

**CONDITIONS OF APPROVAL
HOLLISTER VILLAGE APARTMENTS
DEVELOPMENT PLAN AMENDMENT
18-152-DPRV**

In addition to all applicable provisions of the Goleta Municipal Code (“GMC”), Goleta Hollister Apts, LLC and Goleta Hollister Triangle, LLC (“Applicant(s)”, “Developer(s)”, or “Permittee(s)”) agrees to the following conditions for the City’s approval of Case No. 18-152-DPRV (“Project Conditions”).

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.

AUTHORIZATION

1. This Development Plan, Case No. 18-152-DPRV, authorizes implementation of plans stamped “APPROVED”, dated January 17, 2019, and attached/subject to these Conditions of Approval set forth below, including mitigation measures and specified plan sheets and agreements included by reference, as well as all applicable City rules and regulations.

The project description is as follows:

A Development Plan Revision (DPRV) for the construction of 27 residential apartment units (14 studio, 13 one-bedroom units, which includes five affordable studio units) and modifications to allow mailboxes and trash enclosure to encroach into the front yard setback along Village Way (an internal private street/driveway) and eight parking spaces including one carport to encroach into an interior side yard setback (interior to the project between Lots 10 and new Lot 11), as set forth in attached Exhibit 9 to the Planning Commission Resolution, which is incorporated by reference.

2. All construction, improvements, implementation, and/or any other actions taken pursuant to this permit shall be in substantial conformance with the project. Any deviations from the project must be reviewed and approved by the City of Goleta (City). The City shall determine whether any deviation substantially conforms to the project. Any deviation determined to not be in substantial conformance with the project requires the Applicant/Permittee to seek additional approval, permits, or other action by the City. Any deviation from the project made without the above-described review and approval of the City is a violation of this permit.
3. Approval of the Development Plan Revision will expire five (5) years after approval, unless before the expiration, substantial physical construction has been completed on the Development Plan Revision 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 Applicant/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 no more than the 2013 rates as set forth in the Conditional Settlement Agreement and Release dated October 23, 2018.

4. This approval runs with the land. All rights and obligations of this approval, including the responsibility to comply with these Conditions of Approval, are binding upon applicant's successors in interest. These Conditions of Approval may be modified, terminated, or abandoned in accordance with applicable law including, without limitation, the GMC.
5. The City will only issue permits for development, including grading, when the construction documents (e.g., grading plans and building plans) substantially comply with the approved plans. 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 may be determined by the Director.
6. Any proposed deviations from the exhibits, project description or Project Conditions must be submitted to the Director for review and approval. Any unapproved deviations from the project approval will constitute a violation of the permit approval. The exhibits associated with this permit include the plans dated January 15, 2019 which are all incorporated by reference as if fully set forth.
7. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions shall prevail.
8. Any applicable or relevant conditions, as determined in the sole discretion of the Director, in City Council Resolution No. 12-71 apply to this Project.
9. 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 approval of the General Plan Amendment, Rezone, Development Plan Revision with modifications, and Lot Line Adjustment 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 be 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.
10. The effectiveness of this Development Plan will be suspended for the time period that any Project Condition is appealed whether administratively or as part of a legal action filed in a court of competent jurisdiction. If any Project Condition is invalidated by a court of law, the Project must be reviewed by the City and substitute conditions may be imposed to validate the Development Plan Revision.

ENVIRONMENTAL MITIGATIONS

11. The Permittee must comply with all applicable mitigation measures adopted as part of the Westar Village Mixed-Use FEIR (City Council Resolution No. 12-71) and are incorporated into these Project conditions by reference.

AGENCY REQUIREMENTS

12. The Permittee must comply with the Santa Barbara County Fire Department approved stamped plans dated October 30, 2018, attached to the end of these conditions and is incorporated herein by reference.
13. The Permittee must comply with all of the requirements of GWD to the satisfaction of the GWD, including securing water service connections before the City issues certificate of occupancy.

CITY DEPARTMENT CONDITIONS – Public Works Department

14. Prior to the Issuance of the Land Use Permit, the Permittee must:
 - a. Complete and record all appropriate documents to effectuate the project Lot Line Adjustment.
 - b. Secure approval of a Storm Water Pollution Prevention Plan (SWPPP) to control off-site discharge of sediments and non-stormwater pollutants during the construction phase from the Public Works Director or designee. The SWPPP shall be prepared in compliance with California's Construction General Permit using the CASQA SWPPP template. The SWPPP shall be developed, amended, or revised by a Qualified SWPPP Preparer (QSP).
 - c. Secure approval of a Final Drainage Study from the Public Works Director or designee. The Final Drainage Study shall incorporate appropriate Best Management Practices (BMPs) to minimize storm water impacts in accordance with the City's Storm Water Management Plan and the City's General Plan. The Study shall include but not be limited to:
 1. Existing watershed map;
 2. Using the Santa Barbara Unit Hydrograph or approved equivalent, provide Hydrologic calculations for the 2, 5, 10, 25, 50 and 100-year storm events both pre- and post-construction;
 3. Mitigate any increase in peak flow for the 2, 5, 10, 25, 50, and 100-year storm events over existing conditions; and
 4. Location of existing drainage infrastructure.
 - d. Secure approval of a Storm Water Control Plan (SWCP) to treat and control off-site discharge of stormwater following construction of the project from the Public Works Director or designee. The SWCP shall be prepared in compliance with the Central

Coast Regional Water Board's Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, Resolution No. R3-2013-0032, and shall use the Stormwater Technical Guide for Low Impact Development: Compliance with Stormwater Post-Construction Requirements in Santa Barbara County.

- e. Contract with a City-approved hauler to facilitate the recycling of all construction recoverable/recyclable materials. Further, the Applicant/Permittee must provide a copy of the Contract with the City approved hauler to the Public Works Director or designee. This requirement shall be printed on the Grading and Building plans. The project will be required to meet the minimum of 50% of the projects solid waste to be diverted from the City's landfill.
- f. Provide documentation for reciprocal access and parking easement(s) and utility easement(s), as necessary between Parcel 11 adjacent parcels within the original development.

15. Prior to the Issuance of the Building Permits, the Permittee must identify the following on the Building Plans to the satisfaction of the Public Works Director or designee:

- a. Show all existing survey monuments to be preserved and/or tied out in coordination with the County of Santa Barbara's Surveyor's Office.
- b. Provide trash/recycle area(s) that comply with Best Management Practices to ensure that organics and other materials are appropriately filtered prior to entering a public storm drain system or natural waterway.
- c. Provide trash and recycling containers that contain minimum equal volume (minimum 50% recyclables). Trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Trash hauler shall review the plans and provide the City written confirmation approving the location and accessibility of proposed trash enclosure.
- d. Provide adequate area for green waste within trash/recycle area(s) or provide statement if intent is to have a maintenance company haul off green waste. Green waste is not a part of the 50% recycle calculation stated in Condition 15 c above.

16. Any work in the public right of way requires the approval of a Public Works Encroachment Permit including hauling.

17. The Permittee must secure a Haul/Encroachment Permit for the import or export of soil or materials to or from the site from the Public Works Director or designee. The haul route exhibit shall be included with the Permit application. As determined by the Public Works Department, the haul route exhibit shall include but not be limited to:

- a. Street Names - clearly identify Public and Private Road designation.
- b. Hours of operation.
- c. Arrows for path of travel.

- d. Clearly identify, if within City Limits, destination of export material. If export material is transferred beyond City Limits, it is the responsibility of the Developer and/or Contractor to obtain any and all necessary permits for placement of fill material at the chosen off-site location.
18. Prior to issuance of the Haul/Encroachment Permit, the Permittee must submit to the city a date stamped video of the existing condition of the curb, gutter, sidewalk, street trees, and roadway improvements within the Public Right-of-Way adjacent to the Hollister Village site (Hollister Avenue and Glen Annie Road) as documentation of the pre-construction condition.
19. After completion of hauling activities, the Public Works Director or designee will evaluate the roadways and associated street improvements impacted by the hauling for damage. The Permittee will be required to repair damage caused by the hauling activities, excluding reasonable wear and tear, prior to the issuance of the first certificate of occupancy.
20. Prior to Issuance of the first Certificate of Occupancy, the Permittee must:
- a. Secure approval of a Post-Waste Reduction and Recycling Report (Post-WRRR) from the Public Works Director or designee. The Post-WRRR shall be prepared in accordance with the City of Goleta's Construction and Demolition Debris Recycling Program Waste Reduction and Recycling Guidance Document, and shall substantiate how a 50% 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.
 - b. Secure approval of a Stormwater and Drainage Operations and Maintenance Plan from the Public Works Director or designee. The Stormwater and Drainage Operations and Maintenance Plan shall:
 - 1. Identify all stormwater control measures incorporated into the project's design, including, but not limited to vegetated swales, permeable pavers, permeable pavement, bioretention facilities, detention basins, retention basins, in-line inlet filters, and catch basin filters.
 - 2. Identify staff/contractor responsible for maintenance of these facilities.
 - 3. Document how staff/contractor will be trained in maintenance procedures.
 - 4. Require inspections and maintenance in advance of the first rain of the year (typically by October 30). Annual maintenance reports may be required to be submitted to the City for a period of up to 5 years. Annual maintenance reports may be required to be retained on site and made available to City staff upon request after the 5-year period.
 - 5. Provide an estimated budget to cover the cost of two years of operations and maintenance of all stormwater control measures incorporated into the Project.

- c. Secure approval from the Public Works Director or designee, a Post-Construction Integrated Solid Waste Management Plan. The Post-Construction Integrated Solid Waste Management Plan shall be prepared in accordance with the City of Goleta's Post-Construction Solid Waste Management and Recycling Plan Guidance Document, and at a minimum, include the following:
 - 1. Waste Generation and Characterization Element;
 - 2. Solid Waste Reduction Element;
 - 3. Solid Waste Reuse Element;
 - 4. Solid Waste Recycling Element;
 - 5. Organics Management and Recycling Element;
 - 6. Hazardous Materials Handling and Disposal Element;
 - 7. Employee Training Element;
 - 8. Tenant/Customer Outreach Plan Element;
 - 9. Integrated Pest Management Element;
 - 10. Environmentally Preferable Purchasing Policy Element; and
 - 11. Solid Waste Enclosure Maintenance Plan.
- d. All existing survey monuments that were preserved and/or tied out shall be reset in coordination with the County of Santa Barbara's Surveyor's Office.
- e. Repair any damaged public improvements (curbs, gutters, sidewalks, pavement surfaces, striping, markings etc.) caused by construction operations. The adequacy of the repairs will be determined at the reasonable discretion of the Public Works Director or designee.

21. Ongoing Maintenance. After installation of any drainage improvements or erosion control measures, the applicant shall be responsible for on-going maintenance of all improvements in accordance with the manufacturer's specifications and the approved Operation and Maintenance Plan.

CITY DEPARTMENT CONDITIONS – Planning and Environmental Review Department

22. The following standards/requirements are general/on-going and must be complied with by the Permittee and/or successors in interest:
- a. The Permittee is responsible for ascertaining and paying all the City Development Impact Fees (DIFs) including, without limitation, fire facility fees, library fees, park and recreation fees, 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) must also be paid in accordance with the requirements of those entities. Applicant takes notice pursuant to Government Code § 66020(d) that City is imposing DIFs upon the Project in accordance with the Mitigation Fee Act (Government Code § 66000 et seq.). Applicant is informed that it may protest DIFs in accordance with Government Code § 66020.

The Permittee must pay all applicable DIFs and other contributions in full no later than at the time specified in the below chart. The amount of the actual fee may be different than that listed below, as the Permittee must pay fees no more than the rate as set forth in the Conditional Settlement Agreement and Release (Goleta Hollister Triangle Development) dated October 23, 2018. At the Permittee's discretion, the Permittee may choose to pay the below listed fees at any time, but no later than the time frame specified.

Fee	Rate	Estimated Fee	Due	Agency/ Department
Fire Facility (27 units)	<u>\$607/Unit</u>	<u>\$16,389</u>	CO	City
Library (27 units)	<u>\$327/Unit</u>	<u>\$8,829</u>	CO	City
Park and Recreation (27 units)	<u>\$7,176/Unit</u>	<u>\$193,752</u>	CO	City
Police (27 units)	<u>\$371/Unit</u>	<u>\$10,017</u>	CO	City
Public Admin. (27 units)	<u>\$1,452/Unit</u>	<u>\$39,204</u>	CO	City
*Transportation (15 Peak Trips per Project Traffic Study)	<u>\$15,522 Peak Hour Trip</u>	<u>\$232 830</u>	CO	City
School Fees	Set by School Districts	---	BP	Goleta Unified School Districts
Estimated Total to City	---	<u>\$501,021</u>	---	----

CO – Certificate of Occupancy/ Final Inspection

BP – Building Permit

Fee Rates from City of Goleta Agreement No. 2015-110

**Or the Transportation and Bike/Pedestrian fees as adopted in Council Resolution 19-04*

- b. Applicant must reimburse the City for all attorneys' fees expended by the City that are directly related to the processing of this Project. The City will not issue a Certificate of Occupancy or other final occupancy approval until all reasonable attorneys' fees are paid by the applicant.

- c. Any modifications to the approved plans including, without limitation, site plan, floor plans, elevations, landscaping, colors and materials, cannot be implemented without the Director's approval.
- d. 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 Director. Both the grading and the building plans must identify the portion of the project site with archaeological sensitivity that cannot be used as parking/storage of construction workers vehicles, construction equipment, stockpiling, or construction material storage, etc., to the satisfaction of the Planning and Environmental Review Director or designee.
- e. Permittee must execute a landscape installation and maintenance agreement in a form approved by the City Attorney, including a 5-year maintenance period. The agreement must be secured with a performance bond or other surety approved by the City Attorney.
- f. All plans submitted for a permit (e.g., grading, building permit) must include all applicable conditions of project approval.
- g. Before the start of any work on-site, the Permittee must conduct a pre-construction meeting to review project conditions for compliance. This includes, without limitation, the Permittee, construction team and City representatives from the Planning and Environmental Review, Public Works and Building Departments.
- h. All work within the public right-of-way including, without limitation, utilities and grading, must be explicitly identified 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.
- i. 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 35-281 Article III of the City's Inland Zoning Ordinance.
- j. 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.
- k. 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 shown at the sole

discretion of the Director. 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.

23. Prior to the issuance of the Land Use Permit and building permits, the Permittee must:

- a. Secure approval, execute, and record an Agreement to Provide Affordable Housing and Restrictive Covenant for the provision of five (5) rental income restricted apartment units. The costs associated with the review of the Agreement will be at the Permittee's sole expense and the Agreement must be approved by the City Manager and the City Attorney. Income eligibility of prospective renters shall be determined by the Permittee, provided that the Permittee shall provide a list of qualified households, tenant income certifications, the tenants' intent to Reside Statements, and other applicable qualification documentation to the City of Goleta or its designee annually. The Agreement at a minimum must:
 1. Specify that the five (5) studio affordable units to be provided on site must be income restricted and rented at an affordable rent in accordance with this Condition for 30 years;
 2. Specify that the units will be occupied by tenants whose household's annual gross income is at least 50% and does not exceed 80% of the Area Median Income, as adjusted by household size in the California Housing and Community Development Department's annual publication of Area Median Income;
 3. Specify that the rent charged to the tenants shall be an "affordable rent" including a reasonable utility allowance (gas, electricity, water, sewer, garbage, recycling, green waste) pursuant to California Health and Safety Code Section 50053(b)(3). The rent for tenants shall not exceed the product of 30 percent times 60 percent of the Area Median Income adjusted for household size appropriate for the unit. In addition, for those households with gross incomes that exceed 60 percent of the Area Median Income adjusted for household size, the rent shall be established at a level not to exceed 30 percent of gross income of the household. The annual rent established pursuant to the above stated calculation shall then be divided by 12, less the utility allowance. The rental rate shall be adjusted yearly pursuant to changes in the State Income Limits;
 4. Specify that tenants must execute an Intent to Reside Statement ("IRS"). The IRS shall include but is not limited to representation and warranties that the tenant meets the above described income restrictions, shall use the property as the tenant's primary residence, shall not sublet the unit at any time including as a short-term rental property, and tenant shall cooperate with Permittee and City in determining tenant's income annually;
 5. Specify that if the Permittee shall fail to observe or perform any covenant or condition in the Agreement and if such noncompliance is not corrected after applicable notice and cure periods have been completed, such noncompliance shall be considered an event of default and, notwithstanding any other remedy at law, the City of Goleta shall be entitled to bring an action at law or in equity to abate, prevent or enjoin any such violation or attempted violation, or to compel specific performance by the Permittee of its obligations. In the event (a) the City brings an action at law or in equity against Permittee for any Permittee violation

- of a covenant or condition in the Agreement with respect to any restricted unit, and (b) a court of competent jurisdiction determines a violation has in fact occurred under the Agreement, then the term of the Agreement shall be tolled during any period of violation upheld by such court solely with respect to such unit; and
6. Specify that Permittee and subsequent owners shall ensure that no ineligible tenant will reside in a restricted unit; provided that an income qualified resident shall continue to be deemed qualified notwithstanding an increase in such tenant's income during the term of the resident's tenancy until the next income certification. In the event a returning tenant that was previously income qualified does not re-qualify at the next income certification, within 90 days of the income certification, Permittee must either (1) reclassify that studio unit and designate another studio unit to be a restricted unit subject to this condition or (2) terminate the lease with the tenant that no longer qualifies to live in the unit and place another income qualified tenant into that unit.
- b. Secure Design Review Board (DRB) Design Review Approval of site plan, architecture, landscaping, and lighting.
- c. Secure approval of a composite utility plan from the Director 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.
- d. Screening may include a combination of landscaping and/or fencing/walls. All meters 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 match existing previous installations at the project unless otherwise approved by the Director and the Public Works Director, or designee, and then completely screened from view.
- e. Secure DRB approval of the design and location of all trash/recycling enclosures. The design must be 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 by the trash hauler. 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.
- f. 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 as of October 2012, the California Green Building Code and the CALGreen+ requirements.

- g. 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, the Permittee must obtain written clearance for each development phase from all Departments/Agencies having conditions or project approval. Such clearance, processed as a post-discretionary Land Use Permit, must indicate that the Permittee has satisfied all pre-construction conditions.
- h. Secure approval of landscaping and irrigation plans from the DRB.
 - 1. The landscaping plan must meet the following:
 - a. Screen ground level mechanical equipment, refuse collectors, storage tanks, generators, pool equipment, and other similar facilities with dense landscaping and/or walls. Materials and finishes must be compatible with the overall design of the project and ancillary buildings.
 - b. Use low profile plants around residential unit patios, windows, doors and entryways so as not to limit visibility or provide climbing access. Dense bushes cannot be clumped together in a manner that provides easy concealment.
 - 2. The irrigation plan must:
 - a. Use reclaimed water to irrigate landscaped areas if feasible. To that end, dual water connections must be installed to allow for landscaping to be irrigated by reclaimed water, if feasible.
 - b. 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).
 - c. 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.
- i. Secure approval of an exterior lighting plan and photometric light study plan from the DRB. The lighting plan must:
 - 1. Minimize off-site glare.
 - 2. Use lighting devices that are enclosed and protected by weather and vandal resistant covers.
 - 3. Illuminate all interior and/or exterior corridors, passageways, pedestrian walkways, and open parking lots at all times with a minimum maintained one foot-candle of light on the walking surface.
 - 4. Illuminate stairways with a minimum maintained one foot-candle of light on all landings and stair treads at all times.
 - 5. Illuminate any/all recessed areas of buildings/fences, which have the capability of human concealment, with a minimum maintained 0.25 foot-candles of light at the

ground level during the hours of darkness. This requirement applies to defined recessed areas which are within six feet of the edge of a designated walking surface with an unobstructed pathway to it, not hindered by walls or hedge row landscaping that has a minimum of two feet in height.

6. Illuminate street addresses, open parking lot areas, and trash dumpsters 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 6 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.
 7. Illuminate all exterior doors with a minimum maintained one foot-candle of light measures within a five-foot radius on each side of the door at ground level during hours of darkness. The light source must be controlled by a photocell device or a time-clock with an astronomic clock feature and capable of operating during a power outage.
 - j. Design the buildings to comply with all GMC standards and mitigation measures for the attenuation of interior noise as required before October 2012 to the satisfaction of the Director.
 - k. Secure the construction site with a minimum 6-foot high fence. The fence must be covered with a material approved by the Director to minimize dust from leaving the site.
 - l. Enter into an agreement, in a form approved by the City Attorney, with the City to pay Compliance Review fees to cover full costs of compliance monitoring.
24. During grading and construction activities, the Permittee, to the satisfaction of the Director, must:
- a. Prevent construction and/or employee trash from blowing offsite by:
 1. Providing covered receptacles on-site before commencement of any grading or construction activities;
 2. Picking up waste weekly or more frequently as directed by the City; and
 3. Designating and providing to the Director the name and contact information of the project foreman who will monitor construction trash/waste. Additional covered receptacles must be provided as determine necessary by the 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 be covered or maintain two feet of freeboard.

- d. Reduce NO_x 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 Santa Barbara County Air Pollution Control District (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, or designee. All other routes are prohibited.
- h. Configure construction parking to minimize traffic interference to the satisfaction of Public Works Director, or designee.
- 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, or designee.
- 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.

25. Prior to the issuance of the final Certificate of Occupancy, the Permittee must:

- a. Install all required trash enclosures in accordance with approved plans.
- b. Screen all mechanical equipment in accordance with approved plans.
- c. Install all landscaping and irrigation in accordance with approved plans.
- d. 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.

- e. Remove temporary construction driveway.
- f. Secure final clearance from all applicable Agencies/City Departments as needed.
- g. Pay any outstanding Development Impact Fees.

By signing this document, Jud Dutrisac, on behalf of Goleta Hollister Apts, LLC and Goleta Hollister Triangle, LLC, certifies that he read, understands, and agrees to the Project Conditions listed in this document.

Jud Dutrisac,
Goleta Hollister Apts, LLC
Goleta Hollister Triangle, LLC

Date