation, the GMC. This includes the requirements that a business license be obtained to perform work within the City as well as the City's construction hour limitations.

9) Project construction hours are limited to Monday through Friday 8:00am-5:00pm and generally prohibited on weekends, and on observed state and federal holidays. Exceptions to these restrictions may be made for good cause at the sole discretion of the Planning and Environmental Review Director or designee. The permittee must post the allowed hours of operation near the entrance to the site so that workers on site are aware of the limitations.

10) The prohibition of cold storage uses must be printed on the final approved plans, and each tenant space lease documents.

11) The Permittee shall monitor future sea level rise and flood levels within San Jose Creek, and construct on-site flood control measures as determined appropriate by the City and other Responsible Agencies including but not limited to elevating the access road to the proposed industrial building above the 100-year floodplain elevation and continuing to provide maintenance access to San Jose Creek (e.g., constructing a levee, etc.). The potential effects of sea level rise on the proposed project would be evaluated 50 years after the start of construction in conjunction with the Santa Barbara County Flood Control District. This condition of approval will only be implemented should sea level rise reach a level that inundates the project site.

12) The Permittee shall test all imported soil fill materials to ensure that hazardous materials are not present in amounts that exceed regulatory thresholds. No soil fill materials shall be taken from Goleta Beach.

ii. Before the City issues a Land Use Permit, the Permittee must:

1) Execute and record an avigation easement for the benefit of Santa Barbara Airport/ City of Santa Barbara as determined necessary and/or if one has not already been granted. A copy of the recorded document must be provided to the City of Goleta prior to the issuance of the Land Use Permit.

2) Secure Design Review Board (DRB) approval of the architecture, including building colors and materials.

3) Secure DRB approval of landscaping and irrigation plans.

a. The landscaping plan must:

i. Consist of at least 75% drought-tolerant native or Mediterranean type plants which adequately complement the project design and integrate the site with surrounding land use. The plant material used in the landscape palette must be compatible with the Goleta climate pursuant to Sunset Western Garden Book Zone 24 published by Sunset Books, Inc. Revised and Updated 2012 edition or a more current edition. The landscape plan must be compliant with Mitigation Measures MM Bio-6, MM Bio-7, and MM Geo-1.

ii. All pesticides, herbicides, and fertilizers used at the Project site must be those designated for use near aquatic and wetland habitats and must be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Rodenticides are prohibited.

A Landscape Chemical and Pest Management Plan (Plan) must be developed by the Permittee and approved by the Planning and Environmental Review Director, prior to issuance of the effectuating Land Use Permit. The requirements must be printed on the final approved landscape plans, each tenant space lease documents, and recorded on the property's deed. The Plan must provide a prohibition on use of pesticides, herbicides, fertilizers and rodenticides.

Evidence of this effort must be provided to the Planning and Environmental Review Director, each year by January 1st. The Permittee must also provide the Planning and Environmental Review Director with an annual monitoring report by January 1st of each year demonstrating the use of aquatic and wetland habitat appropriate fertilizer, herbicides, and pesticides consistent with the Plan on the property. If determined necessary by the City, the City may require the Applicant/Permittee to retain a City approved qualified biologist to verify the correct use of appropriate herbicides, pesticides, and fertilizers as part of the annual monitoring report.

b. The irrigation plan must:

   i. Demonstrate compliance with the City's Water Conservation regulations and Guidelines for Water Conservation in Landscaping. Use reclaimed water to irrigate landscaped areas if the recycled waterline is extended to serve the site. If that occurs, then dual water connections must be installed to allow for landscaping to be irrigated by reclaimed water, if feasible.

   ii. Utilize efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g., drip irrigation, automatic sprinklers equipped with moisture sensors, etc.)

   iii. Utilize automatic sprinkler systems that must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscaping irrigation.

c. The project must minimize <u>outdoor</u> water use through the following:

   i. Use of native and/or drought tolerant species in the final landscaping;
   ii. Installation of drip irrigation or other water-conserving irrigation;
   iii. Grouping of plant material by water needs;
   iv. Limiting turf to less than 20% of the total landscaped area if proposed under the final landscape plan or use of artificial turf in place of living grass (this may exceed the 20% maximum);
   v. No turf is allowed on slopes of over 4%;
   vi. Use of extensive mulching (2" minimum) in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction;
   vii. Installation of soil moisture sensing devices to prevent unnecessary irrigation;
   viii. Use of only recycled water for landscape irrigation if the Project site is connected to a recycled water line;
   ix. Use of plant materials that can withstand high salinity levels, if recycled water is used for irrigation; and
   x. Use of plant materials that are compatible with the Goleta climate pursuant to Sunset Western Garden Book's Zone 24, published by Sunset Books, Inc., Revised and Updated 2001 edition.

d. The project must minimize <u>indoor</u> water use through the following:

   i. Insulation of all hot water lines;

ii. Installation of re-circulating, point-of-use, or on-demand water heaters;
iii. Prohibition of self-regenerating water softening in all structures;
iv. Use of lavatories and drinking fountains with self-closing valves; and
v. Installation of water sense specification toilets in each unit.

4) The applicant must enter into a Landscape Maintenance Agreement, in a form approved by the City Attorney, with the applicant to maintain required landscaping and water-conserving irrigation systems on private property for an appropriate time period set by the City.

5) Secure approval of an exterior lighting plan and photometric light study plan from the DRB.

a. The lighting plan must:

i. Minimize off-site glare.

ii. Use lighting devices that are enclosed and protected by weather and vandal resistant covers.

iii. Illuminate street addresses with a minimum maintained of one foot- candle of light on the ground surface during hours of darkness. Street addressing must be a minimum of 4 inches high and must be visible from the street or driving surface, of contrasting color to the background and be illuminate during hours of darkness. Addressing must also be shown on the building plan elevations.

6) Secure approval of a composite utility plan from the Planning and Environmental Review Department and the DRB. All external/roof mounted mechanical equipment (including solar panels, HVAC condensers, switch boxes, etc.) must be included on all building plans and designing this equipment must be integrated into the structure and/or screened in its entirety from public view.

Screening may include a combination of landscaping and/or fencing/walls. Utility transformers must be placed in underground vaults where they are completely screened from view, unless otherwise approved by the Planning and Environmental Review Director. All meters painted must be concealed by matching the color of the building. All backflow prevention devices and communications equipment must be concealed in an enclosed portion of the building, on top of the building, or within a screened utility area. All transformers and vaults installed within the public right-of-way must be below grade unless otherwise approved by the Planning and Environmental Review Director and the Public Works Director and then completely screened from view.

7) Design the buildings to comply with all GMC standards and mitigation measures for the attenuation of interior noise to the satisfaction of the Planning and Environmental Review Director.

8) Provide trash/recycling enclosures that are compatible with the architectural design of the Project, of adequate size for trash and recycling containers (at least 50 square feet), and accessible by residents and for removal. The trash/recycling areas must be enclosed with a solid wall of sufficient height to screen the area, with a solid gate and a roof, to be maintained in good repair in perpetuity and must be included on final Project plans and before the City issues a Land Use Permit for construction. The enclosures are required to be approved by the City Design Review Board (DRB).

9) The applicant must prevent construction and/or employee trash from blowing offsite by providing covered receptacles on-site before commencement of any grading or construction activities; picking up waste weekly or more frequently as directed by the Planning and Environmental Review Director, or designee; and designating and providing the Planning and Environmental Review Director, or designee, the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles must be provided as determined necessary by the Planning and Environmental Review Director, or designee.

10) The applicant must promptly remove any graffiti at the Project site.

11) Incorporate energy conservation measures into the building design. All new residential buildings must comply with the energy efficiency standards set forth in the Goleta Municipal Code, and with the CalGreen+ Building Code standards.

12) Obtain all the necessary approvals, licenses, and permits and pay all of the appropriate fees as required by the City. Before any permit may be issued by the City of Goleta, the Permittee must obtain written clearance for each development phase from all Departments/Agencies having conditions or project approval. Such clearance must indicate that the Permittee has satisfied all pre-construction conditions.

13) Secure the construction site with a minimum 6-foot-high fence. The fence must be covered with material approved by the Planning and Environmental Review Director to minimize dust leaving the site.

14) Submit a Compliance Review application with the City and pay all required fees to cover the full costs of compliance monitoring.

15) The Applicant/Permittee, at its sole expense, must retain a City-qualified archaeologist and local Chumash Native American observer to monitor all ground disturbing construction activities. Field notes generated by the local Chumash Native American observer shall be made available upon request to

the extent that the information is not considered confidential under applicable law. A construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries are adequately recorded, evaluated, and, if significant, mitigated. The Construction Monitoring treatment plan shall describe the following:

a) Specifications that all ground disturbances shall be monitored by a City-qualified archaeologist and a Chumash Native American observer;

b) Qualifications and organization of monitoring personnel;

c) Procedures for notifying the City and other involved or interested parties in case of a new discovery;

d) Procedures that would be used to record, evaluate, and mitigate new discoveries with minimum of delay; and

e) Procedures that would be followed in case of discovery of disturbed as well as intact human burials and burial -associated artifacts. The City-qualified archaeologist and Chumash Native American observer shall have the authority to temporarily halt or redirect construction in the vicinity of any potentially significant discovery to allow for adequate Phase 3 data recovery recordation, evaluation, and mitigation. Evaluation and mitigation could require additional archaeological testing and data recovery. In the highly unlikely event that isolated human remains are encountered, consultation with the most likely Native American descendant, pursuant to Public Resources Code section 5097.97 and 5097.98, would apply.

f) Results of the monitoring program shall be documented in a report after completion of all ground disturbing activities.

16) Discovery of Cultural Resources. If archaeological resources are encountered during grading, work must be stopped immediately or redirected until the City-approved archaeologist and local Chumash Native American observer can evaluate the significance of the find pursuant to the Phase II investigation standards set forth in the City Archaeological Guidelines. The Phase II study must be funded by the Permittee at their sole expense. If resources are found to be significant, they must be subject to a Phase 3 mitigation program consistent with City Archaeological Guidelines. The Phase 3 mitigation program must be funded by the Applicant/Permittee.

17) A contract for the Construction Monitoring Treatment Plan, including identification of the City-qualified archaeologist and Chumash Native American observer, shall be approved by the City prior to the issuance of any Zoning Clearance issued for the project. The City-qualified archaeologist and Chumash Native American observer must be onsite during all project excavation, grading or other soil disturbance.

18) During grading and construction activities, the Permittee, to the satisfaction of the Planning and Environmental Review Director and/or the Public Works Director, must:

a. Prevent construction and/or employee trash from blowing offsite by:

i. Providing covered receptacles on-site before commencement of any grading or construction activities;

ii. Picking up waste weekly or more frequently as directed by the City; and

iii. Designating and providing to the Planning and Environmental Review Director the name and contact information of the project foreman who will monitor construction trash/waste. Additional covered receptacles must be provided as determined necessary by Planning and Environmental Review Director.

b. Ensure that public sidewalks remain open at all times.

c. Ensure that all haul trucks, hauling soil, sand, and other loose materials, are either covered or maintain two feet of freeboard.

d. Reduce NOx emissions during construction by limiting the operation of heavy duty construction equipment to no more than 5 pieces of equipment at any one time.

e. Maintain equipment and vehicles engines in good condition and in proper tune as per manufacturer's specifications and per APCD rules to minimize dust emissions.

f. Use electricity from temporary power poles rather than temporary diesel or gasoline powered generators.

g. Ensure that construction vehicles only use the City's designated Truck Routes to the satisfaction of the Public Works Director. All other routes are prohibited. Construction traffic must be routed away from congested streets.

h. Configure construction parking to minimize traffic interference to the satisfaction of Public Works Director.

i. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g. flag persons) to the satisfaction of the Public Works Director.

j. Secure approval of the construction vehicle staging and location of vehicle ingress/egress location and the use of temporary construction driveways from the Public Works Director or designee.

k. Use electric equipment if feasible to replace diesel-powered equipment such as booster pumps or generators.

l. Install catalytic converters on equipment if feasible.

m. Equip equipment with two to four degree engine time retard or pre-combustion chamber engines.

n. Use methanol or natural gas powered mobile equipment and pile drivers instead of diesel equipment if readily available at competitive prices.

iii. Before the City issues certificate of occupancy, the Permittee must:

1) Install all required Trash enclosures in accordance with approved plans.

2) Screen all mechanical equipment in accordance with approved plans

3) Install all landscaping and irrigation in accordance with approved plans.

4) Screen all new utility service connections and above-ground mounted equipment such as backflow devices, etc. from public view and/or painted in a soft earth tone color so as to blend in with the project (red is prohibited) in accordance with approved plans.

5) Pay all adopted impacts fees due including but not limited to Fire Service, Parks, Transportation, Library, Public Administration, Bicycle and Pedestrian, Affordable Housing, and Storm Drain, and any other fees at rates in effect at the time.

6) Remove temporary construction driveway if one is installed.

7) Secure final clearance from all applicable Agencies including Resource Agencies/City Departments as needed.

By signing this document, Bill Vierra, acting as agent on behalf of Sywest Development, certifies that they read, understands, and agrees to the Project Conditions listed in this document.

Bill Vierra, Sywest Development Date

ATTACHMENT 2, EXHIBIT D, i

Fire Department Letters

MEMORANDUM

DATE: October 27, 2017

TO: Brian Hiefield
Planning and Environmental Review
City of Goleta

FROM: Glenn Fidler, Captain
Fire Department

RECEIVED
OCT 2 7 2017
City of Goleta
Planning & Environmental Svcs.

SUBJECT: APN: 071-190-035; Permit: 17-121-DP
Site: 907 South Kellogg Avenue, Goleta
Project: Development Plan– New "High-Cube" Industrial Building

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The above project is located within the jurisdiction of the Santa Barbara County Fire Department.

PRIOR TO DEVELOPMENT PLAN AMENDMENT APPROVAL

I have reviewed your project and find that it will require corrections before it can be approved by the Santa Barbara County Fire Department. The following information drawn to scale must be included with your revised plans.

1. Any structure that exceeds thirty (30) feet in height shall meet the California Fire Code Appendix D105 requirements.

   - **D105.1** Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
   - **D105.2** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
   - **D105.3** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. This side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
   - **D105.4** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

Please re-submit four sets of corrected site plans to Planning and Environmental Review, Attention Fire Department. The plans must be clearly marked "CORRECTED". Submit plans to Planning and Environmental Review as part of incompleteness re-submittal.

THE FOLLOWING CONDITIONS ARE FOR FUTURE DEVELOPMENT OF THE DEVELOPMENT PLAN

GENERAL

2. Any structure that exceeds thirty (30) feet in height shall meet the California Fire Code Appendix D105 requirements.

3. If an elevator is installed for this project, the elevator car shall be able to accommodate a 24-inch by 84-inch ambulance stretcher in the horizontal, open position.
   - Emergency medical services symbols shall be placed on both sides of the elevator car door frame.
   - The symbol shall be a minimum of 3 inches high.

PRIOR TO BUILDING PERMIT ISSUANCE

4. Fire Protection Certificate(s) shall be required.

PRIOR TO VERTICAL CONSTRUCTION

5. Fire access and water system inspections shall be signed off by fire department.

6. Asphalt/Concrete paving up to and including first lift of asphalt shall be required prior to vertical construction.

7. Fire hydrant(s) shall be installed, number to be determined.
   - Fire hydrant plans shall be approved by the fire department prior to installation.
   - Fire hydrant(s) shall be located per fire department specifications and shall flow 1500 gallons per minute at a 20 psi residual pressure.
   - Commercial fire hydrants shall consist of one 4-inch outlet and two 2-1/2-inch outlets.

PRIOR TO OCCUPANCY CLEARANCE

8. Designated fire lanes shall include red curbs and signs indicating "Fire Lane – No Stopping" placed as required by the fire department. Refer to current adopted California Fire Code.

9. An automatic fire sprinkler system shall be installed.
   - Fire sprinkler plans shall be approved by the fire department prior to installation.
   - The fire department shall determine the location of any fire department connection (FDC) that may be required.
   - Fire department connection (FDC) shall be labeled, identifying all buildings or addresses it serves, per NFPA 13.

10. An automatic fire sprinkler system shall be installed.
    - Fire sprinkler plans shall be approved by the fire department prior to installation.

- The fire department shall determine the location of any fire department connection that may be required.
- Fire department connection shall be labeled, identifying all buildings or addresses it serves, per NFPA 13.

11. An automatic fire or emergency alarm system shall be installed.
    - Fire alarm system shall meet fire department requirements.
    - Automatic fire or emergency alarm system plans shall be approved by the fire department.
    - Alarm panel locations and annunciator graphics shall be approved by fire department prior to installation.
12. Address numbers shall be a minimum height of 6 inches for suites and 12 inches for buildings as determined by the fire department.
    - Address number location(s) shall be approved by the fire department.
13. Access way entrance gates shall conform to fire department requirements.
14. When access ways are gated, a fire department approved Knox locking system shall be installed.
15. A Knox box entry system shall be installed as required by the fire department.

As always, if you have any questions or require further information, please call me at 805-681-5528 or email planning.engineering@sbcfire.com.

GF:mkb

c Goleta Water District, 4699 Hollister Ave., Goleta 93110

MEMORANDUM

DATE: February 9, 2018

TO: Brian Hiefield
Planning and Environmental Review
City of Goleta

FROM: Glenn Fidler, Captain
Fire Department

SUBJECT: APN: 071-190-035
Permit: 17-121-DP
Site: 907 South Kellogg Avenue, Goleta
Project: Development Plan – New "High-Cube" Industrial Building

---

The above project is located within the jurisdiction of the Santa Barbara County Fire Department.

NO CONDITIONS FOR DEVELOPMENT PLAN

The Fire Prevention Division must be notified of any changes to the project proposal. A change in the project description may cause conditions to be imposed.

ADVISORY

1. All standard fire department conditions and current codes shall apply at time of development.

THE FOLLOWING CONDITIONS ARE FOR THE CONSTRUCTION OF THE PROPOSED PROJECT

We submit the following with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions.

PRIOR TO BUILDING PERMIT ISSUANCE

2. Fire Protection Certificate(s) shall be required.

PRIOR TO VERTICLE CONSTRUCTION

3. Permanently installed roof access shall be required and shall receive fire department approval for location of installation.

4. Access shall be as shown on plans dated December 22, 2017, and received January 19, 2018.

5. Commercial fire hydrants shall be installed as shown on plans dated December 22, 2017, and received January 19, 2018.
   - For a water purveyor's system, location for fire hydrants shall be approved by the fire department.

- Fire hydrants shall be located per fire department specifications and shall flow 1500 gallons per minute at a 20 psi residual pressure.
- Commercial fire hydrants shall consist of one 4-inch outlet and two 2-1/2-inch outlets.
- No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a fire department representative.

6. The applicant will be required to pay the City of Goleta Fire Development Impact Fees directly to the City of Goleta.

As always, if you have any questions or require further information, please call me at 805-681-5528 or 805-681-5523.

GF:mkb

c Goleta Water District, 4699 Hollister Ave., Goleta 93110

ATTACHMENT 2, EXHIBIT D, ii

APCD Conditions

Santa Barbara County
Air Pollution Control District

RECEIVED
OCT 2 5 2017
City of Goleta
Planning & Environmental Svcs.

October 24, 2017

Brian Hiefield
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: APCD Suggested Conditions on Sywest Industrial Building, 17-121-DP

Dear Mr. Hiefield:

The Air Pollution Control District (APCD) has reviewed the referenced project, which consists of the **construction of a new 70,594 square foot "high-cube" industrial building**. The new building will be a state-of-the-art facility that can be leased to a single or multiple tenants, and capable of providing space for a variety of uses allowed under the zoning designation including manufacturing, processing, packaging, and storage uses. Grading associated with the proposed project consists of 800 cubic yards of cut, 35,200 cubic yards of fill of which 34,400 cubic yards will be imported. The subject property, a 11.71-acre parcel zoned M-S-GOL & M-1 and identified in the Assessor Parcel Map Book as APN 071-190-035, is located at 907 S Kellogg Ave in the City of Goleta.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to grading/building permit issuance.

2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The rule can be viewed at www.ourair.org/wp-content/uploads/rule345.pdf.

3. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.

4. Prior to building permit issuance, **APCD Authority to Construct permits** must be obtained for all equipment that requires an APCD permit. Proof of receipt of the required APCD permits shall be submitted by the applicant to planning staff. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.

Advisories: In the case of a diesel-fired emergency generator, an equipment-specific Health Risk Assessment may be required as part of APCD permit issuance. The applicant should refer to APCD's website at www.ourair.org/dice-atcm/ for more information on diesel engine permitting.

The APCD permit process can take several months. To avoid delay, the applicant is encouraged to submit their Authority to Construct permit application to the APCD as soon as possible, see www.ourair.org/permit-applications/ to download the necessary permit application(s).

5. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

6. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 Btu/hr and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of APCD Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.

7. Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to building permit issuance. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas must be certified by the APCD on a case-by-case basis, even if the unit is certified when fired on natural gas).

8. If contaminated soils are found at the project site, the APCD must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required. APCD permits are required for all soil vapor extraction activities. APCD permits are also required for the excavation ("dig-and-haul") of more than 1,000 cubic yards of contaminated soil.

9. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:
   - Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
   - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
   - See www.arb.ca.gov/noidle for more information.

10. At a minimum, prior to occupancy, any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
    - Energy use (energy efficiency, low carbon fuels, renewable energy)
    - Water conservation (improved practices and equipment, landscaping)
    - Waste reduction (material re-use/recycling, composting, waste diversion/minimization)
    - Architectural features (green building practices, cool roofs)

- Transportation (pedestrian- and bicycle-friendly features such as sidewalks and bike racks)
- Electric Vehicle Infrastructure (EV charger installation, installation of pre-wiring for future EV chargers), see www.ourair.org/sbc/plug-in-central-coast/ and www.ourair.org/ev-charging-program/ for more information.

11. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8890 or via email at BarhamC@sbcapcd.org.

Sincerely,

Carly Barham

Carly Barham
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Ricky Echanique, Stantec Consulting
TEA Chron File

Santa Barbara County
Air Pollution Control District

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- 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 grading/building permit issuance and/or map clearance.

  Plan Requirements: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing**: Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

  MONITORING: Lead Agency shall ensure measures are on project plans and/or recorded with maps. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- 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 (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NOx), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of mobile construction equipment are subject to the CARB Regulation for In-Use (On-Road) Heavy-Duty Diesel-Fueled Vehicles (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NOx and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. On-road heavy-duty trucks shall comply with the State On-Road Regulation. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, 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.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- 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: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing**: Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and/or recorded with maps. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

ATTACHMENT 2, EXHIBIT D, iii

Goleta Water District

Preliminary Water Service Determination

GOLETA WATER DISTRICT

4699 HOLLISTER AVENUE
GOLETA, CALIFORNIA 93110-1999
TELEPHONE 805/964-6761
FAX 805/964-7002

PRELIMINARY WATER SERVICE DETERMINATION

February 12, 2018

William Vierra
Syufy Properties, Inc.
150 Pelican Way
San Rafael, CA 94901

Robert Atkinson
Syufy Properties, Inc.
150 Pelican Way
San Rafael, CA 94901

Re: Preliminary Water Service Determination
SERVICE ADDRESS: 907 S. Kellogg Avenue
APN: 071-190-035

Dear Mr. Vierra and Mr. Atkinson:

Thank you for contacting the Goleta Water District (District) regarding your Proposed Project. The District has reviewed the description for your Proposed Project located at 907 S. Kellogg, APN 071-190-035.

The District has an obligation and responsibility to serve the Proposed Project subject to the provisions of the SAFE Water Supplies Ordinance approved by District voters, the District Code, and California Law.

PLEASE NOTE: This Preliminary Water Service Determination and determination of water availability is not a Can and Will Serve Letter or functional equivalent. Please see below for application requirements.

This Preliminary Water Service Determination confirms that the project parcel has adequate historic water credit for the forecasted demand associated with the Proposed Project. However, the SAFE Ordinance limits the ability of the District to guarantee future water availability. This Determination may be required to initiate an application for development with the City of Goleta Planning and Environmental Service Department.

The District has declared a Stage III Water Shortage Emergency. Pursuant to the SAFE Water Supplies Ordinance, the District was directed to deny applications for new water service allocations unless the project falls within one of the specified exceptions. These exceptions are as follows:

1) *Customers who are currently receiving water from the District and who are not seeking to expand or change the use or development on their property;*
2) *Customers with preexisting water use history that is recognized in the District Code and that is equal to or greater than the water use that is needed for the Proposed Project;*
3) *Customers who have already paid a new water supply charge for a Proposed Project; and*
4) *Customers with a pre-existing water service contract or agreement with the District.*

Absent the project falling within one of the above exceptions to the District's temporary denial of applications for new water allocations, the District cannot allocate water to serve the Proposed Project.

The District's determination is based solely in accordance with the project description below. Further or future development will require submittal of a water service application and additional water demand report.

> **Proposed development includes demolition of the existing drive-in theater facilities and construction of a new 70,594 square foot warehouse building with the potential for up to four separate tenants and installation of low water use plants along with drip irrigation. The existing office building and associated planting area is planned to remain. The property is an 11.71-acre legal lot in the City of Goleta. The property currently has an active service connection with the Goleta Water District.**

Please review this above description carefully. Any deviations from the above project description, exhibits, or conditions must be reviewed and approved by the District for conformity with this notice. Any changes to or deviations from the project description must be submitted to the District for further review and may result in a requirement for a new Application for New Water Services. Changes to the project that are not submitted to and approved by the District may constitute a violation of District rules and regulations per District Code Section 6.20.110. An application for New Water Service with the District is required for any future New Development on the property.

After you initiate an application with the City, a Goleta Water District Application for Water Service including the application fee, project plans, and other supporting materials must be submitted to the District. Once the application has been deemed complete, District staff will review the application and issue a Preliminary Conditions Letter outlining the conditions for final approval of water service for the Proposed Project. Once the conditions of the Preliminary Conditions Letter, including the completion of design for any required Water System Improvements are met, the District may issue a Conditional Can and Will Serve Letter identifying any required conditions including deposits for construction and New Water Supply Charges due following issuance of the City of Goleta approved building permit. Prior to water service activation, the District will issue a Final Can and Will Serve Letter.

Please return the original copy of this form filled out by City of Goleta Planning and Environmental Service Department with the information requested on the next page. If you have any questions regarding this matter, contact me at (805) 879-4659 or joelle@goletawater.com.

Sincerely,

Joelle Detlefsen-Fox
Water Resources Analyst
GOLETA WATER DISTRICT

ATTACHMENT 2, EXHIBIT D, iv

Sywest Easement to the City

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

CITY OF GOLETA
130 Cremona Drive, Suite B
Goleta, California 93117

No Recording Fee Pursuant to Gov't Code §§ 6103 and 27383 (Space above this line is for Recorder's use)
No Documentary Transfer Tax Pursuant to California Revenue & Taxation Code §11922

ACCESS AND MAINTENANCE EASEMENT

THIS ACCESS AND MAINTENANCE EASEMENT is entered into this ___ day of _____, 202_, by and between **GOLETA GARDENS LLC, a California limited liability company** ("Grantor") and the **CITY OF GOLETA, a municipal corporation of the State of California**, and the **Santa Barbara County Flood Control and Water Conservation District**, a special district, (collectively hereinafter "Grantee") who hereby agree as follows:

1. Grantor's Property. The Property that is the subject of the Easement is located at 907 S. Kellog Avenue, in the City of Goleta, the County of Santa Barbara, State of California, commonly known as APN 071-190-035-00, and is further described in **Exhibit "A"** attached hereto ("Property"). Grantor covenants that it is the owner of the above described real property and has full right, power, and authority to grant this Easement, and that said Property is free and clear of encumbrances and liens of whatsoever character except those recorded against the Property.

2. Grant of Easement. Grantor hereby grants to Grantee, and its successors and assigns, a perpetual nonexclusive easement and right of way for pedestrian and vehicular access by Grantee, and its employees, agents, contractors, customers, invitees and guests over, across, under and on that certain real property in the County of Santa Barbara, State of California, described on the attached **Exhibit "B-1"** and depicted on the attached **Exhibit "B-2"** (such rights being described hereafter as the "Easement" and the area affected by thereby, the "Easement Area"). The Easement shall include the right to use the Easement Area to access, maintain, repair, construct and reconstruct, an existing flood control channel and flood control appurtenances ("Flood Control Channel") adjacent to the Easement Area, together with the reasonable right of access over and across the Property for purposes of exercising the rights granted herein. Grantee shall have an irrevocable easement to go over, under, across and through the Easement Area, and all portions thereof determined by Grantee, in its sole discretion, to be necessary, expedient or convenient to effectuate or implement the rights of Grantee as set forth herein. Any action or inaction by the Grantee pursuant to this paragraph shall not create any liability on the part of the Grantee.

3. No Obstruction/Modification. No walls, fences, barriers or improvements of any kind will be constructed or maintained within the Easement Area by Grantor in any manner which would impair free access and movement of pedestrian and vehicular traffic through the Easement Area. Grantor shall not alter, modify or change the location or alignment of any vehicular access, the grade of the Easement Area, the flow of water or storm water within the Easement Area, cause any erosion, allow any water run-off from irrigation, construction any permanent or temporary

structures such as buildings, sheds, barns, garages, or walls without the prior written consent of Grantee, which may be withheld in the sole and absolute discretion of Grantee.

4. Permitted Parties. The Easement may be used by and for the benefit of Grantee, and its successors, assigns, tenants, subtenants, employees, agents, contractors, customers, visitors, licensees, invitees, and guests.

5. Grantee Non-responsibility. The Grantee shall be under no obligation to protect the Grantor, its property or any improvements located on the Property. The rights granted herein shall be without notice to Grantor or any third party. No exercise by Grantee of any of the rights herein shall entitle Grantor to any compensation for any matter whatsoever. More particularly, Grantor hereby assumes all risk of damage to property (real or personal) and injury to persons and waives and releases Grantee and its officers, directors, employees, agents, representatives, successors and assigns (collectively, "Representatives") from any damages, costs (including, but not limited to, reasonable attorneys' fees), actions, causes of action, demands, claims, losses, liabilities and expenses of every type and description (collectively, "Costs") arising from this Easement, including, without limitation, any flood control activities conducted at or around the Flood Control Channel.

6. Indemnification. Notwithstanding anything herein to the contrary, Grantee shall indemnify and hold Grantor harmless from and against any and all Costs arising solely from the acts or omissions of Grantee in making use of the Easement.

7. Runs with Land. This Agreement and the benefits and burdens herein shall be binding upon, and inure to the benefit of, each party and any person having or acquiring any right, title, or interest in or to any portion of the Property, whether by operation of law or any manner whatsoever. All provisions of this Agreement are intended to be covenants running with the land pursuant to Section 1468 of the Civil Code of the State of California.

8. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of California.

9. Attorney's Fees. In the event any party shall commence any legal action or arbitration proceeding to enforce the terms or conditions hereof, the prevailing party shall be entitled to reasonable fees, costs, and expenses incurred.

10. Counterparts; Document Execution and Change. This Agreement may be executed in one or more counterparts, all of which taken together shall be deemed one original.

11. Entire Agreement. This Agreement constitutes the entire agreement between the Parties with respect to the subject matter hereof and may not be modified or amended except by a writing executed by the Parties

IN WITNESS WHEREOF, Grantor has executed this agreement as of the day and year first above written.

GRANTOR

Goleta Gardens LLC

By: SyWest Holdings LLC,
a California limited liability company
Its: Member/Manager

By: Syufy Enterprises,
a California limited partnership
Its: Member/Manager

By: Syufy Properties, Inc.,
a California corporation
Its: General Partner

By: _____
William Vierra
Its: Senior Vice President

Exhibit "A"
Legal Description of Property

Exhibit "B -1"
Legal Description of the Easement Area

Exhibit "B -2"
Depiction of the Easement Area

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss
COUNTY OF SANTA BARBARA)

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

)

COUNTY OF SANTA BARBARA)

On _____ __, 2020, before me, _____, Notary Public, personally appeared, _____who proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

CERTIFICATE OF ACCEPTANCE
Pursuant to Section 27281 of the

California Government Code

This is to certify that the interest in real property conveyed by the Flood Easement dated _____, 2020, from Santa Barbara Nissan, LLC to City of Goleta, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of Goleta, pursuant to the authority conferred by Resolution No. ____, adopted by the City Council of the City of Goleta on _____, 202_, and the City of Goleta consents to recordation thereof by its duly authorized officer.

Dated: _____, 202_ CITY OF GOLETA

ATTACHMENT 3

ARTICLE II DEVELOPMENT PLAN FINDINGS

Development Plan, without a public hearing. Notice shall be given ten (10) days prior to the Director's decision pursuant to Section 35-181. The Director's action shall be final subject to appeal to the Planning Commission as provided in Section 35-182 (Appeals). *(Amended by Ord. 4067, 8/18/92; Ord. 4086, 12/15/92; Ord. 4318, 6/23/98)*

4. The Director may approve minor changes to the Final Development Plan. If the Final Development Plan has any substantial changes from the Preliminary Development Plan approved by the Board of Supervisors, Planning Commission, or Zoning Administrator, the Director shall refer the Final Development Plan to the hearing body with jurisdiction (Planning Commission or Zoning Administrator) for approval. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92)*

5. When a Preliminary Development Plan has not been filed as provided in Sec. 35-174.2.3, the Final Development Plan shall be processed according to Sec.35-174.4 (Processing of Preliminary Development Plan. *(Amended by Ord. 3977, 2/21/92)*

Sec. 35-174.7. Findings Required for Approval.

1. A Preliminary or Final Development Plan shall only be approved if all of the following findings are made:

   a. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.

   b. That adverse impacts are mitigated to the maximum extent feasible.

   c. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

   d. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

   e. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

   f. That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions

of this Article and/or the project falls with the limited exception allowed under Section 35-161.7. *(Amended by Ord. 4227, 6/18/96)*

g. That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.

h. That the project will not conflict with any easements required for public access through, or public use of a portion of the property.

i. Additional findings, identified in Division 15 (Montecito Community Plan Overlay District), are required for those parcels identified with the MON overlay zone. *(Added by Ord. 4196, 5/16/95)*

2. A Final or Revised Final Development Plan shall only be approved if the following additional finding is made: Such plan is in substantial conformity with any approved Preliminary or Revised Preliminary Development Plan except when the Planning Commission, Zoning Administrator or Director considers a Final Development Plan for which there is not a previously approved Preliminary Development Plan. In this case, the Planning Commission, Zoning Administrator or Director may consider the Final Development Plan as both a Preliminary and Final Development Plan. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4086, 12/15/92)*

Sec. 35-174.8. Conditions, Restrictions, and Modifications.

1. At the time the Preliminary or Final Development Plan is approved, or subsequent Amendments or Revisions are approved, the Director, Zoning Administrator, Planning Commission or Board of Supervisors may modify the building height limit, distance between buildings, setback, yard, parking, building coverage, or screening requirements specified in the applicable zone district when the Director, Zoning Administrator, Planning Commission or Board of Supervisors finds the project justifies such modifications. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4318, 6/23/98)*

2. As a condition of approval of any Preliminary or Final Development Plan, the Director, Zoning Administrator, Planning Commission or Board of Supervisors may impose any appropriate and reasonable conditions or require any redesign of the project as they may deem necessary to protect the persons or property in the

ATTACHMENT 4

STAFF POWER POINT PRESENTATION

Sywest Industrial Building Project

April 28, 2025

Planning Commission Hearing

CITY OF GOLETA

Project Location

- 907 South Kellogg Avenue in Goleta
- Existing 11.77-acre project site
- Within the Coastal Zone, 100-year Floodplain, Airport Influence Area
- Site formerly used as a drive-in theater and swap meet
- The Proposed Project would be developed on approximately 6.75 acres of the northeastern portion of the project site

Imagery provided by Microsoft Bing and its licensors © 2023.

CITY OF GOLETA

Project Objectives Summary

- To develop a project with long-term viability with:
  - flexible interior size
  - up to 4 tenant spaces with 6 loading docks
- To develop a project with sufficient height (up to 35 foot maximum)
- Accommodate a variety of future uses allowed by GP/CLUP Service Industrial designation Light Industry (M-1) and Service Industrial-Goleta (M-S-GOL) zoning
- Attract local employment opportunities in the industrial sector and generate new property tax revenue for the City
- Optimize economical reuse of a previously underutilized site within the City with:
  - existing infrastructure and access
  - significant land use limitations, including airport, hydrologic, and flooding constraints
- Provide a permanent critical access easement to the flood channel

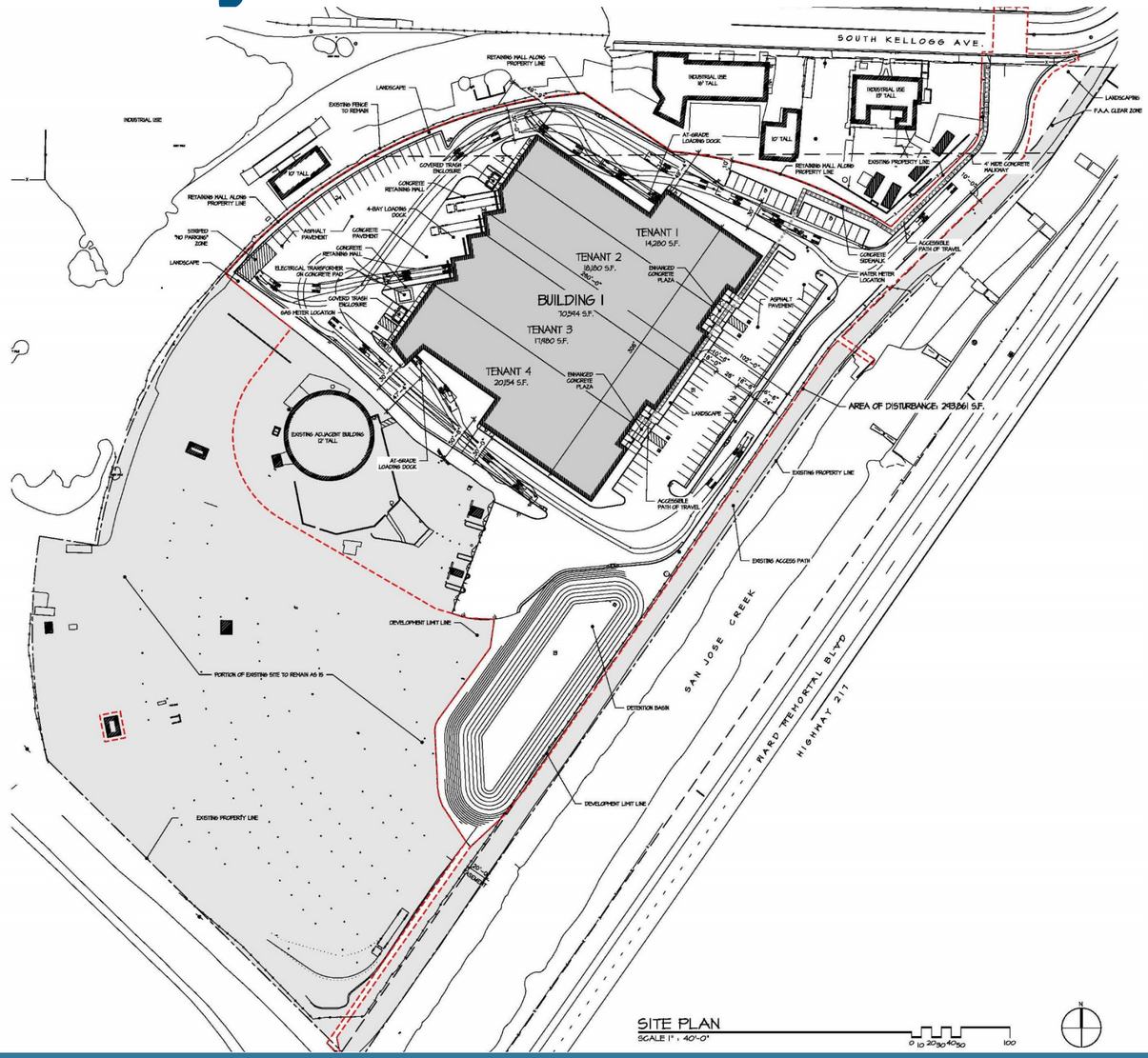
CITY OF GOLETA

Proposed Project - Overview

- Demolition of existing structures, including an approximately 3,663-square foot concessions building and accessory structures
- Construction of a 70,594-square foot industrial warehouse building
  - 60,939 square feet of landscaping
  - 101 parking spaces
  - 6 loading docks
  - Building height of 35 feet from finished grade
- Includes a request to reduce the 100-foot Streamside Protection Area (SPA) buffer at San Jose Creek to 25 feet along the entire project site boundary adjacent to San Jose Creek

CITY OF GOLETA

Proposed Project - Site Plan



Proposed Project - Building Renderings

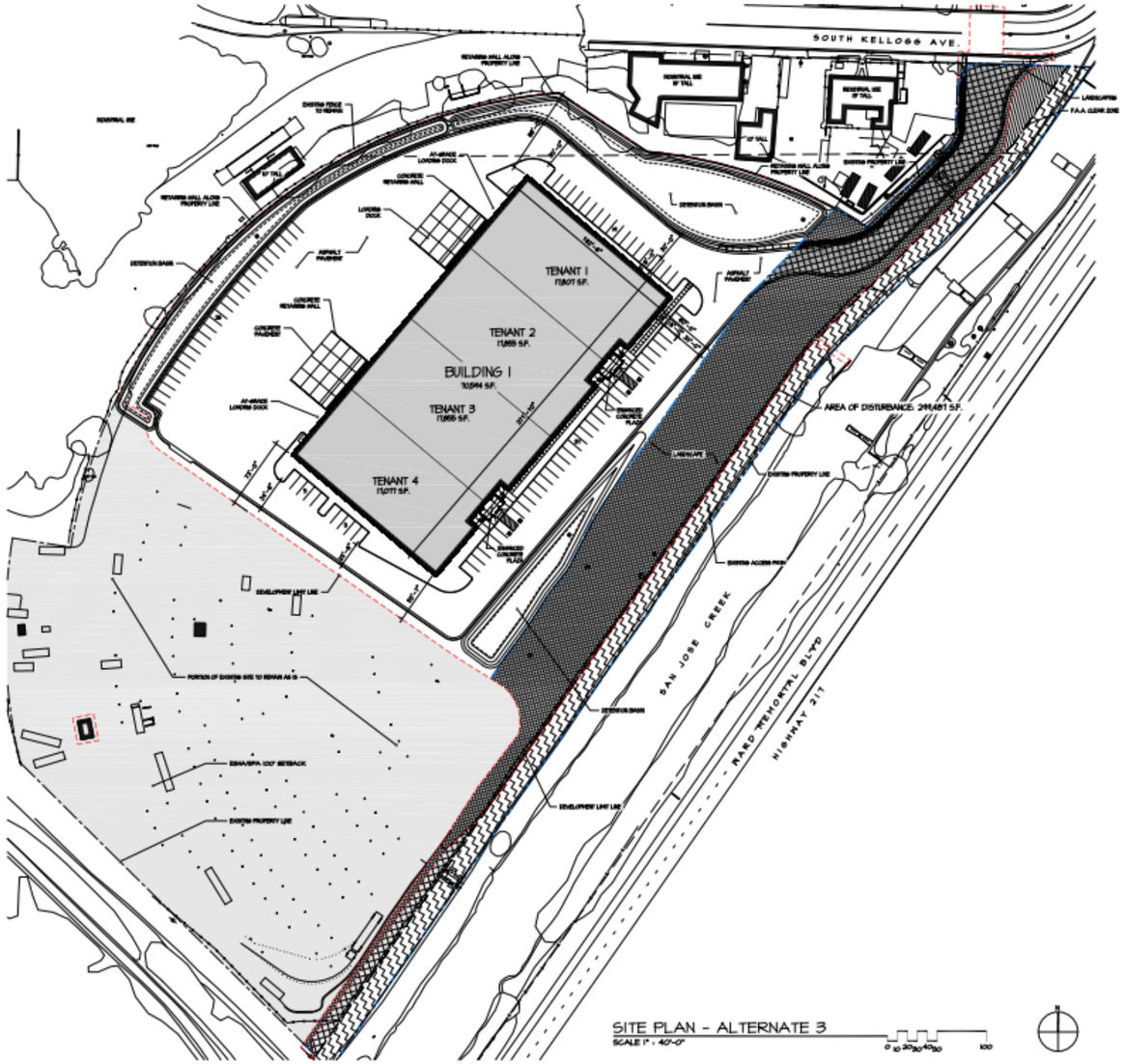
PERSPECTIVE - SOUTHWEST

PERSPECTIVE - NORTHWEST

Alternative 2 - Overview

- Alternative 2: 100-foot Streamside Protection Area
  - Building layout and shape of reconfigured and shifted northwest and southwest
  - Development within the 100-foot SPA limited to improvements to existing access road, installation of the underground utility trench, and landscaping
- Demolition of existing structures, including an approximately 3,663-square foot concessions building and accessory structures
- Construction of a 70,594-square foot industrial warehouse building
  - 106,520 square feet of landscaping
  - 92 parking spaces
  - 8 loading docks
  - Building height of 35 feet from finished grade

Alternative 2 – Site Plan



Proposed Project vs. Alternative 2

Feature	Proposed Project	Alternative 2: 100-Foot Streamside Protection Area Setback
SPA Setback	25-feet	100-feet
Structures Demolished	Movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, and an agricultural box	Movie screen, concessions stand, projector building, two drive-through ticket booths, one walk-in ticket booth, and an agricultural box
Building Square Footage	70,594 sf industrial warehouse	70,594 sf industrial warehouse
Number of Employees	75	75
Development Area	6.75 ac	6.87 ac
Area of Disturbance	293,861 sf	299,487 sf
Impervious Surface Area	184,543 sf	183,675 sf
Parking Spaces	101 (9 EV)	92 (9 EV)
Loading Zones	6	8
Landscaping	60,939 sf	106,520 sf

CITY OF GOLETA

Proposed Project vs. Alternative 2 (Continued)

Feature	Proposed Project	Alternative 2: 100-Foot Streamside Protection Area Setback
On-site Trees within Development Area	45	54
Cut	600 cy	300 cy
Fill	38,000 cy	38,900 cy
Soil Import	37,400 cy	38,600 cy
Construction Duration	15 months	15 months
Construction Haul Trucks Required for Soil Import	1,100	1,148
Total Daily Operational Passenger Vehicle Trips (One-Way Trips)	224	224
Total Daily Operational Truck Trips (One-Way Trips)	28	28
Detention Basin	8,321 sf	17,625 sf

CITY OF GOLETA

Photo Simulation – Original Project

1 VIEW FROM HIGHWAY 217

2 VIEW FROM KELLOGG AVENUE

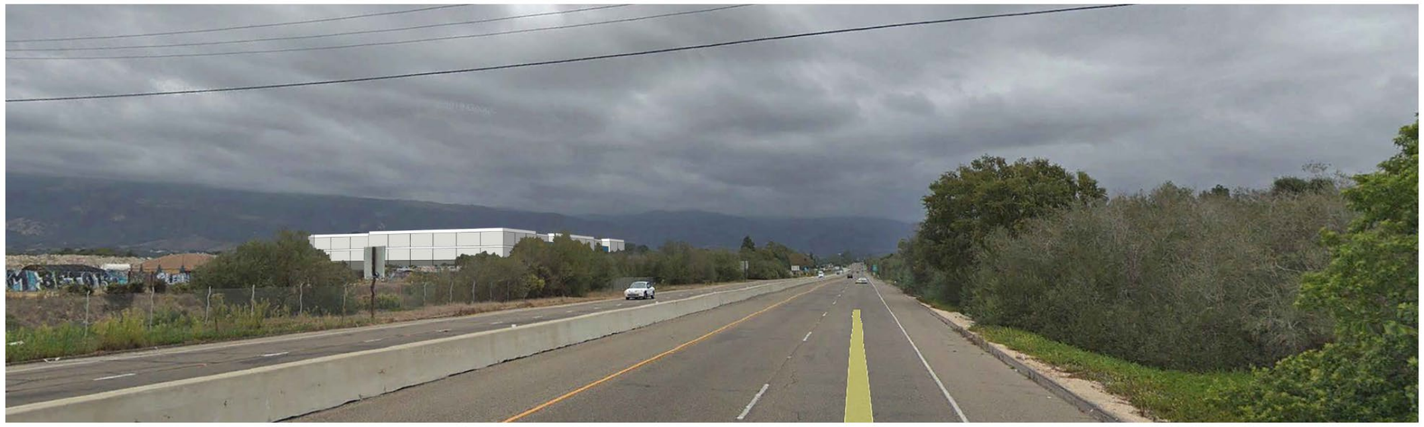
Photo Simulation – Alternative 2

1 VIEW FROM HIGHWAY 217 - SITE AND BUILDING ALTERNATE

2 VIEW FROM KELLOGG AVENUE - SITE AND BUILDING ALTERNATE

CITY OF GOLETA

Photo Simulation – Original Project (Continued)



③ VIEWS FROM HIGHWAY 217

④ VIEWS FROM SOUTH FAIRVIEW AVENUE

CITY OF GOLETA

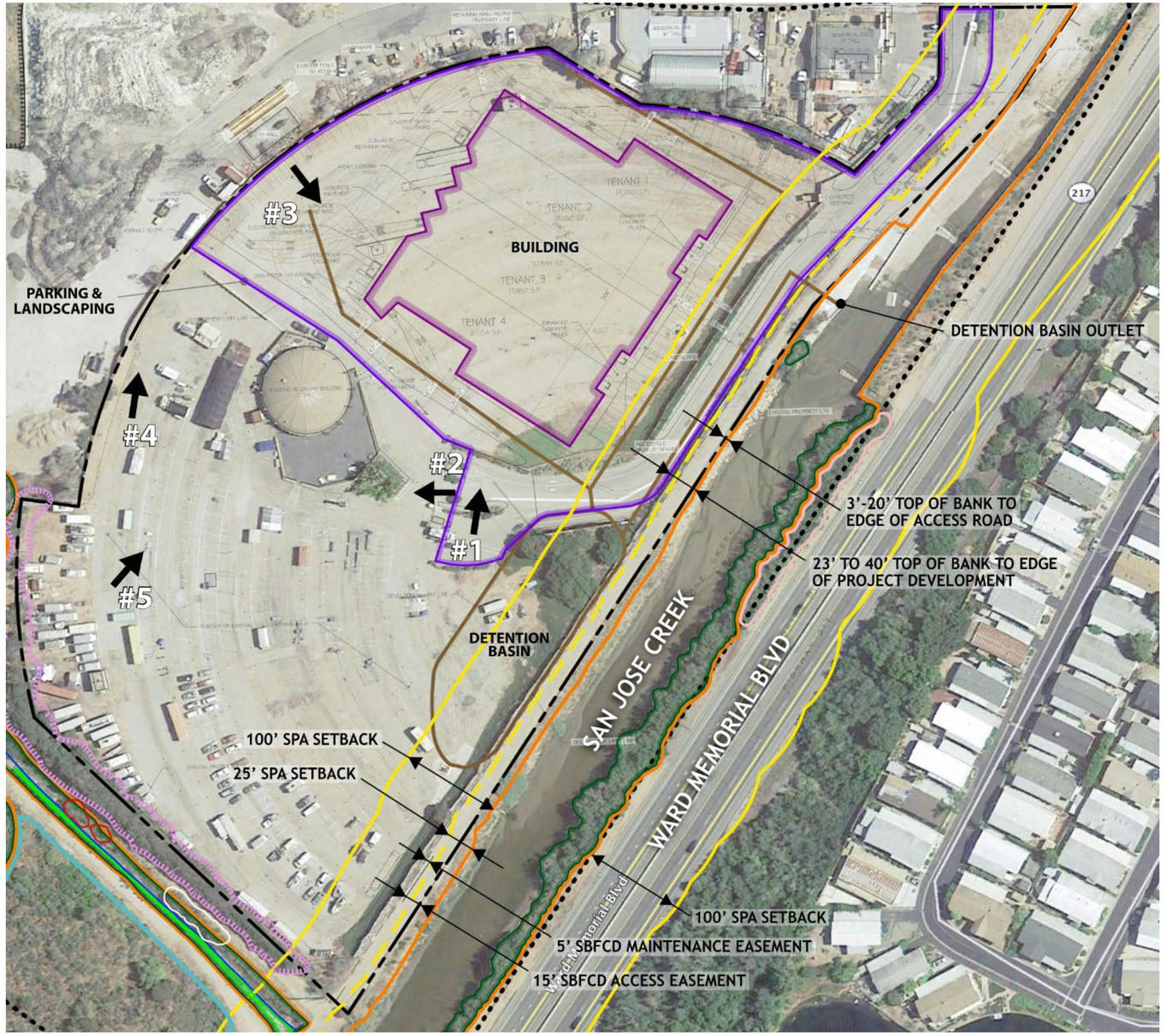
Photo Simulation – Alternative 2 (Continued)

③ VIEWS FROM HIGHWAY 217 - SITE AND BUILDING ALTERNATE

④ VIEWS FROM SOUTH FAIRVIEW AVENUE - SITE AND BUILDING ALTERNATE

CITY OF GOLETA

SPA Exhibit – Original Project



SPA Exhibit – Alternative 2

PRELIMINARY PLANT PALETTE

Sunset Zone 24 / WUCOLS South Coastal Region

SYMBOL	BOTANICAL NAME	COMMON NAME	SI
TREES AND PALMS			
CAL VIM	CALLISTEMON VIMINALIS	WEEPING BOTTLEBRUSH	15 G
CHA HUM	CHAMAEROPS HUMILIS VAR. ARGENTEA	BLUE ATLAS PALM	24"
CUP GOV	CUPRESSUS GOVENIANA SSP. GOVENIANA*	GOWEN CYPRESS	15 G
LAU NOB	LAURUS NOBILIS	BAY LAUREL	15 G
LYO FLO	LYONOTHAMNUS FLORIBUNDUS SUBSP. ASPLENIIFOLIUS*	CATALINA IRONWOOD	24"
PRU ILI	PRUNUS ILICIFOLIA SUBSP. LYONII*	CATALINA CHERRY	15 G
QUE TOM	QUERCUS TOMENTELLA*	ISLAND OAK	24"
SAL LAS	SALIX LASIOLEPIS*	ARROYO WILLOW	5 GA
UMB CAL	UMBELLULARIA CALIFORNICA*	CALIFORNIA BAY	15 G
SHRUBS, GRASSES AND GROUNDCOVERS			
ACA ITE	ACACIA ITEAPHYLLA	WILLOW WATTLE	5 GA
ATR LEN	ATRIPLEX LENTIFORMIS*	SALTBUSH	1 GA
CAR BAR	CAREX BARBARAE*	SANTA BARBARA SEDGE	1 GA
CAR DIV	CAREX DIVULSA	BERKELEY SEDGE	4" P
CAR PAN	CAREX PANSA*	CALIFORNIA MEADOW SEDGE	4" P
CAR TUT	CARISSA 'TUTTLE'	NATAL PLUM	5 GA
CHO TEC	CHONDROPETALUM ELEPHANTINUM	LARGE CAPE RUSH	5 GA
COT DAM	COTONEASTER DAMMERI 'CORAL BEAUTY'	PROSTRATE COTONEASTER	1 GA
ENC CAL	ENCELIA CALIFORNICA*	COAST SUNFLOWER	1 GA
DIA REV	DIANELLA REVOLUTA 'BABY BLISS'	BABY BLISS FLAX LILY	1 GA
JUN PAT	JUNCUS PATENS*	CALIFORNIA RUSH	1 GA
HET ARB	HETEROMELES ARBUTIFOLIA*	TOYON	15 G
LIP NOD	LIPPIA NODIFLORA	KURAPIA	FLA
LEU SAF	LEUCADENDRON 'SAFARI GOLDSTRIKE'	YELLOW CONEBUSH	15 G
LEP REV	LEPTOSPERMUM REEVESII	DWARF TEA TREE	5 GA
LYG SPA	LYGEUM SPARTUM	ESPARTO GRASS	1 GA
LOM LON	LOMANDRA LONGIFOLIA 'BREEZE'	DWARF MAT RUSH	5 GA
LOM SEA	LOMANDRA 'SEASCAPE'	SEASCAPE MAT RUSH	1 GA
MUH DUB	MUHLENBERGIA DUBIA	PINE MUHLY	1 GA
MYO PUT	MYOPORUM 'PUTAH CREEK'	PROSTRATE MYOPORUM	1 GA
RHU INT	RHUS INTEGRIFOLIA*	LEMONADEBERRY	5 GA
SAM MEX	SAMBUCUS MEXICANA*	ELDERBERRY	5 GA
WES MUN	WESTRINGIA 'MUNDI'	DWARF COAST ROSEMARY	5 GA
VINES & ESPALIERS			
VIT ROG	VITIS 'ROGER'S RED' *	ROGERS RED GRAPE	5 GA

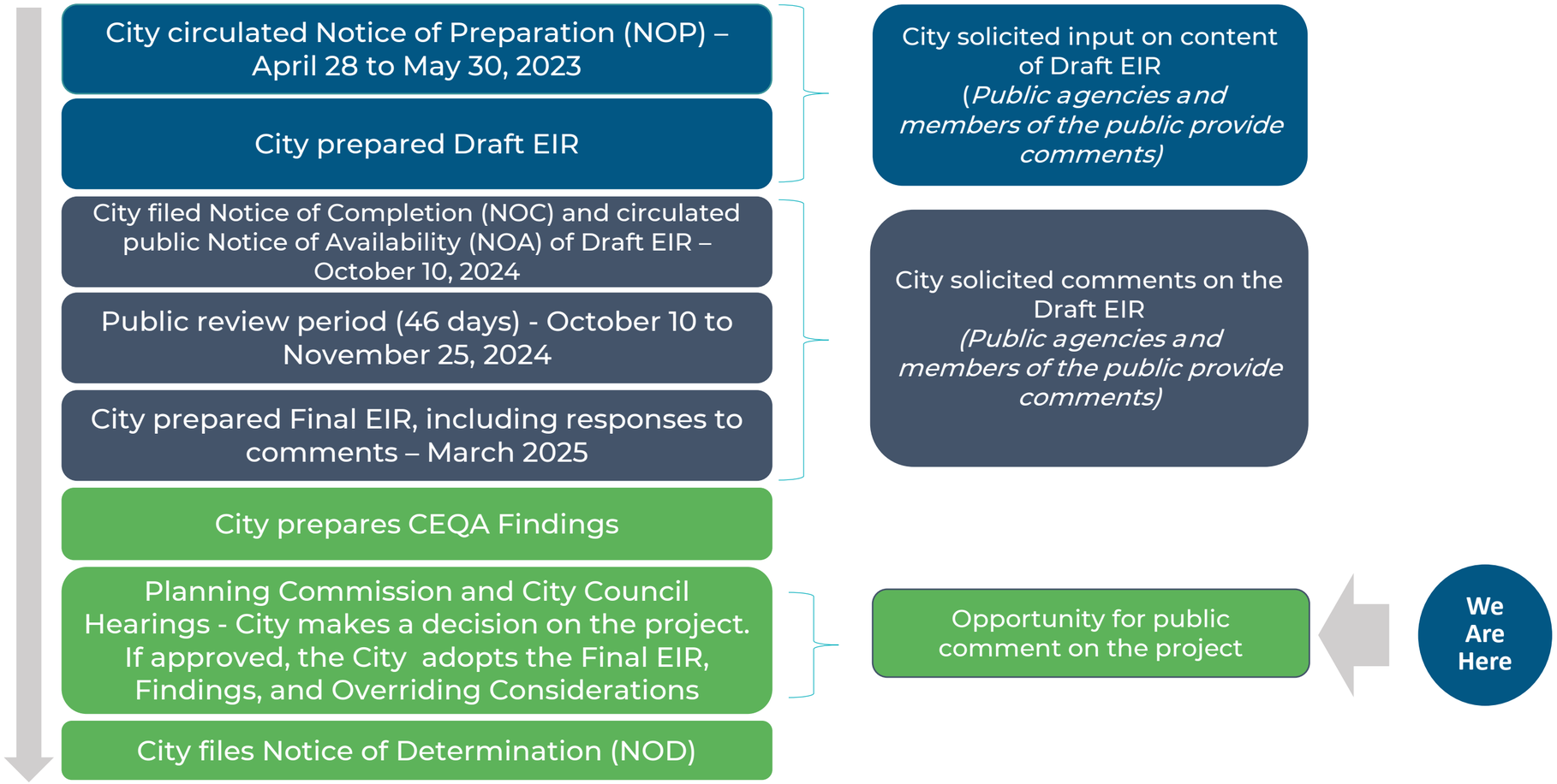
CITY OF GOLETA

CEQA/EIR Overview

- The California Environmental Quality Act (CEQA) is the State's primary environmental protection law
- CEQA requires that public agencies disclose environmental impacts of project that have a physical effect on the environment
- An Environmental Impact Report (EIR):
  - Is an **Information Document** that discloses information about the effects a proposed project could have on the environment
  - Identifies mitigation measures
  - Describes feasible alternatives to the proposed project
  - Must be certified prior to project approval

CITY OF GOLETA

CEQA/EIR Process



Proposed Project Impact Summary

Significant Unavoidable Impacts:

- Aesthetics (scenic vistas; conflicts with Goleta General Plan)
- Biological Resources (conflicts with Goleta General Plan)
- Land Use (conflicts with Goleta General Plan)
- Utilities and Service Systems (solid waste [project and cumulative])

Proposed Project Impact Summary

Potentially Significant But Mitigable Impacts:

- **Biological Resources** (impacts to birds, fish, amphibian; indirect impacts to habitat etc.)
- **Geology and Soils** (seismic ground shaking; liquefaction; erosion)
- **Hazards and Hazardous Materials** (asbestos, lead, and contaminated soil/groundwater)
- **Hydrology and Water Quality** (degradation of water quality;)
- Noise (construction noise)

Alternatives to the Proposed Project

- Alternative 1: No Project Alternative
  - Project site would remain a vacant drive-in theater
  - Existing concessions building, movie screen, ticket booths, and projector buildings would not be demolished
- Alternative 2: 100-foot Streamside Protection Area Setback
  - Building layout and shape reconfigured and shifted
  - Avoids development of industrial building with the San Jose Creek 100-foot SPA buffer
  - Would reduce significant unavoidable impacts to biological resources to less than significant
  - Would fulfill all project objectives
- Alternative 3: Outdoor Storage
  - 70,594-square foot outdoor storage facility, 500-square foot office building
  - Would reduce project impacts
  - Would fail to meet 2 project objectives and only partially meet 2 project objectives

CITY OF GOLETA

Recommendation Summary

That the Planning Commission adopt the two Resolutions attached to the staff report that recommend the City Council:

1. Adopt Environmental Findings pursuant to the CEQA to Certify the Sywest Industrial Project Environmental Impact Report, Adopt the Mitigation Monitoring and Reporting Program, and Adopt the Statement of Overriding Considerations

2. Approve the Development Plan (17-121-DP) for the Sywest Industrial Building Project, which includes approving Alternative 2: 100-foot Streamside Protection Area Setback

CITY OF GOLETA

Questions?

ATTACHMENT 5

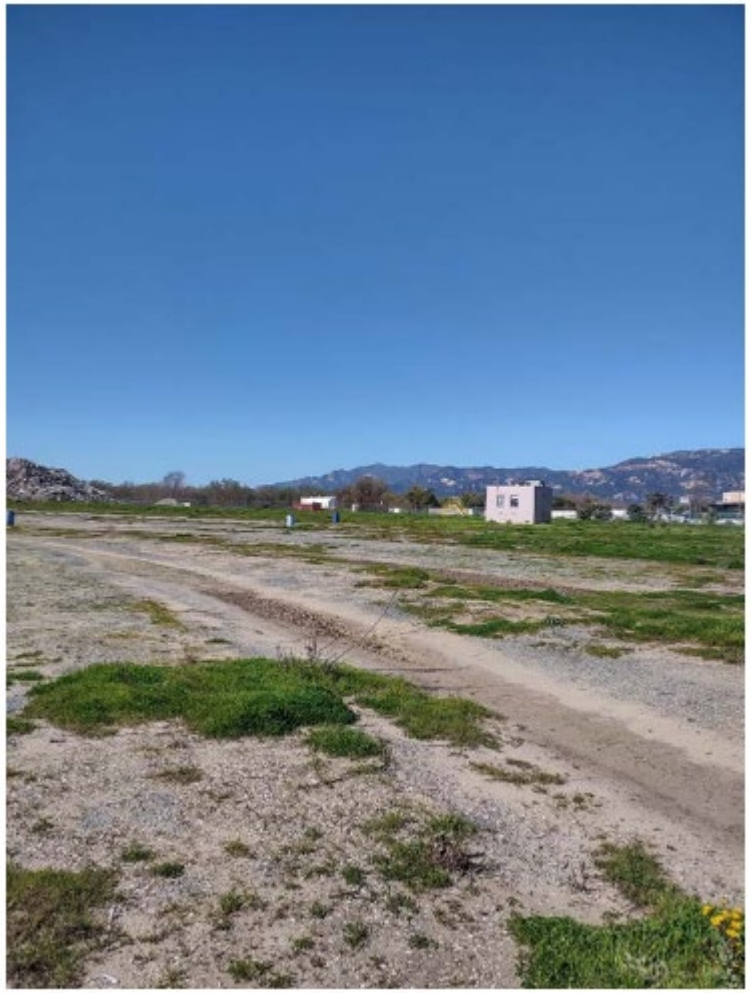
APPLICANT POWER POINT PRESENTATION

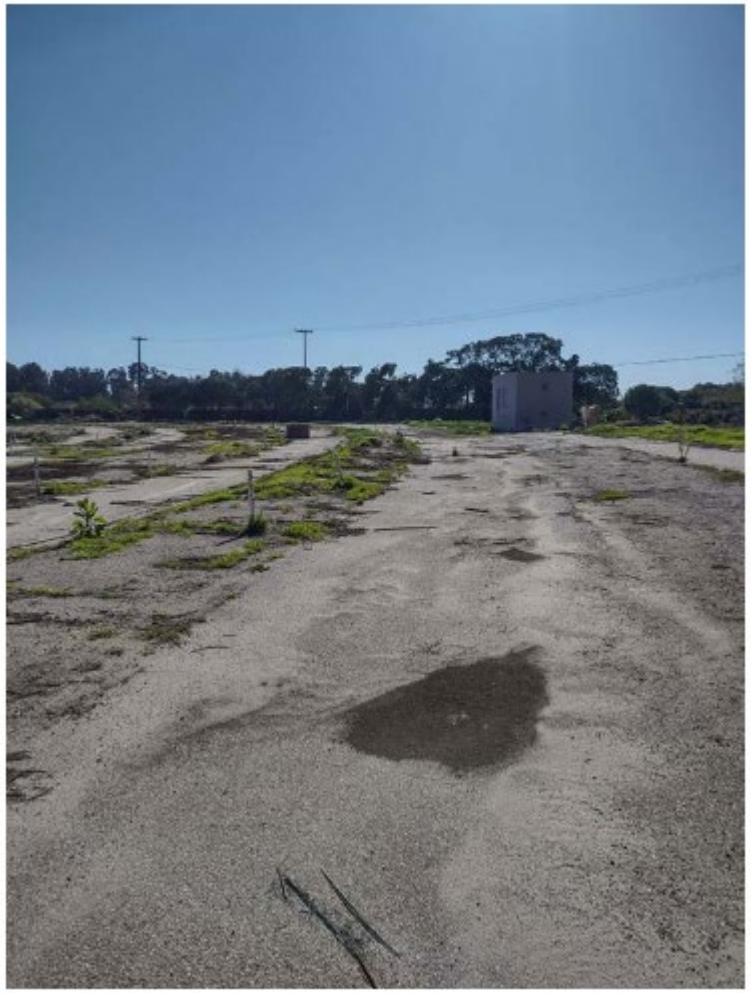
Sywest Industrial Building
907 S. Kellogg

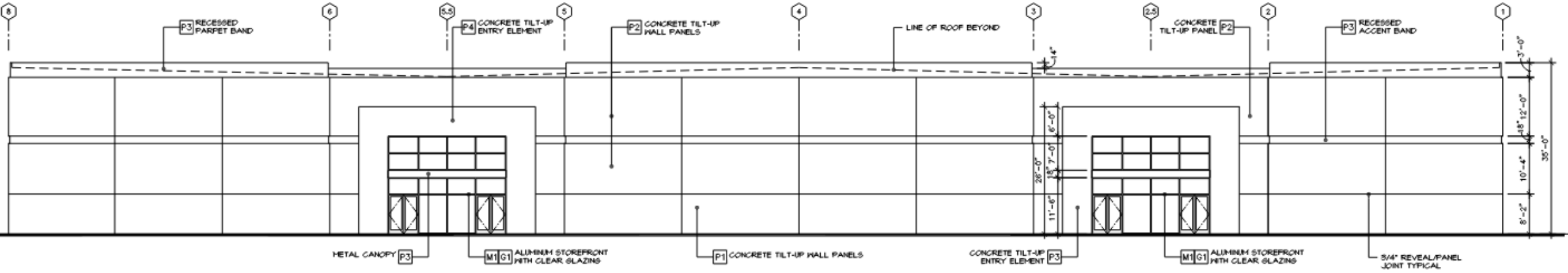
Goleta Planning Commission
April 28, 2025

SOUTH KELLOGG AVE.
PARCEL B
PARCEL MAP 11,950
13 PM 58
PARCEL B
PARCEL MAP 11,950
PM BK13 PG58
APN: 071-190-035
WARD MEMORIAL BLVD
HIGHWAY 217
SAN JOSE CREEK
N
SCALE: 1"=60'
0
60
120
180

5 Star Auto Repair
Best Price Auto Glass
Steelhead Auto Recycling
Cardel's Auto Repair
805 Roadside Assistance & Towing
Santa Barbara Surfacing
San Jose Creek
Ward Memorial Blvd
217
217







COLOR / MATERIAL BOARD

January 31, 2023

	P1	**CONCRETE TILT-UP PANELS;** DUNN-EDWARDS; LOOKING GLASS, DE6376
	P2	**CONCRETE TILT-UP PANELS;** DUNN-EDWARDS; CLOUDED VISION, DE6380
	P3	**CONCRETE TILT-UP PANELS, STEEL CANOPIES;** DUNN-EDWARDS; TRADE WINDS, DET 647
	P4	**CONCRETE TILT-UP PANELS;** DUNN-EDWARDS; RAINY LAKE, DE5852
	M1	**ANODIZED ALUMINUM STOREFRONT;** ARCADIA; STANDARD CLEAR #11
	G1	**GLAZING** SOLARBAN; Z50 OPTIBLUE, CLEAR GLASS INSULATED GLASS UNIT

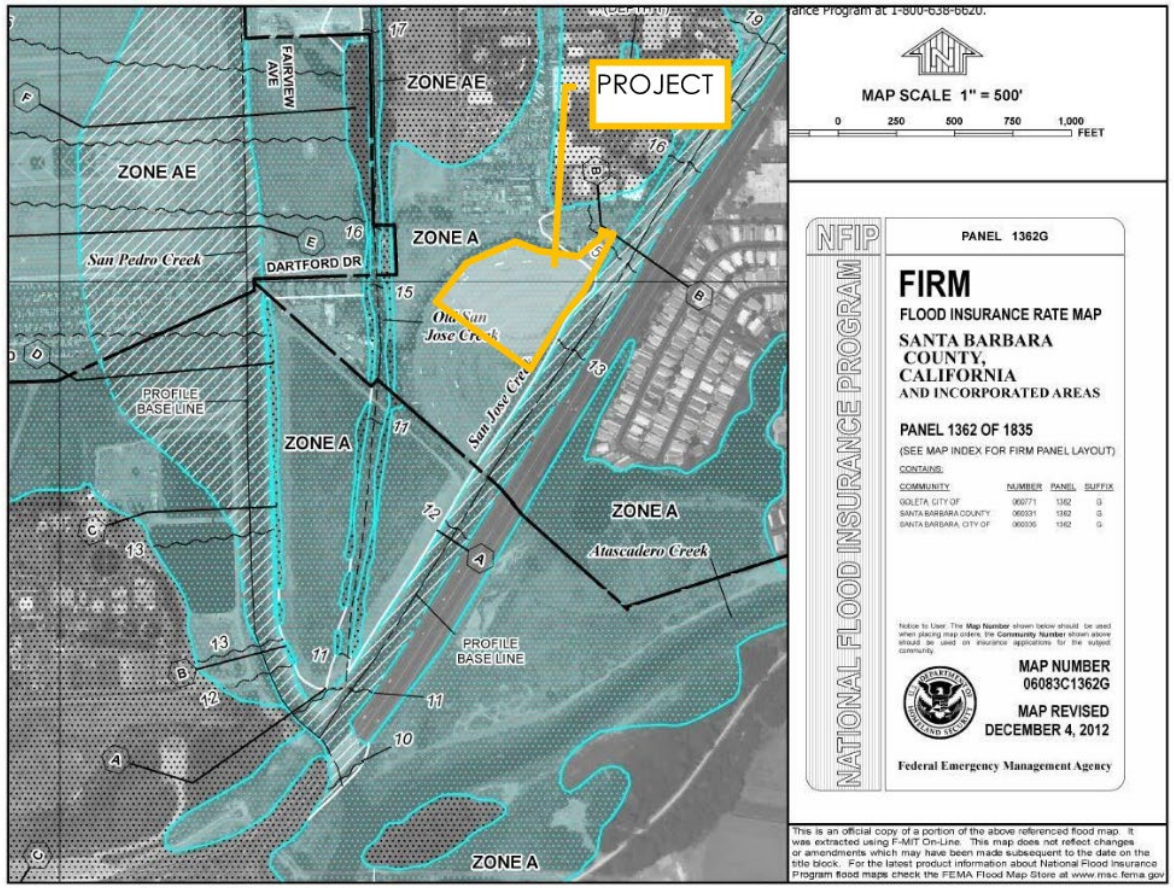
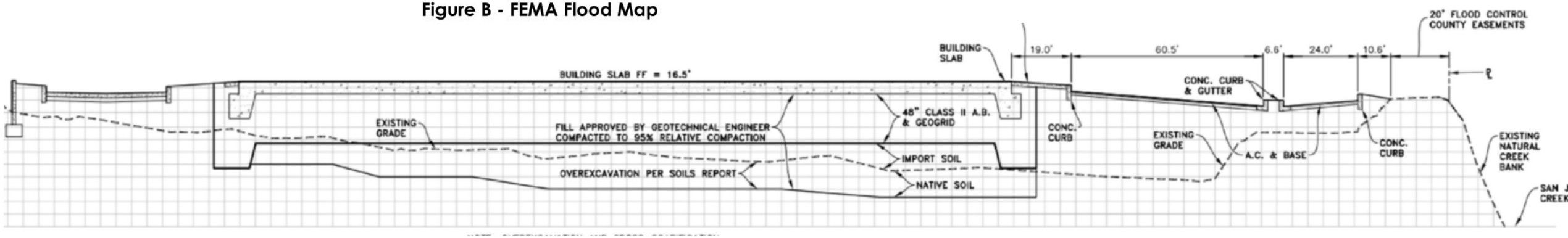
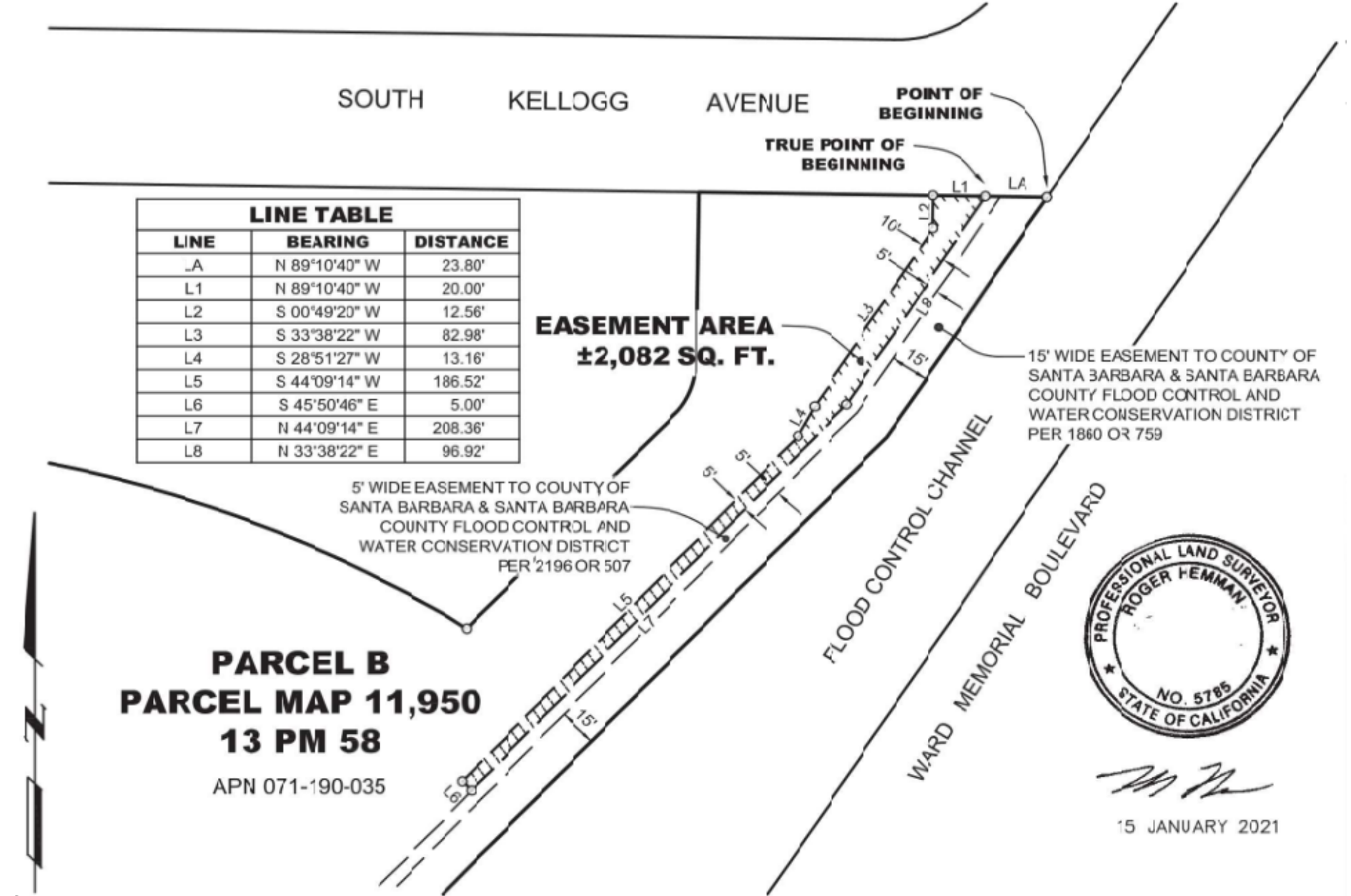


Figure B - FEMA Flood Map

Development Agreement

- Height
- SPA





LINE TABLE		
LINE	BEARING	DISTANCE
LA	N 89°10'40" W	23.80'
L1	N 89°10'40" W	20.00'
L2	S 00°49'20" W	12.56'
L3	S 33°38'22" W	82.98'
L4	S 28°51'27" W	13.16'
L5	S 44°09'14" W	186.52'
L6	S 45°50'46" E	5.00'
L7	N 44°09'14" E	208.36'
L8	N 33°38'22" E	96.92'

117

RDH
LAND SURVEYING & CONSULTING
2325.01 2325-EX-01.DWG (EX-E)

EXHIBIT B
Creek Access Road Graphic
15 JANUARY 2021
1 OF 1

+ Superior to the proposed project (reduced level of impact)

- Inferior to the proposed project (increased level of impact)

= Similar level of impact to the proposed project

Table 6-15 Impact Comparison of Alternatives

Issue	Proposed Project Impact Classification	Alternative 1: No Project Alternative	Alternative 2: 100-Foot Streamside Protection Area Setback	Alternative 3: Outdoor Storage
Aesthetics				
Scenic vistas	Significant and Unavoidable	No Impact (+)	Significant and Unavoidable (=)	Less Than Significant (+)
Scenic highways	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Scenic quality	Significant and Unavoidable	No Impact (+)	Significant and Unavoidable (=)	Less Than Significant (+)
Light and glare	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Air Quality				
Conflicts with an Air Quality Plan	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Cumulatively considerable increases of criteria pollutants	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Sensitive receptor exposure to pollutant concentrations	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Odors	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Biological Resources				
Effects on candidate, sensitive, or special-status species	Less Than Significant with Incorporation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5 and NOI-1	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5 and NOI-1 (=)	Less Than Significant with Incorporation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, and NOI-1 (=)
Effects on riparian habitat or sensitive natural communities	Less Than Significant with Incorporation of Mitigation Measures BIO-3, BIO-5, BIO-6, and BIO-7	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measures BIO-3, BIO-5, BIO-6, and BIO-7 (=)	Less Than Significant with Incorporation of Mitigation Measures BIO-3, BIO-5, BIO-6, and BIO-7 (=)
Effects on state- or federally-protected wetlands	Less Than Significant with Incorporation of Mitigation Measures BIO-5, BIO-6, BIO-7, and BIO-8	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measures BIO-5, BIO-6, BIO-7, and BIO-8 (=)	Less Than Significant with Incorporation of Mitigation Measures BIO-5, BIO-6, BIO-7, and BIO-8 (=)
Wildlife movement	Less Than Significant with Incorporation of Mitigation Measures BIO-1, BIO-6, BIO-7, and BIO-9	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure BIO-1, BIO-6, BIO-7, BIO-9, and NOI-1 (=)	Less Than Significant with Incorporation of Mitigation Measures BIO-1, BIO-6, BIO-7, BIO-9, and NOI-1 (=)
Conflicts with local polices protecting biological resources	Significant and Unavoidable	No Impact (+)	Less Than Significant (+)	Significant and Unavoidable (=)
Conflicts with Habitat Conservation Plans	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Cultural Resources				
Effects on historical resources	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Effects on archaeological resources	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Disturbance of human remains	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)

Issue	Proposed Project Impact Classification	Alternative 1: No Project Alternative	Alternative 2: 100-Foot Streamside Protection Area Setback	Alternative 3: Outdoor Storage
Energy				
Wasteful, inefficient, or unnecessary consumption of energy resources	Less Than Significant	No Impact (+)	Less Than Significant (-)	Less Than Significant (+)
Conflicts with a state or local plan for renewable energy or energy efficiency	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Geology and Soils				
Alquist-Priolo earthquake fault zones	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Seismic ground shaking	Less Than Significant with Incorporation of Mitigation Measure GEO-1	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)
Liquefaction and Unstable soils	Less Than Significant with Incorporation of Mitigation Measure GEO-1	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)
Landslides	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Substantial erosion and loss of topsoil	Less Than Significant with Incorporation of Mitigation Measure GEO-1	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)
Expansive soils	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Use of septic tanks or alternative wastewater disposal systems	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Destruction of paleontological resources or unique geologic features	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Greenhouse Gas Emissions				
Generation of GHG emissions	Less Than Significant	No Impact (+)	Less Than Significant (-)	Less Than Significant (+)
Conflicts with plans, policies, or regulations adopted to reduce GHG emission	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Hazards and Hazardous Materials				
Transport, use, and disposal of hazardous materials	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Upset and accident conditions involving hazardous material release	Less Than Significant with Incorporation of Mitigation Measures HAZ-1, HAZ-2, HAZ-3, HAZ-4, and HAZ-5	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measures HAZ-1, HAZ-2, HAZ-3, HAZ-4, and HAZ-5 (=)	Less Than Significant with Incorporation of Mitigation Measures HAZ-1, HAZ-2, HAZ-3, HAZ-4, and HAZ-5 (=)
Emit hazardous emissions or handle hazardous materials within 0.25-mile of a school	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Hazardous materials sites	No Impact	No Impact (+)	No Impact (=)	No Impact (=)
Airport hazards	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Impairment of or interference with emergency response plans and emergency evacuation plans	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Exposure of people or structures to risk involving wildland fires	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)

Issue	Proposed Project Impact Classification	Alternative 1: No Project Alternative	Alternative 2: 100-Foot Streamside Protection Area Setback	Alternative 3: Outdoor Storage
Hydrology and Water Quality				
Violate water quality standards, waste discharge requirements, or degrade surface or groundwater quality	Less Than Significant with Incorporation of Mitigation Measures GEO-1, BIO-3, and HAZ-3	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measures GEO-1, BIO-3, and HAZ-3 (=)	Less Than Significant with Incorporation of Mitigation Measures GEO-1, BIO-3, and HAZ-3 (=)
Decrease groundwater supplies or interfere with groundwater recharge	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Result in substantial erosion or siltation	Less Than Significant with Incorporation of Mitigation Measure GEO-1	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)
Result in on-or off-site flooding	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Exceed the capacity of stormwater drainage systems or provide substantial additional polluted runoff	Less Than Significant with Incorporation of Mitigation Measure GEO-1 and BIO-3	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure GEO-1, BIO-3, and HAZ-3 (=)	Less Than Significant with Incorporation of Mitigation Measure GEO-1, BIO-3, and HAZ-3 (=)
Impede or redirect flood flows	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Risk release of pollutants due to project inundation	Less Than Significant with Incorporation of Mitigation Measure GEO-1	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)	Less Than Significant with Incorporation of Mitigation Measure GEO-1 (=)
Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan	Less Than Significant with Incorporation of Mitigation Measures GEO-1, HAZ-3, and BIO-3	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measures GEO-1, HAZ-3, and BIO-3 (=)	Less Than Significant with Incorporation of Mitigation Measures GEO-1, HAZ-3, and BIO-3 (=)
Land Use				
Physically divide an established community	No Impact	No Impact (=)	No Impact (=)	No Impact (=)
Conflict with land use plans, policies, or regulations adopted to avoid or mitigate an environmental effect	Significant and Unavoidable	No Impact (+)	Significant and Unavoidable (=)	Significant and Unavoidable (=)
Noise				
Result in substantial temporary or permanent ambient noise increases	Less Than Significant with Incorporation of Mitigation Measure NOI-1	No Impact (+)	Less Than Significant with Incorporation of Mitigation Measure NOI-1 (-)	Less Than Significant with Incorporation of Mitigation Measure NOI-1 (+)
Generate excessive gorundborne vibration or groundborne noise levels	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Expose residents or employees to excessive airport noise	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Public Services				
Result in the need for new or physically altered fire protection facilities	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Result in the need for new or physically altered police protection facilities	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Result in the need for new or physically altered school facilities	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Result in the need for new or physically altered other public facilities	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)

Issue	Proposed Project Impact Classification	Alternative 1: No Project Alternative	Alternative 2: 100-Foot Streamside Protection Area Setback	Alternative 3: Outdoor Storage
Transportation and Circulation				
Conflict with a program, plan, ordinance, or policy addressing the circulation system	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Conflict or be inconsistent with CEQA Guidelines section 15064.3(b)	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Substantially increase hazards due to geometric design features or incompatible equipment	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Result in inadequate emergency access	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Tribal Cultural Resources				
Cause a substantial adverse change in the significance of a tribal cultural resources	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Utilities and Service Systems				
Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (=)
Have sufficient water supplies to serve the project in normal, dry, and multiple dry years	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
Be adequately served by a wastewater treatment provider	Less Than Significant	No Impact (+)	Less Than Significant (=)	Less Than Significant (+)
General solid waste in excess of State or local standards or of the capacity of local infrastructure and Comply with federal, state, and local management and reduction statutes and regulations related to solid waste	Significant and Unavoidable	No Impact (+)	Significant and Unavoidable (=)	Significant and Unavoidable (=)

+ Superior to the proposed project (reduced level of impact)
- Inferior to the proposed project (increased level of impact)
= Similar level of impact to the proposed project

Distance:

Proposed project further from 217 from existing structures

Not pictured: Winslowe ~142’

Comparable Height and Setback Attributes			
Property / Address	**Building Height**	**Setback Distance (approx)**	**Adjacent Roadway**
SyWest Development Proposal (Subject) 907 S Kellogg Avenue	35'	255 ft	Ward Memorial (Hwy 217)
Residence Inn - Goleta 6350 Hollister Road	36 ft	155 ft	Hollister Avenue
Winslowe / Old Town Mixed Use Project 5668 Surfrider Way	40 ft	142 ft	Ward Memorial (Hwy 217)
Calle Real Hotel 5955 Calle Real	35 ft	130 ft	N. Fairview Avenue offramp
Marriott Courtyard - Goleta 401 Storke Road	3 Story	79 ft	Storke Road
Cabrillo Business Park - Decker 6693 Hollister Road	30 ft	79 ft	Hollister Avenue
Direct Relief (City of Santa Barbara) 6100 Wallace Becknell Road	45 ft	59 ft 398 ft	Frederick Lopez Road Hollister Avenue
Kellogg Crossing / Schwan Self-Storage 10 South Kellogg Avenue	35 ft	50 ft	Hwy 101 / Hwy 1

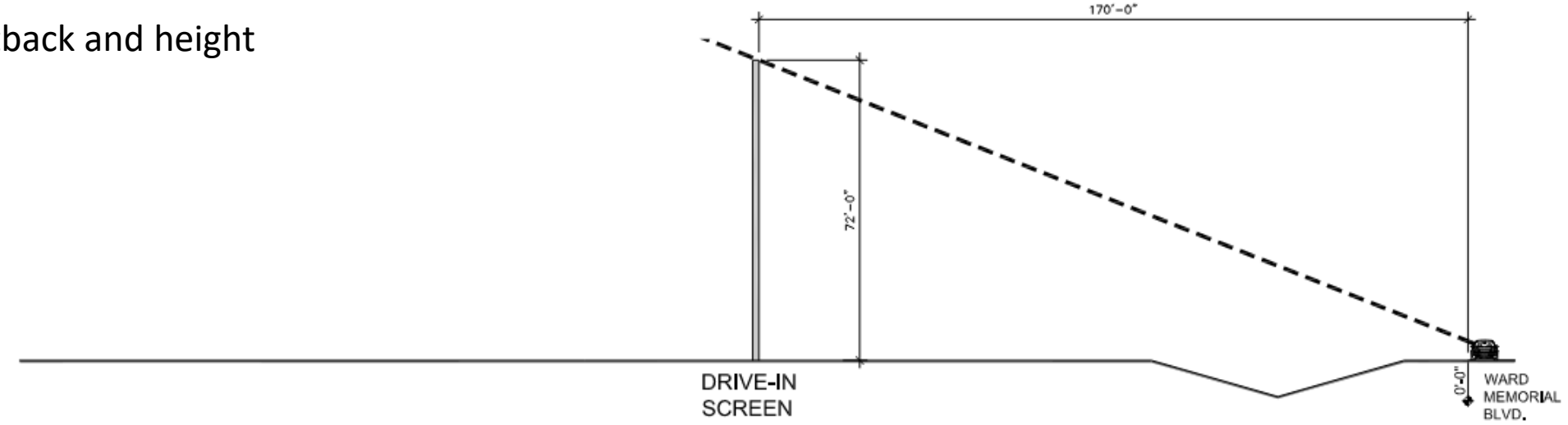
** method of measurement is from center of roadway to building, Google Maps unless otherwise noted.*

Height:

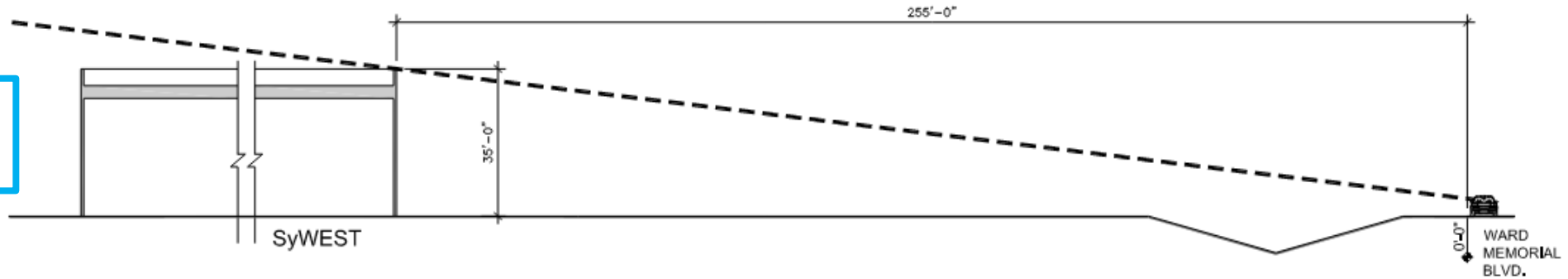
Proposed project is within range

Modeling of setback and height

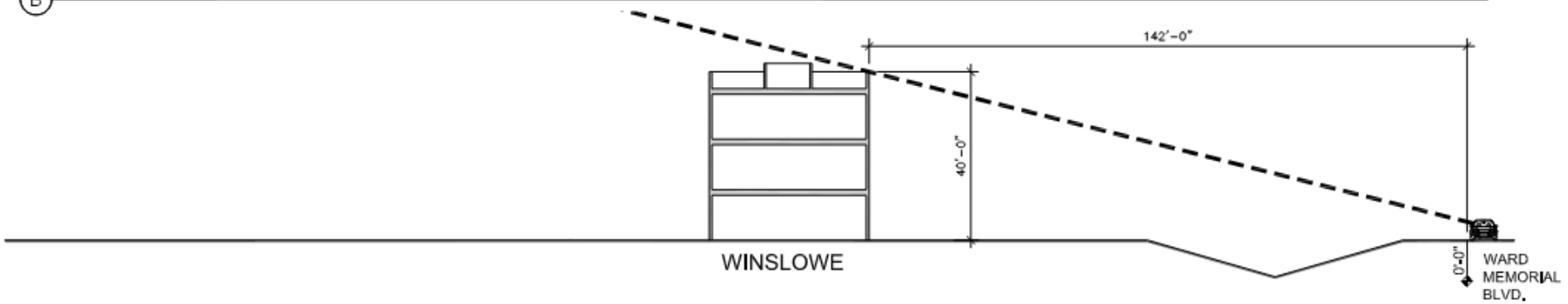
Modeled with 25’ SPA



A SITE SECTION - EXISTING DRIVE-IN SCREEN



B SITE SECTION - PROPOSED BUILDING



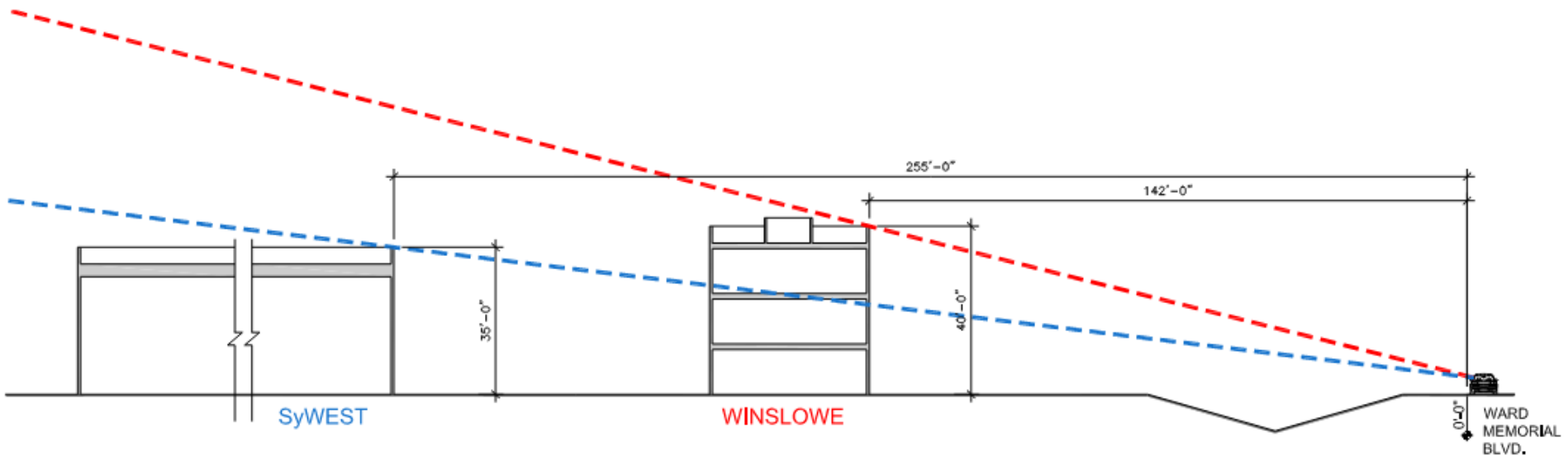
C SITE SECTION - EXISTING WINSLOWE TOWNHOUSES

GOLETA BUSINESS CENTER
907 SOUTH KELLOGG AVE., GOLETA, CA

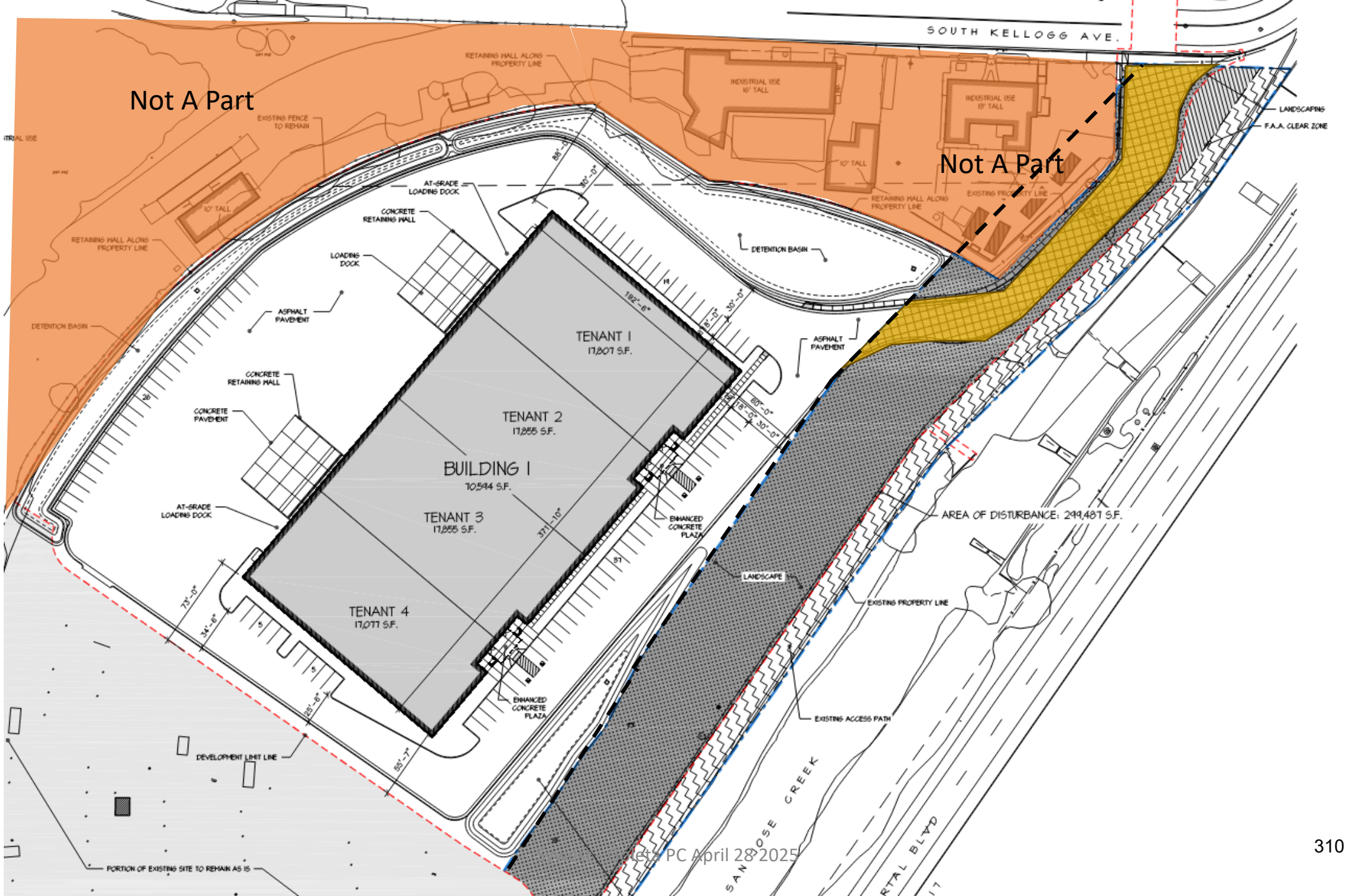
MAY 04, 2021

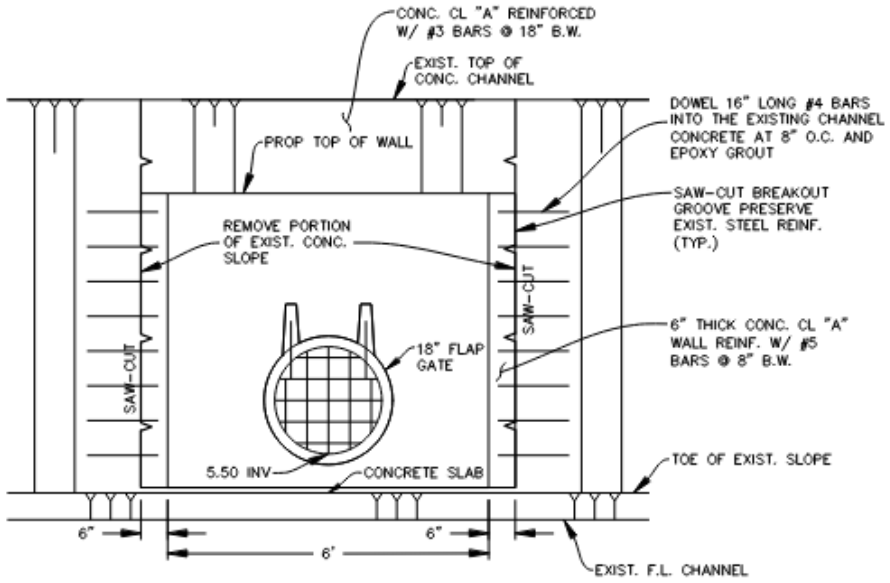
RASMUSSEN & ASSOCIATES
Architecture
Planning
Interiors

5

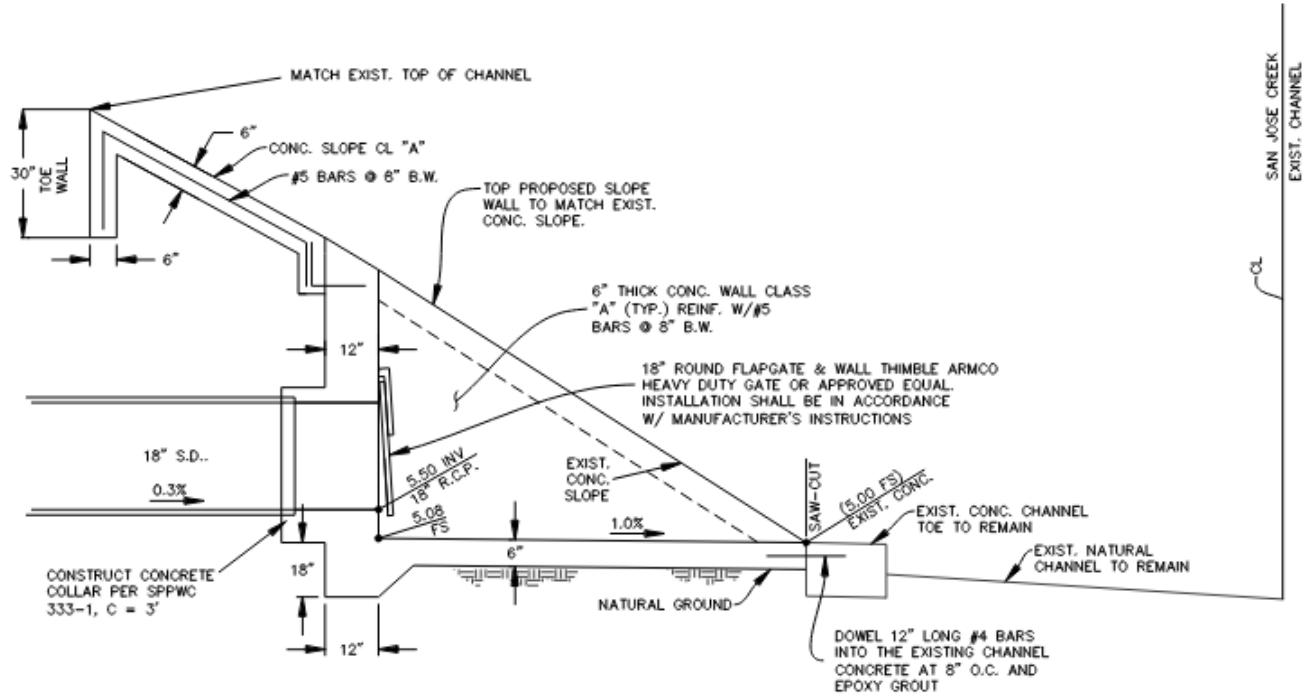


D SITE SECTION - EXISTING WINSLOWE TOWNHOUSES AND PROPOSED BUILDING


Not A Part
Not A Part
SOUTH KELLOGG AVE.
BUILDING 1
10,594 S.F.
TENANT 1
17,807 S.F.
TENANT 2
17,855 S.F.
TENANT 3
17,855 S.F.
TENANT 4
17,077 S.F.
AREA OF DISTURBANCE: 299,487 S.F.
EXISTING PROPERTY LINE
EXISTING ACCESS PATH
LANDSCAPE
LANDSCAPING
F.A.A. CLEAR ZONE
DETENTION BASIN
ASPHALT PAVEMENT
CONCRETE RETAINING WALL
CONCRETE PAVEMENT
AT-GRADE LOADING DOCK
LOADING DOCK
ENHANCED CONCRETE PLAZA
DEVELOPMENT LIMIT LINE
PORTION OF EXISTING SITE TO REMAIN AS IS
SAN JOSE CREEK



H 3 1 DRAINAGE OUTFALL ELEVATION
SCALE: NTS



I 1 2 CROSS-SECTION OF CREEK CHANNEL
SCALE: NTS

BIO-3: Tidewater Goby and Southern California Steelhead Habitat Protection

To avoid and minimize impacts to jurisdictional aquatic resources, tidewater go habitat, and Southern California steelhead critical habitat the Applicant/Permitt

A. Develop and receive approval from the Planning and Environmental Revie designee of a Toxic Materials Control and Spill Response Plan for materia used/stored on-site, such as petroleum-based products, fuel and lubrican potentially toxic materials prior to the issuance of the Zoning Clearance f construction activities whichever is permitted first. The plan shall specify and refueling of equipment and vehicles during construction shall occur c designated staging areas that are at least 100 feet from San Jose Creek ar

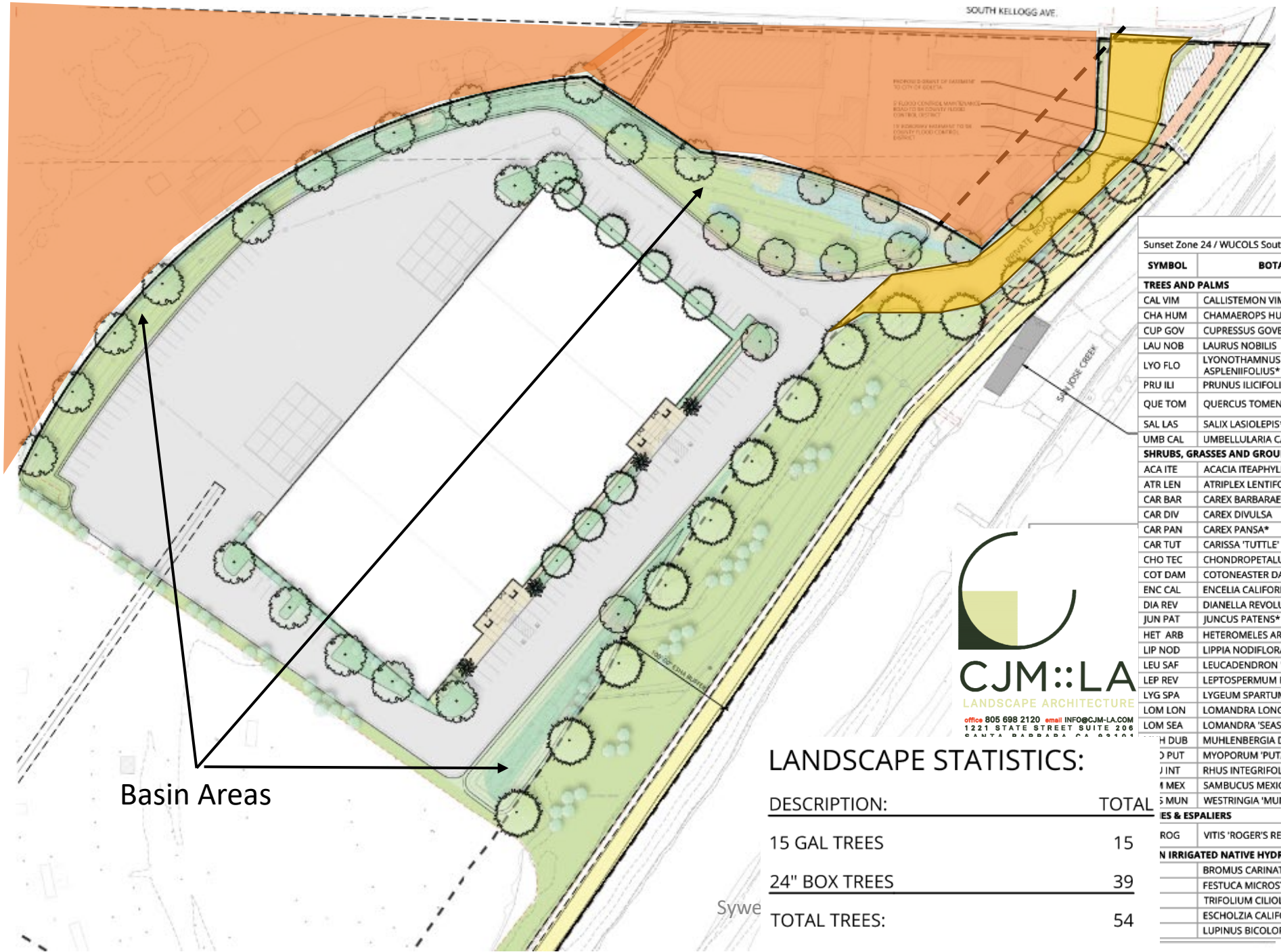
BIO-4: Preconstruction Semi-Aquatic Species Survey

Prior to the start of construction activities for the prop other construction activities occurring within 100 feet a City-approved biologist (retained by the Applicant/Pe survey for semi-aquatic species (e.g., California Red-leg development area within a 100-foot buffer from the af completed within seven days in dry conditions or withi upland amphibian migration (e.g., during or immediate high humidity). The survey shall include the developme San Jose Creek and Old San Jose Creek, and the buffer areas are more likely to harbor special-status wildlife th biologist shall submit a summary of the survey results t

BIO-5: Biological Monitor and Worker Education

A City-contracted biological monitor (funded by th status plant and wildlife species with the potential present during all work within 100 feet of San Jose construction activities to ensure compliance with a responsible for the following:

A. Ensuring that procedures for verifying compl measures are followed.



PRELIMINARY PLANT PALETTE

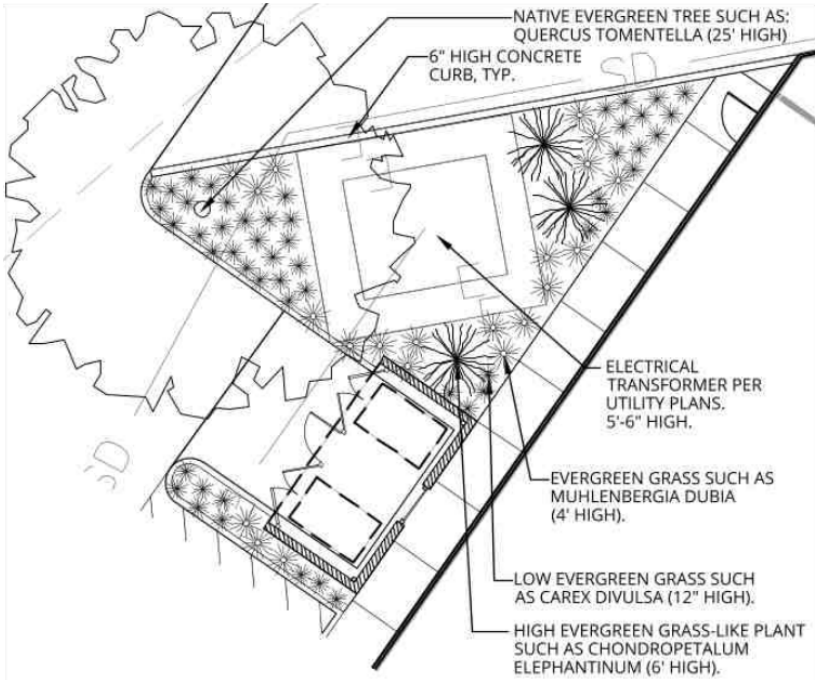
Sunset Zone 24 / WUCOLS South Coastal Region

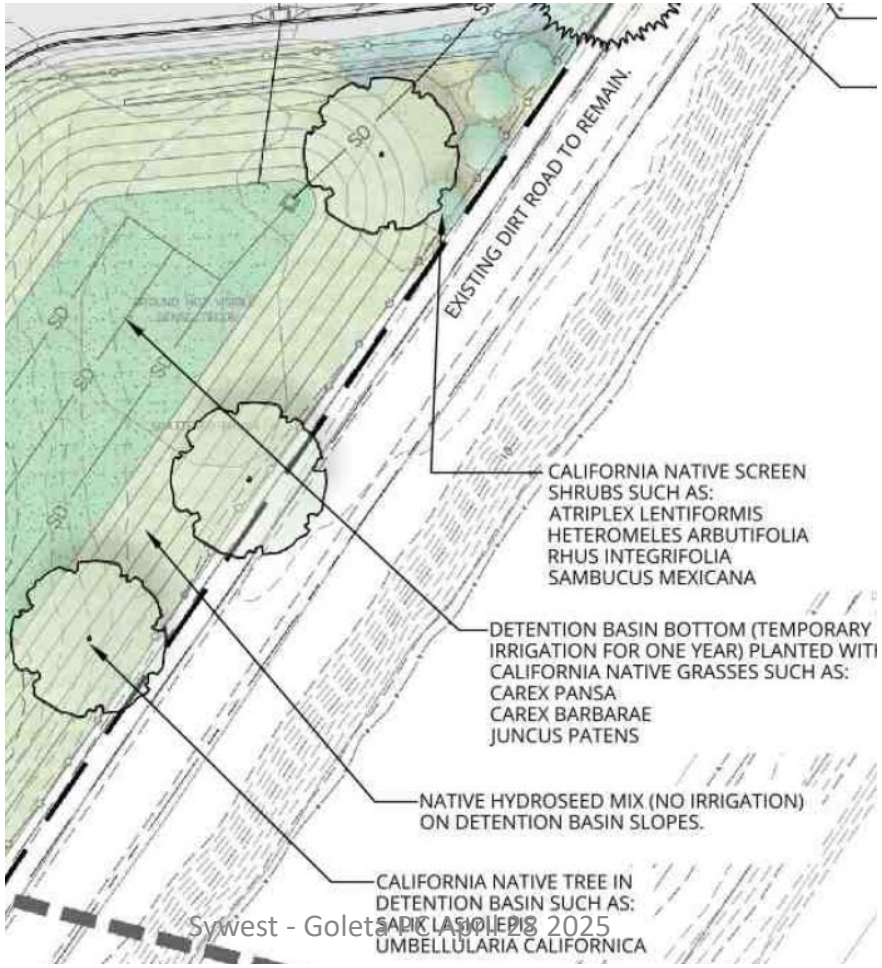
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	O.C. SPACING	WU
TREES AND PALMS					
CAL VIM	CALLISTEMON VIMINALIS	WEEPING BOTTLEBRUSH	15 GAL	STD.	L
CHA HUM	CHAMAEROPS HUMILIS VAR. ARGENTEA	BLUE ATLAS PALM	24" BOX	MULTI-TRUNK	L
CUP GOV	CUPRESSUS GOVENIANA SSP. GOVENIANA*	GOWEN CYPRESS	15 GAL		L
LAU NOB	LAURUS NOBILIS	BAY LAUREL	15 GAL	L.B.	L
LYO FLO	LYONOTHAMNUS FLORIBUNDUS SUBSP. ASPLENIIFOLIUS*	CATALINA IRONWOOD	24" BOX	STD.	L
PRU ILI	PRUNUS ILICIFOLIA SUBSP. LYONII*	CATALINA CHERRY	15 GAL	STD.	L
QUE TOM	QUERCUS TOMENTELLA*	ISLAND OAK	24" BOX	MULTI-TRUNK	L
SAL LAS	SALIX LASIOLEPIS*	ARROYO WILLOW	5 GAL		L
UMB CAL	UMBELLULARIA CALIFORNICA*	CALIFORNIA BAY	15 GAL	NATURAL	L
SHRUBS, GRASSES AND GROUNDCOVERS					
ACA ITE	ACACIA ITEAPHYLLA	WILLOW WATTLE	5 GAL	6'-0" O.C.	L
ATR LEN	ATRIPLEX LENTIFORMIS*	SALTBUSH	1 GAL.	4'-0" O.C.	VL
CAR BAR	CAREX BARBARAE*	SANTA BARBARA SEDGE	1 GAL	24" O.C.	L
CAR DIV	CAREX DIVULSA	BERKELEY SEDGE	4" POT	18" O.C.	L
CAR PAN	CAREX PANSA*	CALIFORNIA MEADOW SEDGE	4" POT	18" O.C.	L
CAR TUT	CARISSA 'TUTTLE'	NATAL PLUM	5 GAL	4'-0" O.C.	L
CHO TEC	CHONDROPETALUM ELEPHANTINUM	LARGE CAPE RUSH	5 GAL	5'-0" O.C.	L
COT DAM	COTONEASTER DAMMERI 'CORAL BEAUTY'	PROSTRATE COTONEASTER	1 GAL	4'-0" O.C.	L
ENC CAL	ENCELIA CALIFORNICA*	COAST SUNFLOWER	1 GAL	4'-0" O.C.	VL
DIA REV	DIANELLA REVOLUTA 'BABY BLISS'	BABY BLISS FLAX LILY	1 GAL	24" O.C.	L
JUN PAT	JUNCUS PATENS*	CALIFORNIA RUSH	1 GAL	2'-0" O.C.	L
HET ARB	HETEROMELES ARBUTIFOLIA*	TOYON	15 GAL	6'-0" O.C.	L
LIP NOD	LIPPIA NODIFLORA	KURAPIA	FLAT	2'-0" O.C.	L
LEU SAF	LEUCADENDRON 'SAFARI GOLDSTRIKE'	YELLOW CONEBUSH	15 GAL	6'-0" O.C.	L
LEP REV	LEPTOSPERMUM REEVESII	DWARF TEA TREE	5 GAL	3'-0" O.C.	L
LYG SPA	LYGEUM SPARTUM	ESPARTO GRASS	1 GAL	30" O.C.	L
LOM LON	LOMANDRA LONGIFOLIA 'BREEZE'	DWARF MAT RUSH	5 GAL	4'-0" O.C.	L
LOM SEA	LOMANDRA 'SEASCAPE'	SEASCAPE MAT RUSH	1 GAL	30" O.C.	L
H DUB	MUHLENBERGIA DUBIA	PINE MUHLY	1 GAL	3'-0" O.C.	L
O PUT	MYOPORUM 'PUTAH CREEK'	PROSTRATE MYOPORUM	1 GAL	5'-0" O.C.	L
I INT	RHUS INTEGRIFOLIA*	LEMONADEBERRY	5 GAL	10'-0" O.C.	VL
M MEX	SAMBUCUS MEXICANA*	ELDERBERRY	5 GAL	7'-0" O.C.	L
S MUN	WESTRINGIA 'MUNDI'	DWARF COAST ROSEMARY	5 GAL	36" O.C.	L
ES & ESPALIERS					
ROG	VITIS 'ROGER'S RED' *	ROGERS RED GRAPE	5 GAL	TRAIN ON FENCE	L
N IRRIGATED NATIVE HYDROSEED MIX					
	BROMUS CARINATUS 'CUCANMONGA'	CUCAMONGA BROME	SEED		VL
	FESTUCA MICROSTACHYS	SMALL FESCUE	SEED		VL
	TRIFOLIUM CILIOLATUM	TREE CLOVER	SEED		VL
	ESCHOLZIA CALIFORNICA	CALIFORNIA POPPY	SEED		VL
	LUPINUS BICOLOR	BICOLOR LUPINE	SEED		VL

CJM::LA
LANDSCAPE ARCHITECTURE
office 805 698 2120 email INFO@CJM-LA.COM
1221 STATE STREET SUITE 206

LANDSCAPE STATISTICS:

DESCRIPTION:	TOTAL
15 GAL TREES	15
24" BOX TREES	39
TOTAL TREES:	54





BIO-9: Landscape Chemical and Pest Management Plan

Prior to issuance of a Zoning Clearance for the building cons
shall submit a Landscape Chemical and Pest Management P
Environmental Review, or designee, for review and approva
Management Plan shall specify a prohibition of the use of p
rodenticides unless approved by the Planning and Environn
pesticides in emergency circumstances). All pesticides, herb
used at the project site shall be those designated for use ne
and are prohibited within 100 feet of San Jose and Old San
applied with techniques that avoid over-spraying and contr

BIO-6: Landscaping: Invasive Species

Non-native, invasive plant species shall n
the project. The California Invasive Plant
invasive plants (Cal-IPC 2023, or its succe
prohibit the use of non-native invasive p
conjunction with the Design Review Boar
for the building construction.

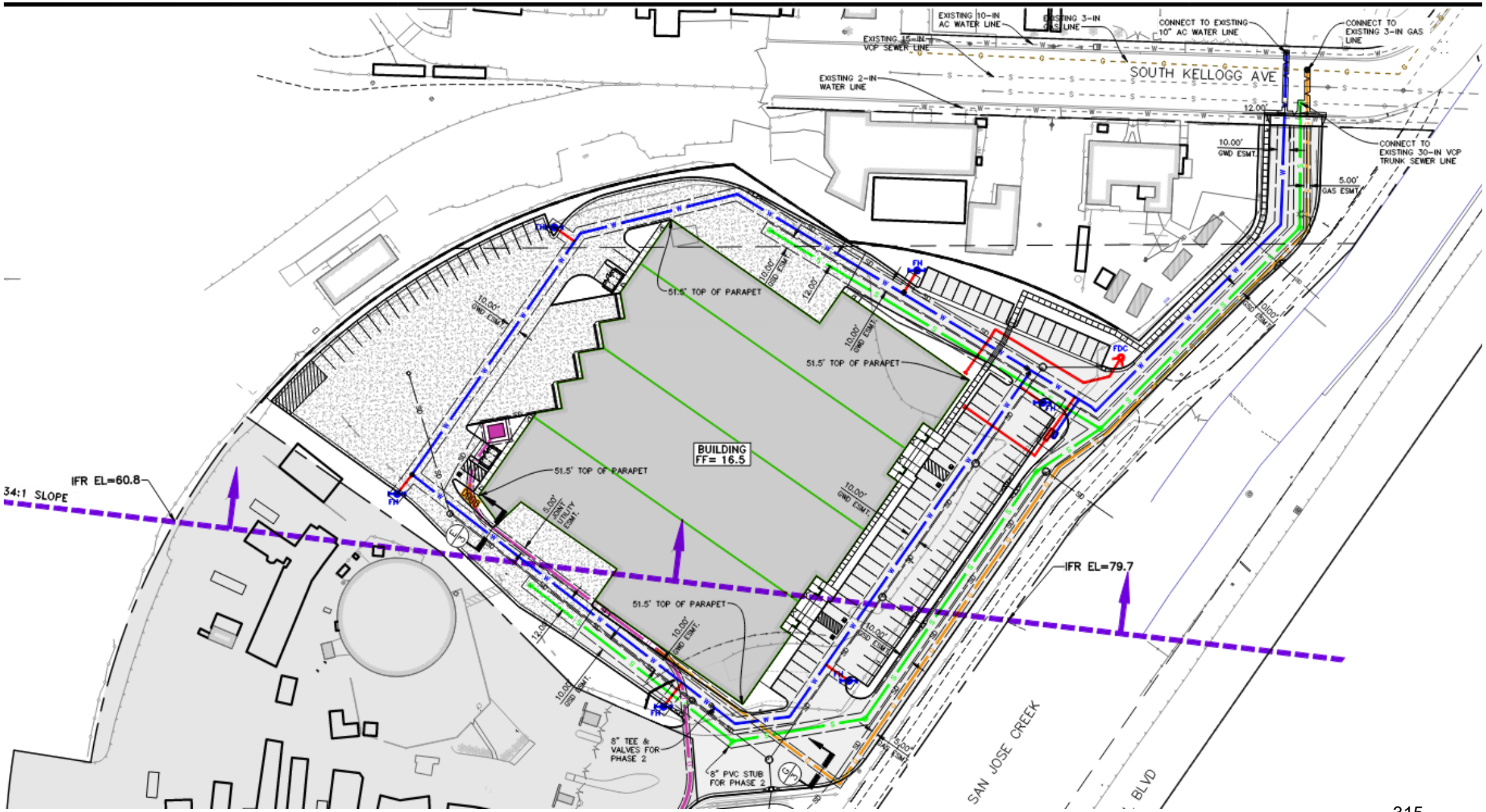
BIO-7: Invasive Species Control Plan

The City-approved biologist (retained by th
Species Control Plan for all construction eq
Creek. The Invasive Species Control Plan, w
contractor(s), shall also include, but not be
introduction of invasive weed species:

A. Imported fill material shall be obtaine
with invasive plant species.

B. Stockpile topsoil shall be redeposited
landfill for disposal in order to minim
invasive species.

Questions?


EXISTING 10-IN AC WATER LINE
EXISTING 3-IN GAS LINE
CONNECT TO EXISTING 10" AC WATER LINE
CONNECT TO EXISTING 3-IN GAS LINE
EXISTING 15-IN VCP SEWER LINE
EXISTING 2-IN WATER LINE
SOUTH KELLOGG AVE
12.00'
10.00' GND ESMT.
CONNECT TO EXISTING 30-IN VCP TRUNK SEWER LINE
5.00' GAS ESMT.
51.5' TOP OF PARAPET
BUILDING FF= 16.5
FDC
FH
IFR EL=60.8
34:1 SLOPE
IFR EL=79.7
5.00' JOINT UTILITY ESMT.
8" TEE & VALVES FOR PHASE 2
8" PVC STUB FOR PHASE 2
SAN JOSE CREEK

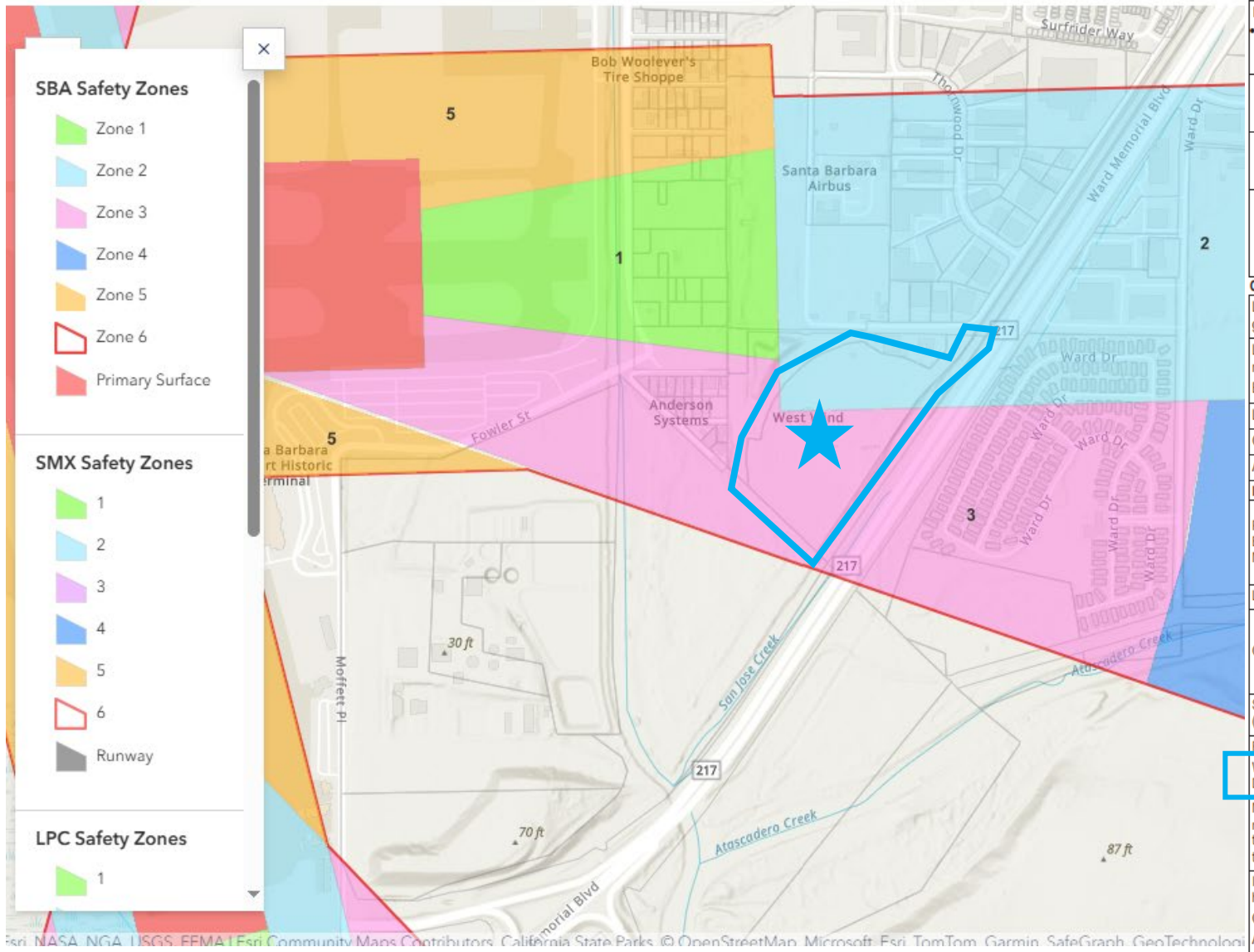
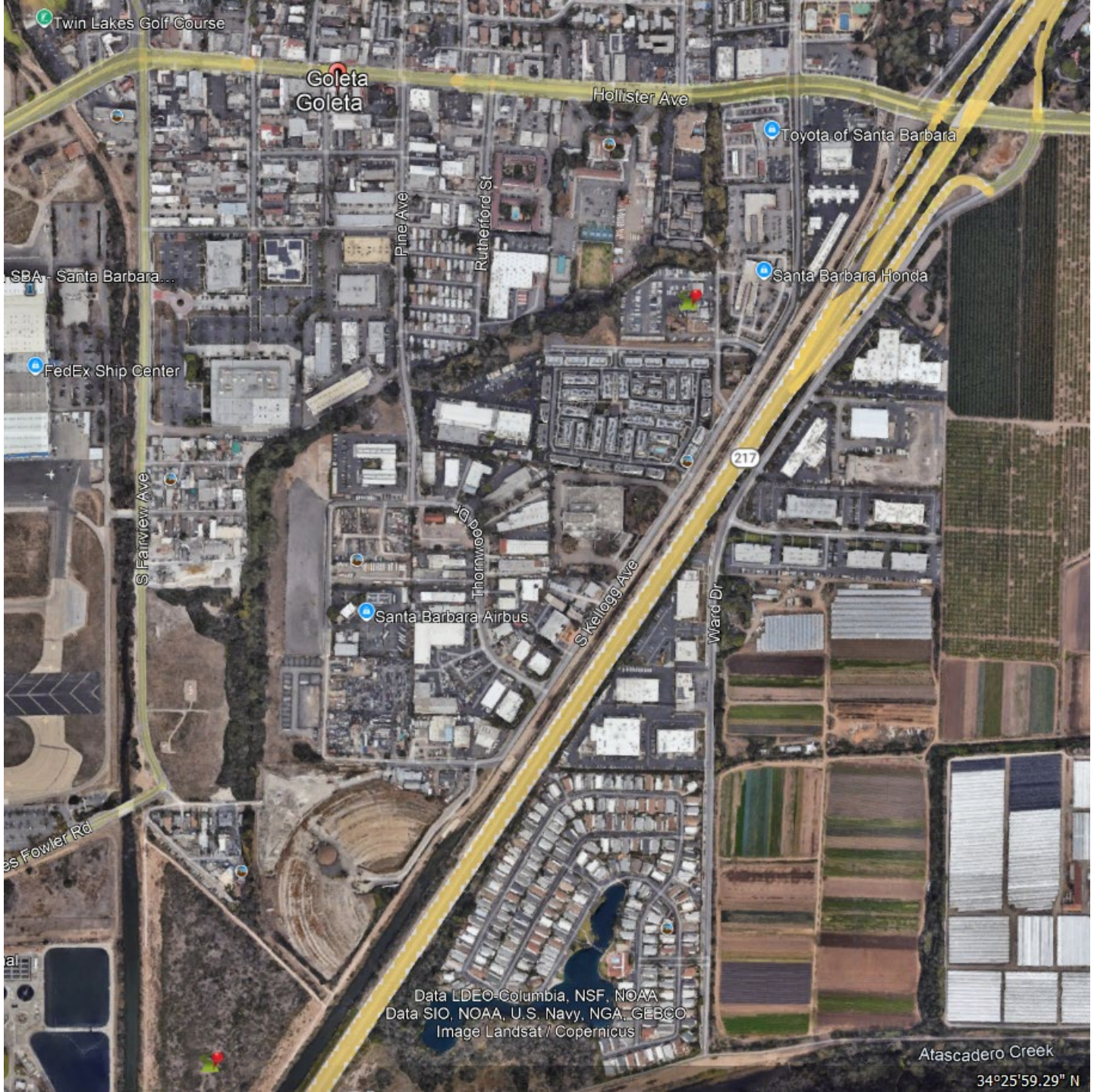
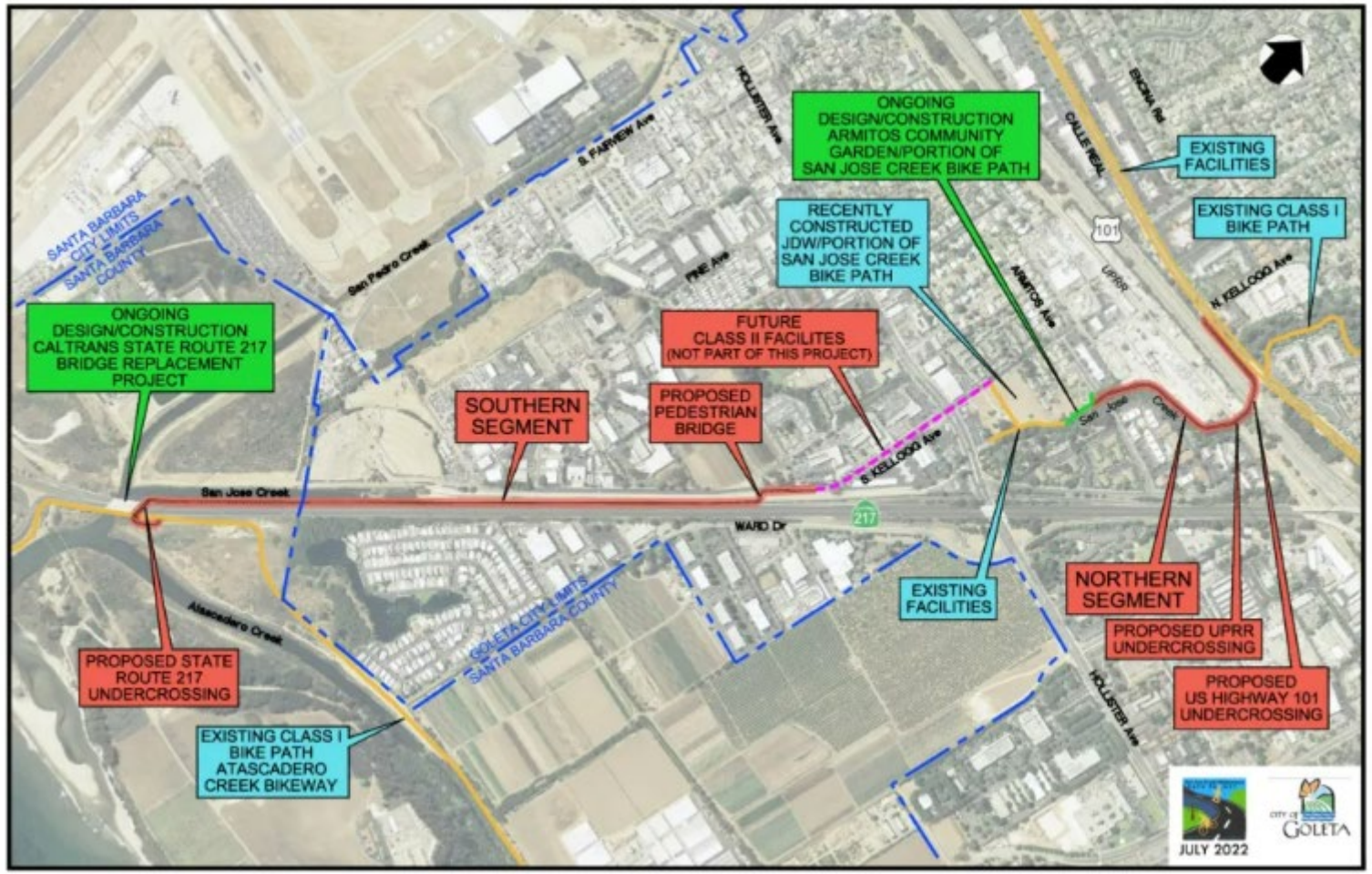


TABLE 3-2
SANTA BARBARA AIRPORT SAFETY COMPATIBILITY CRITERIA (CON'T)

Land Use Types / Typical Uses	Safety Zone 1	2	3	4	5	6	Criteria for Conditionally Compatible (Yellow) Uses
• Multiple land use categories and compatibility criteria may apply to a land use action							• Maximum Intensity and Lot Coverage limits apply to all conditionally compatible uses, unless such development would be subject to "Infill" or "Nonconforming" provisions. • Numbers below refer to zones in which additional specified conditions (i.e., those beyond the maximum intensity and lot coverage limits) are applicable. • No development may occur within a Runway Safety Area (RSA) or Object Free Area (OFA).[1]
Maximum Intensity (People/Acre – sitewide average) Nonresidential Development	0	80	150	200	150	No limit	
Intensity with Risk Reduction (People/Acre – sitewide average) Nonresidential Development [2]	n/a	120-160	210-300	300-400	210-300	No limit	
Maximum Lot Coverage (Building footprint/site size) Applicable to all Conditionally Compatible Development	0%	50%	60%	70%	70%	100%	
Office, Commercial, Service, and Lodging Uses (Con't)							
Low-Hazard Storage: mini-storage, greenhouses	I	C	C	C	C	C	
Lodging and Visitor-Services: hotels, motels, RV parks, time-shares Bed & Breakfast Establishments	I	CC	CC	CC	CC	C	2: Maximum 5 rooms
Live/Work Units	I	CC	CC	CC	CC	C	
Government Buildings	I	CC	CC	CC	I	C	
Adult-Oriented Business	I	CC	CC	CC	CC	C	
Industrial, Manufacturing, and Warehouse Uses							
Processing and Above Ground Storage of Bulk Quantities of Highly Hazardous Materials (tank capacity >60,000 gallons):	I	I	I	I	I	CC	6: Must comply with all federal, State, and local standards; permitting agencies shall evaluate need for special measures to minimize hazards if facility struck by aircraft
Limited Industrial	I	CC	C	C	C	C	
Oil and Gas Facilities	I	I	I	I	I	CC	6: Must comply with all federal, State, and local standards; permitting agencies shall evaluate need for special measures to minimize hazards if facility struck by aircraft.
Storage or Use of Hazardous Materials (flammable, explosive, corrosive, or toxic)	I	CC	CC	CC	CC	C	2, 3, 4, 5: Defer to local zoning requirements and County fire code.
Repair Services							
Wholesale Trade, Warehouse, Storage, and Distribution	I	C	C	C	C	C	
Manufacturing: custom manufacturing; heavy manufacturing; research & development and technology; cannabis manufacturing and testing	I	CC	CC	CC	CC	C	
Industrial Outdoor Storage (except hazardous uses) Construction and Material Yards Automobile Wrecking/Junk Yard	I	C	C	C	C	C	
Vehicle/Equipment Facilities	I	I	CC	CC	I	C	


Twin Lakes Golf Course
Goleta
Goleta
Hollister Ave
Toyota of Santa Barbara
Pine Ave
Rutherford St
SBA - Santa Barbara...
Santa Barbara Honda
FedEx Ship Center
217
S Fairview Ave
Thornwood Dr
S Kellogg Ave
Ward Dr
Santa Barbara Airbus
Fowler Rd
Data LDEO-Columbia, NSF, NOAA
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Image Landsat / Copernicus
Atascadero Creek
34°25'59.29" N

- Twin Screens Drive-In (1966) was found **not** eligible under all NRHP, CRHR, and City designation criteria.
- Lacks significant historical associations, architectural merit, and integrity.
- Not eligible for designation at the local level; not subject to local regulations such as the Historic reservation Ordinance and the General Plan.
- Less than significant impact on historical resources under CEQA.


ONGOING DESIGN/CONSTRUCTION ARMITOS COMMUNITY GARDEN/PORTION OF SAN JOSE CREEK BIKE PATH
EXISTING FACILITIES
RECENTLY CONSTRUCTED JDW/PORTION OF SAN JOSE CREEK BIKE PATH
EXISTING CLASS I BIKE PATH
SANTA BARBARA CITY LIMITS SANTA BARBARA COUNTY
ONGOING DESIGN/CONSTRUCTION CALTRANS STATE ROUTE 217 BRIDGE REPLACEMENT PROJECT
FUTURE CLASS II FACILITES (NOT PART OF THIS PROJECT)
SOUTHERN SEGMENT
PROPOSED PEDESTRIAN BRIDGE
EXISTING FACILITIES
NORTHERN SEGMENT
PROPOSED UPRR UNDERCROSSING
PROPOSED US HIGHWAY 101 UNDERCROSSING
PROPOSED STATE ROUTE 217 UNDERCROSSING
EXISTING CLASS I BIKE PATH ATASCADERO CREEK BIKEWAY
GOLETA CITY LIMITS SANTA BARBARA COUNTY
S FAIRVIEW Ave
HOLLISTER Ave
San Pedro Creek
PINE Ave
CALLE REAL
ENCINA Rd
ARMITOS Ave
N KELLOGG Ave
S KELLOGG Ave
San Jose Creek
WARD Dr
Atascadero Creek
JULY 2022
GOLETA