ATTACHMENT B: CONDITIONS OF APPROVAL

SANTA BARBARA COUNTY CONDITIONAL USE PERMIT

ARTICLE IV, CHAPTER 35-Montecito Land Use and Development Code

CASE NO. 14RVP-00000-00091

WESTMONT COLLEGE MASTER PLAN REVISION

I. A Conditional Use Permit is Hereby Granted:

TO: Westmont College

APN: 013-050-018, 013-060-004, -005,-006, 013-080-004, -005, -007, 013-090-004, -041

PROJECT ADDRESS: 955 La Paz Road

ZONE: 1-E-1, 2-E-1 Single Family Residential

AREA/SUPERVISORIAL DISTRICT: Montecito, First District

FOR: 1) Operation of an existing educational institution for mentally-normal persons, with a maximum enrollment of 1,235 students in a semester and a cumulative average enrollment of 1,200 students. If the cumulative average exceeds 1,200 students, average enrollment of 1,200 students or less shall be achieved in the four consecutive regular semesters immediately following the exceedance. 2) Operation of summer activities limited to an average of 600 participants per day, as averaged over the entire summer activity period for that year with not more than 1,000 persons on any single day.

II. This permit is subject to compliance with the following condition(s):

1. This Conditional Use Permit approval [90-CP-096-RV04 14RVP-00000-00091] is based upon and limited to compliance with the project description and conditions of approval. Any

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3 This derives from the Westmont College CUP Permit Compliance Program Summary, dated March 16, 1990, and revised in March 1991, which has been folded into these conditions of approval. Pursuant to condition 2 of this CUP, these conditions supersede and replace the Compliance Program.

4 Conditions of approval in this CUP have been updated to reflect the November 22, 2010 completion of construction of Phase 1 Campus Master Plan development. For historical reference, see Condition No. 2. In addition, for historical reference, condition of approval #7b of 90-CP-096 AM02 has been replaced with Condition #25. Conditions of approval #6 and #15 of 90-CP-096 AM02 have been eliminated and replaced with new conditions #18 and #20 to maintain consistency with the 2006 Campus Master Plan project and its associated buildout requirements and approval process. Condition #9 of 90-CP-096 AM02 has been modified to more accurately describe the college-owned Ocean View Apartments as off-campus housing, and restrict the number of students permitted to live off campus to 280, of which some shall reside at the Ocean View Apartments and no more than 215 shall reside elsewhere. The previous parking permit and kiosk program (Conditions #2 and #16 of 90-CP-096 AM02 and the Kiosk Plan in the Compliance Program) have been replaced by a new program which requires Westmont to cap its ADTs on Cold Spring Road, as described herein. In addition, the conditions have been reorganized into three categories: Conditions Related to College Operations, Conditions Related to 2006 Campus Master Plan Buildout, and County Standard Conditions for CUPs.
deviations from the project description or the conditions must be reviewed and approved by the Director of the Planning and Development Department for conformity with this approval. Deviations from the project description or conditions of approval may require a modification to 90-CP-96-RV01 14RVP-00000-00091 and further environmental review. The conditional language (i.e. use of the word “would”) used in this condition #1 must be interpreted as imperative (i.e. “shall”).

The project description is as follows:\(^5\)

The Westmont College Conditional Use Permit has been revised to:

a) Revise the conditions of approval to reflect lessons learned during the first phase of Master Plan construction;

b) Update the conditions of approval to reflect the completion of the first phase of the Campus Master Plan, clarify and update condition language, and correct minor errors;

c) Revise the conditions of approval to increase the amount of square footage that would be allowed to be constructed in a single phase of Campus Master Plan buildout from 60,000 square feet to 67,000 square feet; and

d) Revise the conceptual building plan for the Residence Hall approved in 2007 (as part of the “2006 Campus Master Plan”) by consolidating nine residence hall structures totaling approximately 41,668 square feet into three structures totaling approximately 45,000 square feet, to be located on the same site.

a. Include a contiguous 3.48 acre parcel (APN 013-080-004, nominally, the “Cold Spring Property”) for a total campus size of 111.24 gross acres;

b. Update and modernize the College Campus Master Plan for future campus buildings and improvements;

c. Refine the County approval process for future development under the updated 2006 Campus Master Plan;

d. Provide a Modification to the 35-foot height limit for the Chapel building, which will not exceed a height of 49 feet to meet the building’s interior volume requirements for proper voice, choir and orchestral acoustics;

e. Revise the CUP to indicate that the Ocean View Apartments are considered off-campus housing and therefore the number of students authorized to live off campus would correspondingly increase from 215 to 280 students;

f. Replace the current parking program with a cap on Westmont College Average Daily Trips (ADTs) on Cold Spring Road, described in detail below; and

\(^5\) This project description is revised to reflect the current project description for the revised project, 14RVP-00000-00091. Items a through g reference the project description for the previous CUP Revision, 90-CP-91 RV01 are removed by strikeout, but are now located in the “History” section of these Conditions of Approval.
g. Authorize development of Phase I construction consistent with the 2006 Campus Master Plan, subject to review and approval by the MBAR and Land Use Permit approval and issuance.

The Westmont College 2006 Master Plan project is that which is detailed in the 2006 Campus Master Plan Binder, attached and hereby incorporated by reference. The 2006 Campus Master Plan Binder includes specifics regarding campus development as follows:

A. Map of Parcels included within the Campus Master Plan (showing buildings and improvements existing in 2006);

B. Conceptual Architectural and Landscape Plans for buildout of the 2006 Campus Master Plan;

C. Table of Structures including square footage and number of floors for (1) existing buildings to remain; (2) existing buildings to be removed; (3) additions to existing buildings; and (4) new buildings to be built per the 2006 Campus Master Plan;

D. Campus Conceptual Parking and Circulation improvements to be built per the 2006 Campus Master Plan;

E. Phase I Construction per the 2006 Campus Master Plan;

F. Construction Phasing Provisions (ensuring minimum gaps between construction periods);

G. Design Review and Land Use Permit Process for buildings approved on the 2006 Campus Master Plan;

H. Campus Conceptual Grading Plan and Estimated Grading Quantities; and

I. Campus Lighting Program.

2006 Campus Master Plan Structural Development

Major structural elements of the 2006 Campus Master Plan include the following:

- 345,837 gross square feet (gsf) of net new development, comprising 32,450 gsf of demolition of existing buildings and 378,287 gsf of building additions and new buildings⁶;

- New academic buildings with the following approximate gross square footage – Adams Art Center (33,234 gsf), Winter Hall for Science and Math (44,276 gsf), Observatory (1,510 gsf), Humanities Buildings (64,078 gsf), Social Sciences (26,754 gsf), Whittier Addition (24,993 gsf);

- Residence hall complex of approximately 41,668 gsf, made up of a group of distinct two-story structures clustered among the oak trees on the Cold Spring Property;

- A Chapel/Auditorium of approximately 33,600 gsf;

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⁶ Of the 166,664 gsf approved for Phase I, 82,334 gsf were not constructed and will be completed in future phases. This includes an approximately -3359 sq ft variation between specific approved building square footages and what was actually constructed. Also, the 3,900 sq. ft. Bauder Hall Physics Building was destroyed in the Tea Fire. Work completed in Phase I consisted of demolition of a total of 16,185 gsf and new construction of 84,330 gsf including the Adams Center, Central Plant, Observatory, Track Storage, and Winter Hall.
• Central Plant of approximately 6,369 gsf;
• Library annex of approximately 18,724 gsf;
• Voskuyl Library addition of approximately 6,405 gsf;
• Dining Commons addition of approximately 3,507 gsf;
• Student/College Center of approximately 32,307 gsf;
• Murchison Gym addition of approximately 17,900 gsf;
• Business Services building of approximately 9,141 gsf;
• Health and Counseling Center of approximately 4,820 gsf;
• Track Storage of approximately 2,500 gsf;
• Storage Warehouse of approximately 5,000 gsf;
• Greenhouse of approximately 1,000 gsf;
• Construction of a new pedestrian footbridge over Chelham Creek near Van Kampen hall to enable better access to the proposed academic center and student center;
• Construction of a new entrance road on Cold Spring Road, approximately 800 feet south of current entrance; and
• Realigned western perimeter road west of the academic buildings and associated reorientation of the baseball field and reconstruction of the track and infield.

With the exception of one building, structures would range from 20 feet to 35 feet in height; the Chapel/Auditorium shall not exceed a maximum of 49 feet in height pursuant to the approved modification.

**Grading/Non-structural Development**

Grading associated with buildout of the Campus Master Plan would be nearly balanced on-site, with approximately 43,700 cubic yards of cut and 43,700 cubic yards of fill associated with new buildings; with the excess cut material from building excavation used to level out and expand the two existing athletic fields. The two athletic fields, Deane Field and Lovik Field, would be expanded on campus. Deane Field would expand west to the tennis courts and Lovik Field would expand to the south. Conceptual Grading Plans are included in the 2006 Campus Master Plan Binder.

**Capacity**

Student enrollment at the Montecito campus of the college would remain at existing levels, with a cap of an average of 1,200 students and maximum of 1,235 students studying at the Montecito Campus as originally approved and defined in CUP 90-CP-096. Student beds on campus would be increased to 1,050. Classroom and assembly seats would be increased to 1,648 and 5,268, respectively. Outdoor spectator seats would remain at 1,200. Parking spaces on-site would total 1,057, which includes 150 overflow spaces and 907 permanent paved, marked spaces.

**Traffic**

Westmont shall restrict average daily trips (ADTs) associated with the college on Cold Spring Road consistent with the new ADT cap program described below. The ADT cap program replaces the previous parking permit program, although parking permits will still be required for Westmont students, faculty and staff who park on campus.
A. Install permanent counters. Prior to commencement of construction for Phase 1, Westmont College shall install a permanent system approved by County Public Works for measuring daily traffic trips on Cold Spring Road (CSR) in the vicinity of the Westmont College campus for the purpose of counting motor vehicle trips. Counts shall be taken for traffic trips in both directions on Cold Spring Road at a point “above” and a point “below” the campus entrances – specifically, at “Point 1” (a point south of where the new Cold Spring Road entrance to the Westmont College campus will be) and at “Point 2” (a point on Cold Spring Road immediately above its intersection with La Paz Road). Every three months, Westmont shall confirm the functional integrity of the traffic counters and report such findings to the County.

B. Count Westmont Trips on CSR. “Westmont’s CSR Daily Trips” (Westmont’s Cold Spring Road daily trips) shall be calculated as follows: [total daily trips at Point 1] less [total daily trips at Point 2] less [10 daily trips for each residence not a part of Westmont’s CUP with a main driveway between Point 1 and Point 2]. Westmont’s CSR Daily Trips shall be averaged for each day in two annual “Periods” to obtain Westmont’s ADTs (average daily trips) in each such Period, as follows:

1. “Semester Weekdays” (Mondays through Fridays) during the Fall Semester and Spring Semester, beginning on the first class day of the Fall Semester of the academic year and ending on the last day of the Spring Semester of the academic year but excluding all weekdays occurring during Thanksgiving Break, Christmas Break and Spring Break,

2. “All Other Days,” including all Saturdays and Sundays throughout the entire year, all weekdays of the Thanksgiving Break, all weekdays of the Christmas Break, all weekdays of the Spring Break and all weekdays of the Summer Break, beginning on the first day after the end of the Spring Semester each academic year and ending on the last day of the Spring Semester the next academic year.

The “Traffic Count Year” shall refer to the year-long interval beginning on the first day after the end of the Spring Semester each year and ending on the last day of the Spring Semester of the next year. The Traffic Count Year encompasses both the “Semester Weekdays” Period and the “All Other Days” Period.

2.2 Reporting.

1. Before May 31 of each year, Westmont College shall file a report with County Planning & Development for the prior Traffic Count Year containing (a) Westmont’s CSR ADTs for Semester Weekdays, and (b) Westmont’s CSR ADTs for All Other Days.

2. At least once each month, Westmont College shall post on its website (a) the raw traffic counts at Points 1 and 2 on Cold Spring Road from which Westmont’s CSR Daily Trips are derived, and (b) Westmont’s CSR ADTs year-to-date as of the end of the prior month for Semester Weekdays and for All Other Days. In addition, Westmont shall provide such information to

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7 The calculation of Westmont’s CSR Daily Trips is based on the assumption that each residence with a main driveway between the count points that is not part of Westmont’s CUP generates typical residential daily trips [10 average daily trips]. Should circumstances change such that the average daily trips generated by these residences significantly exceed 10 (e.g., as a result of special events or other uses that change the normal residential use anticipated), then the efficacy of the trip counting method shall be revisited by Westmont, County P&D and the MPC to make any appropriate adjustments to ensure accurate counts of Westmont generated average daily trips on CSR.
Planning and Development may make a report to the MPC concerning Westmont’s CSR ADTs up to three times per year (after the end of the Summer Period, and after the end of the Fall and Spring academic semesters), or as often as may be directed by the MPC.

3. If (a) Westmont’s CSR ADTs should exceed the All Other Days ADT Limitation by more than 5% as of the end of the Summer Period (i.e., beginning on the first day of the Traffic Count Year and ending on the day before the first day of the Fall Semester), or (b) Westmont’s CSR ADTs should exceed either ADT Limitation by more than 5% through the end of the Fall Semester, then a MPC hearing shall be held at which Westmont shall report what measures it intends to take to reduce Westmont’s CSR ADTs to meet the applicable ADT Limitation before the end of the current Traffic Count Year. The MPC may require additional remedial measures be implemented by Westmont, as are reasonable and may be feasibly implemented, to reduce traffic such that the annual CSR ADTs will not exceed either ADT Limitation by the end of the then-current Traffic Count Year.

4. If Westmont’s CSR ADTs exceed either ADT Limitation during the prior Traffic Count Year, then a MPC hearing shall be scheduled at which Westmont College shall report what measures it intends to take to reduce Westmont’s CSR ADTs below the ADT Limitation in the then-current Traffic Count Year, and during which the MPC shall exercise its powers set forth in “Penalties for Exceeding ADT Limits,” below.

5. If traffic counts at Point 2 ever reach an abnormally high level (more than 2% per year accounting for reasonable growth in accordance with area trends - the 2005 count at that location was approximately 700 ADT's) indicating the potential that Westmont-generated traffic is using Mountain Drive and CSR from the north rather than the typical route from the south, then Planning and Development and the Montecito Planning Commission shall review the information and determine if any changes need to be made to the traffic condition in order to ensure traffic follows normal traffic patterns.

6. If a flaw in data collection is found, the MPC shall have the discretion to impose alternative traffic count methodologies or counting locations in order to ensure ADTs on Cold Spring Road are accurately recorded and monitored.

D. Limitations on Westmont’s ADTs on CSR. The Limitations for Westmont’s CSR ADTs are as follows:

<table>
<thead>
<tr>
<th>Type of Annual Period</th>
<th>Westmont’s CSR ADT Limitation</th>
<th>Westmont’s CSR ADT Limitation During Construction Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Semester Weekdays</td>
<td>3,418* - 2007</td>
<td>3,718*</td>
</tr>
<tr>
<td>(approx. 157 days/year)</td>
<td>3,458*1 - Beginning 2010/2011 Traffic Count Year</td>
<td>3,758*1</td>
</tr>
<tr>
<td></td>
<td>3,500*2 - Beginning 2011/2012 Traffic Count Year</td>
<td>3,800*2</td>
</tr>
<tr>
<td>All Other Days</td>
<td>2,500*</td>
<td>2,650*</td>
</tr>
<tr>
<td>(approx. 208 days/year)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* When there is construction of a Master Plan phase for only a portion of a reporting period, then the applicable ADT Limitations shall be weighted averages based on the number of days of construction and non-construction in the period.

1 This increase in ADTs shall only be authorized if Westmont College obtains occupancy clearances for
all buildings scheduled to be completed by the end of the 2010 Spring semester (i.e. Adams Center, Central Plant, and Observatory). If occupancy clearances have not been obtained, the increase in ADTs shall not be authorized until the beginning of the Traffic Count Year immediately following receipt of all applicable occupancy clearances.

2 This increase in ADTs shall only be authorized if Westmont College obtains occupancy clearances for all buildings included as part of Phase I development. If occupancy clearances have not been obtained, the increase in ADTs shall not be authorized until the beginning of the next Traffic Count Year immediately following the receipt of all occupancy clearances for Phase I.

E. Minimum Time Periods for Achieving ADT Limitations to Qualify for Approval of Zoning Clearances Land-Use Permits for Master Plan Buildout:

Westmont shall not qualify for a Zoning Clearance Land-Use Permit for construction of all or any portion of a Phase of Master Plan Buildout unless (a) Westmont’s CSR ADTs are below the applicable ADT Limitations for the two Traffic Count Years preceding approval issuance of the Zoning Clearance Land-Use Permit, or (b) the entire period of the implementation of the CSR trip counts if less than two Traffic Count Years until 10 days before the application for such Zoning Clearance Land-Use Permit.

F. Penalties for Exceeding ADT Limits.

1. If Westmont’s CSR ADTs exceed either ADT Limitation in any Traffic Count Year then the following penalties, affecting both Master Plan Buildout and College operations, shall be automatic:

   a. An additional year shall be added to the applicable Quiet Period between Construction Phases (i.e. the then-current Quiet Period if the exceedance occurs during a Quiet Period or the next Quiet Period if the exceedance occurs during a Construction Phase). This penalty shall be cumulative if there are exceedence in more than one year.

   b. Temporary institution (time frame subject to MPC’s discretion) of a Transportation Demand Management Program in addition to those programs already in effect and/or intensification of existing programs, resulting in at least 30% of the college’s employees participating in alternative transportation such as walking, biking, vanpooling, or an off-site parking and shuttling service.

2. In addition to the automatic penalties above, if Westmont’s CSR ADTs exceed either ADT Limitation twice within any two Traffic Count Years or three times within any five Traffic Count Years, then a public hearing shall be held by the Montecito Planning Commission at which the Montecito Planning Commission shall have the discretion to impose penalties including but not limited to the following:

   a. Temporary limitation (time frame subject to the MPC’s discretion) on the total number of employees and contract workers who are permitted to drive to the Westmont College campus; and/or

   b. Temporary limitation (time frame subject to the MPC’s discretion) on the number of parking permits issued for the Westmont College campus; and/or

   c. Temporary (time frame subject to the MPC’s discretion) mandatory transportation demand management program in addition to those already in effect and/or intensification of existing
programs, resulting in additional employees participating in alternative transportation such as walking, biking, vanpooling, or an off-site parking and shuttling service; and/or

d. Temporary limit (time frame subject to the MPC’s discretion) on the number of special events; and/or

e. Any other requirements that would function to limit college-generated vehicular traffic along Cold Spring Road.

The extent of such actions by the Montecito Planning Commission shall be commensurate with the extent to which the applicable ADT Limitations are exceeded during such Periods.

Special Events and Summer Activities

In accordance with the existing CUP, no more than 12 event days with more than 300 guest vehicles can be held on campus per year. The existing CUP also limits the number of participants involved in summer activities on the campus to a daily average of 600 and a daily maximum of 1,000.

Landscaping and Lighting

Landscaping associated with buildout of the 2006 Campus Master Plan would be addressed as individual buildings are reviewed and permitted. However, landscaping for Campus Master Plan buildings and improvements would incorporate six themes, including: oak woodlands, riparian woodlands, Mediterranean/Montecito estate garden, campus landscape, woodland gardens and open athletic and recreational fields. The periphery of the campus is intended to emphasize the oak woodland environment, while the existing natural and garden settings in the interior of campus are to be honored and emphasized throughout the new Campus Master Plan. New buildings would be placed at the perimeter of gardens, thus preserving them while at the same time resulting in meaningful outdoor spaces for gathering and other passive uses. Existing oaks and woodlands continue to be protected, and new trees will be planted in and about the buildings to further set them into the landscape.

Lighting associated with the project is intended to provide acceptable levels of illumination while minimizing light intrusion to, and visibility from, neighboring properties. Interior lighting standards include such things as tinted windows on buildings to minimize glare, timers and occupancy sensors for automatic shut-off in buildings, and security level lighting for evening and night hours. Exterior lighting standards include such things as the use of shielded and hooded lights to direct light downward and limiting street lighting to areas where pedestrians are present. These standards are addressed in mitigations, implemented as conditions of approval to further reduce impacts associated with light and glare. The proposed lighting plan is included in the 2006 Campus Master Plan Binder.

Construction Phasing

Buildout of the 2006 Campus Master Plan shall occur in construction phases, with minimum gaps in between the completion of one phase and the commencement of a subsequent phase as described below. (These phases are also described in the 2006 Campus Master Plan Binder.)

**Phase I.** Phase I may include construction of the relocated Cold Spring Road entrance and perimeter drive, new parking areas along the perimeter drive, re-orientation of the baseball field and track replacement, and may include the following new buildings:
Building or Improvement | Square Feet
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Winter Hall for Science and Mathematics | 44,276 (complete, 47,643 gsf constructed)
Adams Center for Visual Arts | 33,234 (complete, 31,329 gsf constructed)
Residence Hall Complex | 41,668
Chapel | 33,600
Observatory | 1,510 (complete, 1,706 gsf constructed)
Central Plant | 6,369 (complete, 2,244 gsf constructed)
Dining Commons Addition | 3,507
Track Storage Unit | 2,500 (complete, 1,408 gsf constructed)

Total Square Feet Phase I | 166,664

Subsequent construction phases following Phase I shall be subject to construction phasing provisions as detailed in the 2006 Campus Master Plan Binder, and summarized below:

1. After Phase I, the maximum building square footage which can be constructed in any Phase is a total of 60,000 67,000 square feet.

2. The commencement of construction of Phase II shall not occur until the longer of the following periods has elapsed: (a) two times the number of days between commencement and completion of construction of Phase I, or (b) five years after completion of construction of Phase I; and

3. The commencement of construction of all phases after Phase II shall not occur until the longer of the following periods has elapsed: (a) two times the number of days between commencement and completion of construction of the prior phase, or (b) two years after completion of construction of the prior phase.

4. "Commencement of construction" is defined as the date the first Grading or Demolition Permit is issued in a phase.

5. "Completion of construction" is defined as the date the last certificate of occupancy (or other indicator of completed construction) is issued for a phase.

6. A "phase" is defined as the period when any new building approved on the 2006 Campus Master Plan is being constructed subject to this provision.

Subsequent phases would consist of any combination of buildings not to exceed 60,000 67,000 gross square feet of new buildings per phase. Demolition of existing buildings would not count towards the 60,000 67,000 gross square foot limitation. Surface parking and driveways that do not require a grading permit, pedestrian sidewalks/bridges, additions to existing buildings of less than 1,000 gross square feet and/or remodeling of existing facilities, and ordinary and/or emergency repairs would not constitute a phase of construction and could be constructed during or between phases. The Deane Recreation Field expansion would be included in a specific phase of construction but would not count towards the 60,000 67,000 gross square foot limitation.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of

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8 A total of 84,330 gsf was constructed in Phase 1; with 82,334 to be carried over to be constructed in future phases.
resources shall conform to the project description above and the conditions of approval below and the attached 2006 Campus Master Plan Binder. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the conditions of approval hereto.

**CONDITIONS RELATED TO COLLEGE OPERATIONS**

**HISTORY**

2. **Conditions of 90-CP-096-RV01 14RVP-00000-00091 Supersed All Prior CUP Conditions for the Westmont College Campus and the Westmont College Compliance Program Summary.**

   In 2007, the Board of Supervisors approved a revision to the Westmont College Conditional Use Permit (90-CP-096 RV01) to:

   a. Include a contiguous 3.48 acre parcel (APN 013-080-004, nominally, the "Cold Spring Property") for a total campus size of 111.24 gross acres;

   b. Update and modernize the College Campus Master Plan for future campus buildings and improvements;

   c. Refine the County approval process for future development under the updated 2006 Campus Master Plan;

   d. Provide a Modification to the 35-foot height limit for the Chapel building, which will not exceed a height of 49-feet to meet the building's interior volume requirements for proper voice, choir and orchestral acoustics;

   e. Revise the CUP to indicate that the Ocean View Apartments are considered off-campus housing and therefore the number of students authorized to live off-campus would correspondingly increase from 215 to 280 students;

   f. Replace the current parking program with a cap on Westmont College Average Daily Trips (ADTs) on Cold Spring Road, described in detail below; and

   g. Authorize development of Phase I construction consistent with the 2006 Campus Master Plan, subject to review and approval by the MBAR and Land Use Permit approval and issuance.

   h. A 2006 Campus Master Plan Binder was approved.

   i. Adopt new Conditions of Approval in 90-CP-096 RV01, which (among other things) superseded and replaced the Westmont College Conditional Use Permit Compliance Program dated March 16, 1990 as revised in March 1991, by incorporating various programs and reporting requirements from such Compliance Program into 90-CP-096 RV01.

The Conditions of Approval contained within this Conditional Use Permit, 14RVP-00000-00091 90-CP-096 RV01, shall supersede and replace the Conditions of Approval within 90-CP-091 RV01, Westmont College Conditional Use Permit Compliance Program Summary, dated March 16, 1990, and revised in March 1991. However, as noted in specific conditions below, various programs and
reporting requirements formerly set forth in the Compliance Program are now incorporated into the Conditions of Approval of this Conditional Use Permit.

CONDITIONS RELATED TO COLLEGE OPERATIONS

3. **CUP 75-CP-62 Conditions that Remain in Effect.** This Conditional Use Permit, 90-CP-096 RV04 14RVP-00000-00091, shall supersede all prior adjustments, conditional exceptions, and Conditional Use Permits for Westmont College. The following is a list of conditions describing requirements that have been implemented and/or satisfied under 75-CP-62. Compliance with these conditions shall remain in effect:

a. Fire hydrants with steamer connections shall be installed at sites designated by the Montecito Fire Protection District. The District shall designate such installations as development stages occur. All interior roads less than 24 feet in width shall be designated “no parking”, with signs close enough for good coverage. All interior roads having a width of 24 feet or more may have a one-way parking lane. Strict enforcement of no parking areas shall be made. The road south of Reynolds Hall shall be completed as a 160-foot minimum width, all-weather, surfaced road capable of supporting a minimum of 16 tons at the time of occupancy of future residence halls.

b. Westmont College shall, during the academic school year (Fall to Spring), be responsible for providing, or causing to be provided, adequate public or private transportation service to and from a public transportation connection in a commercial area, which service shall be capable of transporting a minimum of seventy five (75) passengers per day Monday through Saturday and one hundred twenty-five (125) passengers per day on Sunday and serve the campus on a regularly-scheduled basis with a least three (3) scheduled departures and returns per day, Monday through Saturday, and four (4) per day on Sunday, if needed. In the event and during such times as public transportation service directly serves the Westmont Campus, Westmont shall be relieved of the transportation obligation hereunder to the extent satisfied by such public transportation service.

**Monitoring:** Westmont College operates a shuttle service with a regularly updated schedule for both weekdays and weekends during the school year. The number of trips per day and week and the number of passengers shall be in accordance with this condition. A Shuttle Survey Statistics Report will be completed periodically to record the number of shuttle passengers. This survey will be submitted to County Permit Compliance twice each semester.

c. Prior to issuance of a Zoning Clearance Land Use Permit, the permittee shall have implemented a brush hazard reduction plan complying with recommendations made by the United States Forest Service and the Montecito Fire Protection District. During operation, permittee shall continue to comply with said plan.

d. Existing structures housing a minimum of 32 students shall be retrofitted with 1.6 gallon per minute (gpm) toilets and faucets. To ensure compliance, receipts for these fixtures and installation shall be submitted to Permit Compliance prior to issuance of the Zoning Clearance Land Use Permit.

4. **Permitted Enrollment.** Westmont College is permitted an average enrollment of 1,200 students studying on the Montecito campus whether they reside on campus or off campus. This is the number of both resident and non-resident students who can attend Westmont with safety to themselves, without detriment to the public peace, health, safety, and general welfare, and without material adverse effect on property values in the neighborhood. Westmont College, by executing this permit, hereby indicates its acceptance and recognition that 1,200 students is the ultimate average enrollment that shall ever be permitted for the Montecito campus.
The maximum number of students attending the Westmont Campus permitted to live off-campus shall not exceed 280, of which no more than 215 students shall reside in off-campus housing other than Ocean View Apartments. Ocean View Apartments shall be counted as off-campus housing.

A cumulative average enrollment shall be calculated as of the midpoint of each regular semester beginning with the Fall Semester of 1989. If the cumulative average enrollment on the Montecito campus ever exceeds an ultimate 1,200 students, it shall be reduced to 1,200 or less within no more than the next four regular semesters. The enrollment of Westmont College on the Montecito campus shall not exceed an absolute maximum of 1,235 students in a semester. A student is anyone enrolled on the Montecito campus at Westmont College in a class for academic credit, and an employee is anyone paid a salary by Westmont for services performed on campus, other than a student.

Monitoring: Enrollment shall be calculated at the midpoint of each semester and reported to the County Permit Compliance staff within the following two weeks. Said report shall give the total number of students enrolled on campus and the number housed on and off campus. Reportable enrollment shall include all students attending studying at the Montecito campus, whether they reside on or off campus, but shall exclude 1) part-time students who are full-time employees at Westmont College, and 2) up to five part-time students over 25 years old who are residents of Santa Barbara County.

5. Restrictions on Vehicular Access. Motorized vehicular access to or from Chelham Way shall be kept permanently closed. Motorized vehicular access to or from Westmont Road shall be kept permanently closed except for emergency vehicles, residents of the Westmont Faculty Housing Project, and Westmont College faculty and staff who reside on Westmont Road or Circle Drive.

6. (a) Bus Parking Areas (FSEIR Mit. Measure N-2(c)). Bus parking areas shall be specifically designated on campus. Buses transporting groups to and from the campus shall be prohibited from idling for longer than one minute. Signs confirming this restriction shall be posted in bus parking areas.

(b) Prohibition on Use of Large Buses for Spectators at Events. With the exception of Commencement, Westmont shall not use large buses (i.e. more than 39 passengers), nor allow the widespread use of large buses by others, for shuttle service of spectators to events on the campus. This shall not prohibit the occasional use of a shuttle or large bus to transport local residents to an event on campus.

Plan Requirements and Timing: Westmont shall certify compliance with these measures as a new and separate item in their annual compliance program.

Monitoring: P&D shall check annual compliance program reports and shall respond to complaints.

6.1 N-2(a) Truck Delivery Locations. Routine truck deliveries to the Westmont campus shall be restricted to four areas on campus: the Dining Commons, the bookstore, the post office and the Physical Plant receiving area. Delivery areas shall be accessed directly from the eastern portion of the campus. Routine delivery trucks shall retrace their path through the eastern portion of the campus to exit. Routine delivery truck traffic shall not circle the internal campus roadways.

Plan Requirements and Timing: The applicant shall prepare a routine delivery truck route exhibit for distribution to contracted service vendors, for review by P&D prior to approval issuance of Zoning Clearances land-use permits. Updates shall be provided annual compliance reports.
Monitoring: P&D shall monitor and respond to complaints and shall review annual compliance reports, which shall report on this mitigation.

6.2 N-2(b) Trash Collection Program. Westmont shall continue its campus trash collection program, as indicated in their agent’s letter to the Santa Barbara County Planning and Development Department dated April 10, 2002. Any revision to the trash collection program shall be reported to P&D as part of the annual compliance program reporting. Plan Requirements and Timing: Westmont shall include compliance with this measure as a new and separate item in their annual compliance program.

Monitoring: P&D shall check annual compliance program reports and shall respond to complaints.

7. Student and Employee Parking Restrictions. No student or employee shall park a licensed motor vehicle on campus without registering such motor vehicle with the college and obtaining a campus parking permit. No parking permit shall be issued to freshman students who live on campus, with the exception of disabled students. All students shall be required to agree, as a condition of their enrollment, that, while they are physically present on Westmont College campus, they will not park a motor vehicle in the vicinity of the Westmont campus except on the campus or at their off-campus residence. The vicinity of the campus is defined as Cold Spring Road, La Paz Road, Chelham Way, Stoddard Lane, Paso Robles Lane, Westmont Road, Circle Drive, Dawlish Place, Cloydon Circle, Sycamore Canyon between Cold Spring and Westmont Roads, and Mountain Drive above the campus. The definition of “the vicinity of the campus” may be expanded by the Montecito Planning Commission after at least one public hearing if the Montecito Planning Commission finds that there is an observed pattern of Westmont students, while they are physically present on the Westmont campus, parking their vehicles on other public roads or in other public areas which are not at their off-campus residence. Prior to each Fall Semester, Westmont shall send a letter to each residence located in the vicinity of the Westmont campus to remind residents of these student and employee parking restrictions and advise residents of a 24/7 Westmont Parking Hot Line telephone number to call to report suspected parking restriction violators.

Monitoring: During the Fall and Spring Semesters, Westmont Parking Enforcement staff shall conduct tours of the campus and the vicinity at random to check for parking violations as follows:

1. Twice each weekday between 8 AM and 3 PM. These are considered peak hours, during which the majority of classes are scheduled.

2. Spot checks shall be performed between 3 PM and 1AM to break the enforcement pattern.

3. Three times each week between 1 AM and 7 AM.

Westmont parking enforcement staff shall tour every street in the vicinity of the Westmont campus at least once each semester week to check for parking violations and issue citations. Westmont shall submit a report to the County of Santa Barbara Permit Compliance staff twice each semester with the following information:

1. Summary of student parking permit violations;

2. List of the calls to the Westmont Parking Hot Line with the status and result of the investigation of each complaint;
3. Report of the number of students who received parking permit violation citations as a result of the routine tours of the vicinity of campus by Westmont parking enforcement staff; and

4. Steps identified to address any problems that arise.

Planning and Development staff shall review the reports and confirm compliance with this condition. As necessary, a MPC hearing shall be held to address any compliance issues arising under this condition.

8. Reservation shuttle service: During any semester in which enrollment exceeds 1,200 students, Westmont College shall implement a reservation shuttle service. This service shall have the following aspects:

a. Students and employees shall be able to reserve service for transportation to and from destinations in Montecito, Santa Barbara, and Goleta not served by regular shuttle routes.

b. The service shall be available to students and employees at no charge from 3:00 p.m. to 10:00 p.m. Monday through Friday.

A shuttle service reporting Plan shall be prepared by the College by the end of the second week of classes. The reporting plan shall be submitted to Planning and Development by the third week of classes. Ridership information shall be submitted to Planning and Development twice a semester.

Monitoring: Compliance staff shall review the reporting plan and shuttle transportation log books for ridership participation.


A. Install Maintain permanent counters. Prior to commencement of construction Westmont College shall maintain the permanent counters that were installed for Phase 1, Westmont College shall install a permanent system approved by County Public Works for measuring daily traffic trips on Cold Spring Road (CSR) in the vicinity of the Westmont College campus for the purpose of counting motor vehicle trips. Counts shall be taken for traffic trips in both directions on Cold Spring Road at a point “above” and a point “below” the campus entrances – specifically, at “Point 1” (a point south of where the new Cold Spring Road entrance to the Westmont College campus will be) and at “Point 2” (a point on Cold Spring Road immediately above its intersection with La Paz Road). Every three months, Westmont shall confirm the functional integrity of the traffic counters and report such findings to the County.

B. Count Westmont Trips on CSR. “Westmont’s CSR Daily Trips” (Westmont’s Cold Spring Road daily trips) shall be calculated as follows: [total daily trips at Point 1] less [total daily trips at Point 2] less [10 daily trips for each residence not a part of Westmont’s CUP with a main driveway between Point 1 and Point 2]. Westmont’s CSR Daily Trips shall be averaged

9 The calculation of Westmont’s CSR Daily Trips is based on the assumption that each residence with a main driveway between the count points that is not part of Westmont’s CUP generates typical residential daily trips [10 average daily trips]. Should circumstances change such that the average daily trips generated by these residences significantly exceed 10 (e.g., as a result of special events or other uses that change the normal residential use anticipated), then the efficacy of the trip counting method shall be revisited by Westmont, County P&D and the MPC to make any appropriate adjustments to ensure accurate counts of Westmont generated average daily trips on CSR.
for each day in two annual “Periods” to obtain Westmont’s ADTs (average daily trips) in each such Period, as follows:

1. “Semester Weekdays” (Mondays through Fridays) during the Fall Semester and Spring Semester, beginning on the first class day of the Fall Semester of the academic year and ending on the last day of the Spring Semester of the academic year but excluding all weekdays occurring during Thanksgiving Break, Christmas Break and Spring Break, and

2. “All Other Days,” including all Saturdays and Sundays throughout the entire year, all weekdays of the Thanksgiving Break, all weekdays of the Christmas Break, all weekdays of the Spring Break and all weekdays of the Summer Break, beginning on the first day after the end of the Spring Semester each academic year and ending on the last day of the Spring Semester the next academic year.

The “Traffic Count Year” shall refer to the year-long interval beginning on the first day after the end of the Spring Semester each year and ending on the last day of the Spring Semester of the next year. The Traffic Count Year encompasses both the “Semester Weekdays” Period and the “All Other Days” Period.

C. Reporting.

1. Before May 31 of each year, Westmont College shall file a report with County Planning & Development for the prior Traffic Count Year containing (a) Westmont’s CSR ADTs for Semester Weekdays, and (b) Westmont’s CSR ADTs for All Other Days.

2. At least once each month, Westmont College shall post on its website (a) the raw traffic counts at Points 1 and 2 on Cold Spring Road from which Westmont’s CSR Daily Trips are derived, and (b) Westmont’s CSR ADTs year-to-date as of the end of the prior month for Semester Weekdays and for All Other Days. In addition, Westmont shall provide such information to Planning and Development such that Planning and Development may make a report to the MPC concerning Westmont’s CSR ADTs up to three times per year (after the end of the Summer Period, and after the end of the Fall and Spring academic semesters), or as often as may be directed by the MPC.

3. If either (a) Westmont’s CSR ADTs should exceed the All Other Days ADT Limitation by more than 5% as of the end of the Summer Period (i.e. beginning on the first day of the Traffic Count Year and ending on the day before the first day of the Fall Semester), or (b) Westmont’s CSR ADTs should exceed either ADT Limitation by more than 5% through the end of the Fall Semester, then a MPC hearing shall be held at which Westmont shall report what measures it intends to take to reduce Westmont’s CSR ADTs to meet the applicable ADT Limitation before the end of the current Traffic Count Year. The MPC may require additional remedial measures be implemented by Westmont, as are reasonable and may be feasibly implemented, to reduce traffic such that the annual CSR ADTs will not exceed either ADT Limitation by the end of the then-current Traffic Count Year.

4. If Westmont’s CSR ADTs exceed either ADT Limitation during the prior Traffic Count Year, then a MPC hearing shall be scheduled at which Westmont College shall report what measures it intends to take to reduce Westmont’s CSR ADTs below the ADT Limitation in the then-current Traffic Count Year, and during which the MPC shall exercise its powers set forth in “Penalties for Exceeding ADT Limits,” below.
5. If traffic counts at Point 2 ever reach an abnormally high level (more than 2% per year accounting for reasonable growth in accordance with area trends - the 2005 count at that location was approximately 700 ADTs) indicating the potential that Westmont-generated traffic is using Mountain Drive and CSR from the north rather than the typical route from the south, then Planning and Development and the Montecito Planning Commission shall review the information and determine if any changes need to be made to the traffic condition in order to ensure traffic follows normal traffic patterns.

6. If a flaw in data collection is found, the MPC shall have the discretion to impose alternative traffic count methodologies or counting locations in order to ensure ADTs on Cold Spring Road are accurately recorded and monitored.

D. Limitations on Westmont’s ADTs on CSR. The Limitations for Westmont’s CSR ADTs are as follows:

<table>
<thead>
<tr>
<th>Type of Annual Period</th>
<th>Westmont’s CSR ADT Limitation</th>
<th>Westmont’s CSR ADT Limitation During Construction Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Semester Weekdays</td>
<td>3,418* - 2007</td>
<td>3,718*</td>
</tr>
<tr>
<td>(approx. 157 days/year)</td>
<td>3,458*¹ - Beginning 2010/2011</td>
<td>3,758*¹</td>
</tr>
<tr>
<td></td>
<td>Traffic Count Year</td>
<td></td>
</tr>
<tr>
<td>All Other Days</td>
<td>3,500*² - Beginning 2011/2012</td>
<td>3,800*²</td>
</tr>
<tr>
<td>(approx. 208 days/year)</td>
<td>Traffic Count Year</td>
<td></td>
</tr>
</tbody>
</table>

* When there is construction of a Master Plan phase for only a portion of a reporting period, then the applicable ADT Limitations shall be weighted averages based on the number of days of construction and non-construction in the period.

¹ This increase in ADTs shall only be authorized if Westmont College obtains occupancy clearances for all buildings scheduled to be completed by the end of the 2010 Spring semester (i.e. Adams Center, Central Plant, and Observatory). If occupancy clearances have not been obtained, the increase in ADTs shall not be authorized until the beginning of the Traffic Count Year immediately following receipt of all applicable occupancy clearances.

² This increase in ADTs shall only be authorized if Westmont College obtains occupancy clearances for all buildings included as part of Phase I development. If occupancy clearances have not been obtained, the increase in ADTs shall not be authorized until the beginning of the next Traffic Count Year immediately following the receipt of all occupancy clearances for Phase I.

E. Minimum Time Periods for Achieving ADT Limitations to Qualify for Approval Issuance of Zoning Clearances Land Use Permits for Master Plan Buildout:

Westmont shall not qualify for a Zoning Clearance Land Use Permit for construction of all or any portion of a Phase of Master Plan Buildout unless (a) Westmont’s CSR ADTs are below the applicable ADT Limitations for the two Traffic Count Years preceding approval issuance of the Zoning Clearance Land Use Permit, or (b) the entire period of the implementation of the CSR trip counts if less than two Traffic Count Years until 10 days before the application for such Zoning Clearance Land Use Permit.
F. Penalties for Exceeding ADT Limits.

1. If Westmont’s CSR ADTs exceed either ADT Limitation in any Traffic Count Year then the following penalties, affecting both Master Plan Buildout and College operations, shall be automatic:

   a. An additional year shall be added to the applicable Quiet Period between Construction Phases (i.e. the then-current Quiet Period if the exceedance occurs during a Quiet Period or the next Quiet Period if the exceedance occurs during a Construction Phase). This penalty shall be cumulative if there are exceedances in more than one year.

   b. Temporary institution (time frame subject to MPC’s discretion) of a Transportation Demand Management Program in addition to those programs already in effect and/or intensification of existing programs, resulting in at least 30% of the college’s employees participating in alternative transportation such as walking, biking, vanpooling, or an off-site parking and shuttling service.

2. In addition to the automatic penalties above, if Westmont’s CSR ADTs exceed either ADT Limitation twice within any two Traffic Count Years or three times within any five Traffic Count Years, then a public hearing shall be held by the Montecito Planning Commission at which the Montecito Planning Commission shall have the discretion to impose penalties including but not limited to the following:

   a. Temporary limitation (time frame subject to the MPC’s discretion) on the total number of employees and contract workers who are permitted to drive to the Westmont College campus; and/or

   b. Temporary limitation (time frame subject to the MPC’s discretion) on the number of parking permits issued for the Westmont College campus; and/or

   c. Temporary (time frame subject to the MPC’s discretion) mandatory transportation demand management program in addition to those already in effect and/or intensification of existing programs, resulting in additional employees participating in alternative transportation such as walking, biking, vanpooling, or an off-site parking and shuttling service; and/or

   d. Temporary limit (time frame subject to the MPC’s discretion) on the number of special events; and/or

   e. Any other requirements that would function to limit college-generated vehicular traffic along Cold Spring Road.

The extent of such actions by the Montecito Planning Commission shall be commensurate with the extent to which the applicable ADT Limitations are exceeded during such periods.

9.1 TC-2(a) Avoidance of Peak Traffic Periods. New employees (custodians, maintenance personnel, gardeners) and contract workers needed to support the campus shall work typical crew shifts outside of the peak traffic hour period whenever feasible. Compliance with this condition shall be reported annually to the County. Plan Requirements and Timing: Westmont shall annually report to P&D regarding custodial, maintenance and gardener personnel work shifts to confirm that these shifts continue to begin and end outside the peak hour traffic periods.

Monitoring: Permit compliance shall review annual reports.
9.2 **TC-2(b) Ride-Share Program.** Westmont shall develop a ride-share program for faculty and staff. Compliance with this condition shall be reported annually to the County. **Plan Requirements and Timing:** Westmont shall annually report to P&D regarding the number of faculty and employees that participate in the ride-share program.

**Monitoring:** Permit compliance shall review annual reports.

10. **Special Events.** Events which generate more than 300 cars without campus parking permits shall be limited to twelve days per year. If this limitation is exceeded in any given year, Westmont shall be subject to the same penalties as provided for in Condition 9, to be applied in a manner commensurate with the extent to which the limitation was exceeded.

**Monitoring:** Westmont College and County Permit Compliance staff have monitored campus events to determine which events exceed this limit. The following events typically generate more than 300 guest cars (cars without campus parking permits): New Student Orientation, Parents Day, Homecoming, Baccalaureate, and Commencement. Westmont parking staff shall count cars at any new events that may reasonably be expected to generate close to or in excess of 300 cars without parking permits. Any event which generates more than 300 cars without parking permits will be added to the list and no more than 12 days of such events will occur on campus each year. Westmont College shall submit an annual report to County Permit Compliance staff identifying any event and the number of days which generates more than 300 cars without parking permits.

11. **Restrictions on Outdoor Intercollegiate Athletic Events.** Outdoor intercollegiate athletic events shall be held only between the hours of 9:00 A.M. and sundown. No lights or spectator viewing stands shall be erected on that portion of the campus south of the existing tennis courts.

12. **Summer Activities.** The maximum number of persons participating in summer activities on the Westmont College campus shall be limited to an average of 600 participants per day, as averaged over the entire summer activity period for that year. Summer activities are those which occur on the Westmont College campus beginning with the day following Commencement and ending on that day which immediately precedes the first day of orientation for the Fall Semester. Summer activities include May Term, day camps, and all other uses of the campus by contract to non-affiliated groups and organizations. As used herein, summer activities do not include a summer semester approximately equivalent in length of time and enrollment to the Fall and Spring Semesters. If the average number of summer activity participants exceeds 600 persons per day for any one summer, the average number of summer activity participants (admitted in the following summer) shall be reduced from 600 by the number of the exceedance of the preceding summer. The number of participants from unaffiliated outside groups and organizations, including day camps, shall not exceed 1,000 persons per day.

**Monitoring:** A report of summer activities indicating the following items shall be submitted to County Permit Compliance staff on October 1st of each year: (a) the name and brief description of each summer activity by date; (b) the number of participants per summer activity per day; and (c) the average number of participants per day as calculated from the day following Commencement to that day which immediately precedes the first day of orientation for the Fall Semester.

13. **Restrictions on Noise for Summer Activities.** In order to control non-amplified sound during the summer months, the following shall apply to summer activities. (Summer activities are those which occur beginning with the day following Commencement and ending on that day which immediately precedes the first day of orientation for the Fall Semester):

a. No megaphones, airhorns or “bullhorns” shall be used outside.
b. After 5:00 p.m., the following noise restrictions shall be observed:

(1) No organized group activities will be allowed outside which use synchronized verbal commands or responses (spontaneous cheering is allowed)

(2) No amplified sound systems will be operated outside buildings or enclosed areas (except for weddings and wedding receptions).

c. Between 9:00 p.m. and 7:00 a.m., no outdoor organized group activities shall be permitted, except for jogging and walking.

d. After 10:00 p.m., all windows and doors shall be closed in buildings when music is being amplified for organized group events.

14. Noise Control Plan. On or before August 1 of each year, Westmont College shall submit to the County Planning and Development Department, Permit Compliance Section, a Noise Control Plan. The Noise Control Plan shall include at least the following:

A. A report of the dates, times, locations and attendance of any scheduled outdoor event and any major indoor event at which significant outside sound generated from inside amplification equipment is suspected (excluding those events customarily incidental to the daily academic program) which include the use of amplification equipment during the previous twelve months. This report shall include a description of speaker locations, amplification equipment control settings, noise monitoring data, if required, weather characteristics, and names and addresses of any complainants. The report shall discuss any written noise control recommendations made by Santa Barbara County Environmental Health Services and Westmont’s analysis of any implemented recommendations.

B. A reasonable projection of the dates and times of amplified outdoor events and any major indoor events at which significant outside sound generated from inside amplification equipment is expected (excluding those events customarily incidental to the daily academic program) for the next twelve months with dates and times of these events, if known, expected attendance, spectator viewing areas, and proposed amplification system and noise monitoring plan details, if any.

C. The Noise Control Plan can be amended during the year by Westmont College upon the submittal of such desired change within 15 days notice to Planning and Development, which shall accept or reject such amendment to the accepted Noise Control Plan.

D. The Noise Control Plan shall be reviewed and accepted or rejected by Planning and Development within thirty days (30) of submission. Planning and Development shall recommend the implementation of any noise control measure it finds is necessary to accomplish reasonable noise control improvement. Westmont College shall provide a written response as to its acceptance or rejection of any Planning and Development recommendation.

E. The use of air horns or other similar devices shall be prohibited, except that similar device may be used for soccer games pursuant to NCAA requirements.

F. The use of amplification equipment shall be limited to intercollegiate athletic events and events specified in the accepted Noise Control Plan.
G. Amplification equipment shall be no louder than is necessary to convey information to the spectators, and in the case of track meets, to the participants, and shall not be used for music (except at musical events) or “play by play” type commentary.

H. Planning and Development personnel shall have access at all reasonable times to the property incorporated in this conditional use permit for purposes of performing sound level measurements, evaluating the adequacy of noise control measures or determining compliance with this Conditional Use Permit.

I. Upon finding by Planning and Development that repeated and/or significant variances from the accepted Noise Control Plan have occurred or are occurring, said agency shall present such information before the Planning Commission for its review and action.

J. Westmont College shall appoint an individual(s) as a Noise Control Coordinator who shall be responsible for the campus noise control program, recording of citizen noise complaints, and for coordination with this agency.

15. School Impact Fees (SEIR Mit. Measure PF-1). Westmont College shall agree to pay to Cold Spring School an amount equal to two times the then-current state revenue limit to cover the educational expenses of each student enrolled at Cold Spring School who resides in any apartment on campus that does not exist at the time of project approval [Fall 2006]. **Plan Requirements and Timing:** Westmont College shall report to Cold Spring School and P&D on November 1 and March 1 each year the names of any children residing on campus who are enrolled at Cold Spring School and the place of their residence. Cold Spring School will bill Westmont for each child residing in any apartment that does not currently did not exist as of February 20, 2007 and Westmont College will pay these invoices within 30 days of receiving them.

**Monitoring:** Permit Compliance shall respond to any notice filed by Cold Spring School or Westmont College that indicates school-age children that reside at Westmont College are attending Cold Spring School.

16. Future structures shall be located not less than 30 feet from any exterior boundary line of the campus.

17. Spectator viewing areas shall be designated on the plan and located at least 75 feet from any exterior boundary line of the campus.

**CONDITIONS RELATED TO CAMPUS MASTER PLAN BUILDOUT**

18. The size, shape, arrangement and location of buildings, walkways, parking areas, and landscaped areas of Phase I shall be developed in conformance with plans included in the 2006 Campus Master Plan Update as approved by the Montecito Planning Commission subject to issuance of Zoning Clearances and Use Permits under the procedure of this CUP.

19. (a) **MPC Status Reports.** If requested, Planning and Development shall provide the Montecito Planning Commission a monthly status report at their scheduled hearings during construction of any phase of the Campus Master Plan buildout. The report shall include an update on the status and progress of construction, compliance with conditions of approval, and ADTs on Cold Spring Road.

(b) **MPC Review of Adequacy of Construction Mitigation.** A minimum of two years following completion of Phase I Master Plan construction and prior to or concurrent with Land
Use Permit Zoning Clearance applications for Phase II development, the Montecito Planning Commission will review the adequacy of mitigation measures to reduce construction impacts associated with Campus Master Plan construction. Existing mitigation measures may be adjusted to the extent feasible to address construction impacts related to future phases of Campus Master Plan buildout.

20. (a) Design Review and Zoning Clearance or Land Use Permit Process for Subsequent Phase Campus Master Plan Buildout (following Phase I). For buildout of subsequent construction phases following Phase I, the Montecito Board of Architectural Review (MBAR) shall review the construction phase preliminary plans and make a recommendation to the Montecito Planning Commission (MPC) regarding consistency with the 2006 Campus Master Plan and preliminary design as detailed in the Westmont College 2006 Campus Master Plan Binder “Design Review and LUP Process”. Following recommendation from the MBAR, the MPC shall hold at least one public hearing for a determination on whether the preliminary design and Zoning Clearance or Land Use Permit approval of for that phase of construction are consistent with as detailed in the Westmont College 2006 Campus Master Plan, and Master Plan Binder “Design Review and LUP Process”. Such a Montecito Planning Commission determination shall be a prerequisite to the Planning & Development Director’s later issuance of the Zoning Clearance or Land Use Permit for that phase of construction or any portion of a phase of construction.

(b) Design Guidelines for Buildout of Campus Master Plan. Buildout of the Westmont College 2006 Campus Master Plan shall adhere to the following design guidelines for all new buildings, unless otherwise approved by the MBAR and MPC:

1. Buildings shall follow natural contour lines in order to minimize grading and blend in with the existing topography;

2. Buildings shall incorporate sustainable and green building designs where feasible;

3. Buildings shall be sited and designed to maximize solar exposure into and between buildings during all times of the year;

4. Buildings shall be integrated with existing landscaping, gardens, and historic elements of the campus, while not trying to replicate historic architecture;

5. Buildings shall incorporate roof terracing rather than rooftops where appropriate;

6. Buildings shall not be located further west than what is identified on the 2006 Campus Master Plan in order to provide a meaningful buffer to neighbors to the west.


a) Phase I construction shall be subject to the construction phasing provisions as detailed in the 2006 Campus Master Plan Binder, as well as the following requirements:

1. The maximum time limit between pulling the first building permit for Phase I and submitting the last building permit for Phase I shall be 18 months.

2. Proof of full funding for a building shall be provided to Planning and Development in the form of a letter from Westmont College’s President before a building permit can be issued for that building.
b) Subsequent construction phases following Phase I shall be subject to construction phasing provisions as detailed in the 2006 Campus Master Plan Binder, and summarized below:

1. After Phase I, the maximum building square footage which can be constructed in any Phase is a total of 67,000 60,000 square feet.

2. The commencement of construction of Phase II shall not occur until November 21, 2015, the longer of the following periods has elapsed: (a) two times the number of days between commencement and completion of construction of Phase I, or (b) five years after completion of construction of Phase I; Westmont shall coordinate its construction scheduling for Phase II development with Cold Spring School, which may also be undergoing construction at the same time; and

3. The commencement of construction of all phases after Phase II shall not occur until the longer of the following periods has elapsed: (a) two times the number of days between commencement and completion of construction of the prior phase, or (b) two years after completion of construction of the prior phase.

4. “Commencement of construction” is defined as the date the first Grading or Demolition Permit is issued in a phase.

5. “Completion of construction” is defined as the date the last certificate of occupancy (or other indicator of completed construction) is issued for a phase.

6. A “phase” is defined as the period when any new building approved on the 2006 Campus Master Plan is being constructed subject to this provision.

7. The maximum time limit between pulling the first building permit for a future phase and submitting the last building permit for that phase shall be 12 months.

8. Proof of full funding for a building shall be provided to Planning and Development in the form of a letter from Westmont College’s President before a building permit can be issued for that building.

22. All interior roads, except the emergency access roads, shall be constructed and maintained in conformity with the structural standards of the Montecito Fire Protection District and the County of Santa Barbara’s Public Works Department at the time of permit approval.

23. In the event that archaeological remains or historical artifacts are uncovered during project construction, excavation shall be temporarily suspended and redirected until a County-qualified archaeologist and, if the remains are prehistoric, a local Native American representative, are retained by the applicant to evaluate the find pursuant to County Cultural Resources Guidelines. In the event burials are encountered, they will be treated according to procedures set forth in the Archaeological Resource Protection Act and implementing regulation (43 CFR Part 7), CEQA Appendix G, and the Public Resources Code Section 5097.98. These California State and local procedures require notification of the appropriate local coroner to determine the origin of the remains. If the remains are of Native American origin, procedures established by Public Resources Code Section 5097.98 regarding Native American consultation will be followed. The above measures shall be applied consistent with archaeological guidelines of Santa Barbara County, the State Office of Historic Preservation, and the State of California Native American Heritage Commission. Plan Requirements and Timing: This measure shall be printed on the project grading plans. This measure shall be in effect throughout all overall project grading. P&D shall review and approve the grading plan prior to approval of Land Use Clearance.
Monitoring: Permit Compliance shall field check during construction to ensure compliance with approved plans.

Mitigation Measures from 05SEIR-00000-00010, including EIR Revision Letter RV1 (dated September 29, 2006), Related to Campus Master Plan Buildout

24. AES-1(a) New South Access Road Encroachment Design. The requirements for the new south access road encroachment design were implemented in 2008 – 2010 during Phase I construction. The following design requirements shall be maintained for the life of the road. All plans for roadway geometries, signage, landscaping treatment, and lighting shall ensure that the overall aesthetic will conform to the established aesthetic condition of the Cold Spring Road scenic corridor. Roadway width shall not exceed 24 feet, and shall not include curb and gutter construction. Signage shall match that in use at the existing Main Entrance. Landscaping treatment shall include foundation planting and wooded zones, understory and canopy plantings as needed to achieve effective screening. Landscape screening shall be maintained for the life of the project and planting shall be of a density to obscure structures on campus within 50 feet of the public roadway. If stonework is incorporated, it shall be of a Native Santa Barbara sandstone shall be maintained. If lighting is incorporated for identification and orientation, all luminaries shall have a maximum output of 260 lumens per fixture, regardless of number of bulbs, (equal to one 20 watt incandescent light). Luminaries must be shielded and prevent light from shining directly up. Plan Requirements and Timing: The south access road and entrance shall be maintained in conformance to the plans approved by the MBAR and P&D. Prior to approval of the new south campus entrance, the applicant shall submit plans for review and approval by the MBAR and P&D.

Monitoring: Planning and Development shall enforce compliance with south access road standards. Landscape performance securities associated with the south access road and entrance were acquired prior to approval of Land Use Permits for any buildout under the Phase I of the Campus Master Plan. Compliance staff shall ensure consistency of installation with approved plans and shall respond to complaints.

25. (a) AES-1(b) Perimeter Landscaping. The edge of the Westmont College campus shall incorporate landscaping in the form of planted buffers along the perimeter of the campus with special emphasis in the vicinity of the proposed residential complex on the Cold Spring Property. Landscaping shall include groundcover, understory and canopy plantings as needed to achieve effective screening. Landscape screening shall be maintained for the life of the project. Healthy, mature coast live oaks and other healthy specimen trees on the Cold Spring Property shall be preserved to the maximum extent feasible. Landscape screening shall achieve acceptable levels. as part of Phase I construction. Plan Requirements and Timing: Prior to approval issuance of Zoning Clearances Land Use Permits for grading of each phase of buildout, the applicant shall submit landscape planting plans for each phase of buildout for review and approval by the MBAR and P&D. Perimeter landscaping shall be enhanced to achieve acceptable screening levels as part of Phase I each phase of construction as applicable.

Monitoring: P&D shall require landscape performance securities prior to approval of Zoning Clearances Land Use Permits for any buildout under the Campus Master Plan. Compliance staff shall ensure consistency of installation with approved plans and shall respond to complaints.

(b) Landscaping After Natural Disaster. In the event of a natural disaster, including wildfire, perimeter landscaping shall be replaced to the satisfaction of Condition 25(a) in a timely manner. Landscape plans shall be submitted to the MBAR for review and approval as to species, locations, and size at installation.
26. **AES-1(c) Canopy Replacement.** Mature trees with canopy measurements exceeding 10 feet in diameter as measured from the widest portion of the crown shall be replaced at a 1:1 ratio with trees of the same species (if native; if non-native, a native tree of similar size and appearance shall be planted instead) within a 25-yard radius of the tree being removed unless such placement is determined by the County to be infeasible. If placement within a 25-yard radius is determined to be infeasible, the replacement trees shall be placed as close to the location of the trees being removed as is practical. Replacement trees shall be of a minimum 36” box size. **Plan Requirements and Timing:** Trees shall be measured no more than one month in advance of removal, and shall be replaced within one month after removal unless construction scheduling does not allow for replacement within such a timeframe. If tree replacement cannot be achieved within one month, replacement trees shall be re-planted as soon as is practical, as determined by the County. Tree replacement shall have a 100% success rate over the life of the Conditional Use Permit.

**Monitoring:** P&D shall require landscape performance securities prior to issuance approval of Zoning Clearances land-use permits for any buildout under the Campus Master Plan. Compliance staff shall ensure consistency of installation with approved plans and shall respond to complaints. Annual compliance reports shall be submitted that include performance review of tree installations.

27. **AES-1(d) Rooftop Design Treatment.** Rooftop mechanical equipment shall either be prohibited or shall be boxed and hidden from view from above. Attention to roofing materials and design shall be required, and material treatment shall correspond to other visible structural elements. **Plan Requirements and Timing:** Rooftop design shall be submitted along with other building design drawings and reviewed by the MBAR and P&D as part of the CUP and LUP approval process.

**Monitoring:** P&D shall review and approve plans for rooftop design compliance. Compliance staff shall ensure consistency of field installation.

28. **AES-1(e) Building Finish Materials and Colors.** DarkNatural building materials (stone, wood, tile, steel and masonry) and colors compatible with surrounding vegetation (dark non-reflective paints) shall be used on exterior surfaces of all structures, including rooftops, trim, walls and fences, consistent with direction from the MBAR during Phase 1 development. Materials and colors are subject to MBAR and P&D review and approval. **Plan Requirements and Timing:** The applicant shall submit plans to the MBAR and P&D for review and approval. Materials shall be denoted on building plans. Structures shall be painted prior to occupancy clearance.

**Monitoring:** P&D shall inspect prior to occupancy clearance.

29. **AES-1(f) Grading limit lines.** Grading limit lines for all proposed development under the Campus Master Plan shall be drawn as closely to proposed structural development as feasible to minimize the aerial extent of campus grading operations. **Plan Requirements and Timing:** Prior to issuance of Zoning Clearances approval of land-use permits for grading, the applicant shall submit grading plans for review and approval by P&D and Flood Control. Grading limit lines shall be clearly delineated on plans and marked in the field.

**Monitoring:** P&D shall check plans and ensure compliance in the field.

30. **AES-2(b) Additional Design Requirements.** The following additional design requirements shall be followed:
Rooftop design, including finish materials and parapet design, shall be specifically reviewed and approved by the MBAR to ensure the continued high quality of existing public vistas over the campus as well as compatibility of future campus development with existing campus development.

The Cold Spring property shall be required to be designed in a residential character.

Facades of buildings with elevations greater than 50 feet in length shall incorporate articulation (fenestration, setbacks, and other techniques) to the extent necessary to interrupt any potential monolithic effect.

**Plan Requirements and Timing:** The applicant shall implement these requirements subject to review and approval by the MBAR. The Historic Landmarks Advisory Commission shall review and provide comments to the MBAR on any actions involving modifications to historic or potentially historic resources prior to final MBAR action.

**Monitoring:** P&D shall verify compliance prior to issuance of Zoning Clearances and land-use permits.

31. **AES-2(c) Landscaping Specifications.** Understory and retaining walls shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Native vegetation to screen retaining walls shall be planted. **Plan Requirements and Timing:** The applicant shall submit retaining wall plans and vegetation screening plans to P&D and the MBAR for review and approval. Plans and a performance security shall be submitted prior to issuance of Zoning Clearances approval of land-use permits. Vegetation shall be installed prior to occupancy clearance.

**Monitoring:** P&D shall check plans and ensure installation prior to occupancy clearance.

32. **AES-2(d) Cold Spring Road Special Standards.** The proposed new residence hall complex on the Cold Spring Property shall be designed with respect to site coverage, height, size, scale to reflect the residential character of the existing surrounding neighborhood along Cold Spring Road. **Plan Requirements and Timing:** Prior to issuance of Zoning Clearances approval of land-use permits for these residences, the applicant shall submit revised plans for review and approval by the MBAR and by P&D.

**Monitoring:** P&D shall check plans and ensure compliance.

33. **AES-3 Lighting Programming Plan/Performance and Design Standards.** Westmont College shall comply with the proposed Lighting Programming Plan dated September 22, 2008, which includes but is not limited to the following:

- Provisions for reducing the level of existing and proposed campus lighting from operational levels to security levels after 10:00 PM;

- An amortization schedule for replacing older fixtures with hooded, low intensity, low glare design fixtures;

- Specifications on the color and intensity of exterior lights in order to achieve consistency throughout the campus;

- A requirement that all building plans and facility plans include lighting design plans consistent with the lighting standards for Westmont College; all building and facility plans
shall identify the locations and heights of all exterior lighting fixtures, as well as an arrow showing the direction of light being cast by each fixture, demonstrating that light will not be projected onto adjacent residences or ESH areas; and

- Additional perimeter landscaping, consistent with Mitigation Measure AES-1(b), near the Academic Center, perimeter road, Cold Spring property, and new entrance in order to screen light from projecting onto adjacent residential properties and ESH areas.

- BWith the exception of individual dorm rooms, buildings within the Academic Center that are visible from neighboring parcels shall have shielded windows or be equipped with automatic window coverings with sensors that close at dusk and remain closed during nighttime hours.

**Plan Requirements and Timing:** A campus wide lighting plan with operational and maintenance provisions shall be submitted for review to the MBAR and P&D prior to approval of the first building permit for a project accommodated in the Campus Master Plan land use permits for any building or other improvement in Phase I. **(COMPLETED)**

**Monitoring:** P&D shall review the Lighting Programming Plan for compliance with this measure prior to issuance of any Zoning Clearances approval of any Land Use Permit for structures. An annual compliance report shall include information regarding implementation of the Lighting Plan as it pertains to replacing existing fixtures and lamps.

34. **AES-4(a) Construction Housekeeping.** ‡ For each construction phase, the applicant shall prepare and submit a construction housekeeping plan for review and approval. The plan shall include methods to (1) screen construction sites, (2) store both demolished and construction materials, and (3) properly recycle and dispose of refuse materials from the activity. Screening methods shall focus on scenic corridors and on the west side of the Academic Center. **Plan Requirements and Timing:** Prior to land use permit approval Zoning Clearance issuance for individual building projects, applicant shall provide to P&D a construction period housekeeping plan that covers the timeframe of the construction period through occupancy. This requirement shall be noted on all plans.

**Monitoring:** Permit Compliance staff shall inspect periodically throughout grading and construction activities.

35. **AES-4(b) Weekly Debris Cleaning.** ‡ During each phase of construction, the applicant shall clear the project site of all excess construction debris on a regular weekly basis or more frequently as directed by Permit Compliance staff, and covered receptacles shall be provided onsite prior to commencement of any grading or construction activities. Refuse shall be collected in accordance with a schedule approved by Permit Compliance staff. **Plan Requirements and Timing:** Prior to issuance of Zoning Clearance land use permit approval, the applicant shall designate and provide to P&D the name and phone number of a contact person(s) to monitor refuse and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by Permit Compliance staff. This requirement shall be noted on all plans. Trash control shall occur throughout all grading and construction activities.

**Monitoring:** Permit Compliance staff shall inspect periodically throughout grading and construction activities.

36. **AES-4(c) Construction Management Plan.** The draft construction management plan prepared by Westmont College shall include Mitigation Measures AES-4(a) and AES-4(b), and shall be reviewed for adequacy and approved by P&D and the Roads Division of the County Department of Public Works. **Plan Requirements and Timing:** Specific construction management plans for
each phase of construction shall be submitted to and approved by P&D and the Roads Division prior to issuance of a land use permit Zoning Clearance for grading, demolition, or new buildings or structures.

37. **AQ-1(a) Dust Control.** Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Construction contractors shall comply with the following requirements throughout grading and construction.

- During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. Increased water frequency shall be required whenever wind speed exceeds 15 miles per hour. Reclaimed water shall be used whenever possible. If during drought conditions reclaimed water is not locally available, then non-potable water shall be used for dust control for the duration of any Montecito Water Shortage Emergency.

- The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less.

- Gravel pads shall be installed at all access points to individual construction sites to prevent tracking of mud onto campus driveways or public roads.

- Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting material to or from the site shall be tarped.

- After clearing, grading, earth moving, or excavation is completed, the disturbed area shall be treated by watering or revegetating, or spreading of soil binders until the area is paved or otherwise developed so that dust generation will not occur.

- The construction contractor or applicant 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. The designee(s)' duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of the designee(s) shall be provided to the SBCAPCD prior to land use clearance for finish grading.

- Prior to land use clearance, the dust control requirements shall be shown on grading and building plans.

**Plan Requirements and Timing:** All requirements shall be shown on grading and building plans. Conditions shall be adhered to throughout all grading and construction periods.

**Monitoring:** P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance onsite. SBCAPCD inspectors shall respond to nuisance complaints.

38. **AQ-1(b) Ozone Precursor Control.** Construction contractors shall adhere to the following requirements during project grading and construction to the maximum extent feasible (as determined by the EQAP monitor) to reduce emissions of ozone precursors and particulate emissions from diesel exhaust, which are classified as carcinogenic by the State of California.

- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated “clean” diesel engines) shall be utilized.

- The engine size of construction equipment shall be the minimum practical size.
• The number of pieces of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

• Construction equipment shall be properly maintained per the manufacturer’s specifications.

• Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.

• Catalytic converters shall be installed on gasoline-powered equipment.

• Diesel catalytic converters shall be installed.

• Diesel powered equipment shall be replaced by electric equipment whenever feasible.

• Construction worker trips shall be minimized by requiring carpooling and by providing for lunch onsite.

• Low volatile organic compound (VOC) architectural coatings shall be used whenever feasible.

**Plan Requirements and Timing:** The applicant shall include these measures as notes on the grading and building plans that shall be reviewed and approved prior to issuance of a Zoning Clearance approval of a land-use permit for grading or structural development. These measures shall be implemented during and after project construction as appropriate.

**Monitoring:** P&D shall ensure that measures are on plans. P&D Building and Safety grading inspectors shall perform periodic equipment inspections and respond to nuisance complaints.

39. **AQ-1(c) Asbestos Notification/Abatement.** The applicant shall complete an SBCAPCD “Asbestos Demolition and Renovation and Compliance Checklist” notify the APCD prior to any onsite demolition or renovation, using the form entitled “Notification for Renovation and Demolition” available online at http://www.sbcapcd.org/eng/dl/dl08.htm or the most current APCD form. If asbestos-containing materials are found to be present in any structure to be demolished or renovated, the materials shall be removed by a licensed asbestos abatement contractor prior to demolition or demolition or renovation. The SBCAPCD shall be notified prior to demolition or renovation even if the building is found not to contain asbestos. **Plan Requirements and Timing:** The applicant shall obtain SBCAPCD clearance of the checklist and any needed abatement prior to undertaking any demolition. These measures shall be implemented prior to building demolition as appropriate.

**Monitoring:** P&D shall ensure that the required checklist notification has been submitted and any needed asbestos abatement has been completed prior to demolition.

40. **AQ-1(d) Lead-Based Paint and Asbestos-Containing Materials.** The applicant shall follow the applicable rules from the Department of Toxic Substance Control’s Interim-Guidance for Evaluating Lead-Based Paint and Asbestos-Containing Materials at Proposed School Sites (July 2001) prior to renovation or demolition of campus structures. **Plan Requirements and Timing:** The applicant shall demonstrate compliance with the DTSC Guidance prior to undertaking any demolition. Abatement measures shall be implemented prior to building demolition as appropriate.

**Monitoring:** P&D shall ensure that any needed abatement has been completed prior to demolition.
41. **AQ-2(a) Energy Conservation.** The following energy-conserving techniques shall be incorporated unless the applicant demonstrates their infeasibility to the satisfaction of P&D staff or offers alternative measures designed to effectuate energy conservation:

- Installation of heat transfer modules in furnaces;
- Use of light colored water-based paint and roofing materials to the extent that they are not inconsistent with applicable design guidelines;
- Installation of solar panels for water heating systems and other facilities and/or the use of water heaters that heat water only on demand to the extent that they are not inconsistent with the design guidelines;
- Use of passive solar cooling/heating;
- Use of natural lighting;
- Use of concrete or other non-pollutant materials for parking lots instead of asphalt;
- Installation of energy efficient appliances;
- Installation of energy efficient lighting;
- Use of landscaping to shade buildings and parking lots; and
- Limiting delivery trucks', trash trucks', and bus' idling times to one minute or less.

**Plan Requirements and Timing:** The applicant shall incorporate the listed provisions into building and improvement plans or shall submit proof of infeasibility prior to issuance of Zoning Clearances approval of land use permits.

**Monitoring:** Building and Safety shall site inspect to ensure development is in accordance with Campus Master Plan at buildout prior to occupancy clearance. Planning staff shall verify landscape installation in accordance with approved landscape plans.

42. **AQ-2(b) Innovative Building Review Committee (IBRC) Smart Build Santa Barbara (SB²) Review.** Prior to issuance of the Zoning Clearance approval of the land use permit for each building, P&D should ensure that the Innovative Building Review Committee (IBRC) SB² has reviewed the proposed building plans and provided recommendations on increasing energy efficiencies in project design. The SBCAPCD encourages projects to meet at least Tier 1 Target 2 of the Innovative Building Review Program SB² criteria and incorporate some of the pollution prevention measures listed below.

**Energy Conservation:** Buildings shall increase energy efficiencies beyond Title 24 compliance in project design. The following are examples of innovative measures that should be considered for incorporation into project building plans:

- Photovoltaic and wind generators;
- Duct system within the building thermal envelope, or insulated to R-8;
- Passive cooling strategies: Passive or fan-aided cooling planned for or designed into structure, a cupola or roof opening for hot air venting or underground cooling tubes;
- Outdoor lighting designed for high efficiency, solar-powered or controlled by motion detectors;
- Natural lighting in buildings;
- Building siting and orientation to reduce energy use to the extent not inconsistent with avoidance of impacts to aesthetic and biological resources;
Summer shading and wind protection measures to increase energy efficiency;
Use of concrete or other non-polluting materials for parking lots instead of asphalt;
Use of landscaping to shade buildings and parking lots;
Installation of mechanical air conditioners and refrigeration units that use non-ozone depleting chemicals;
Installation of sidewalks and bikepaths;
Installation of covered bus stops to encourage use of mass transportation;
Site preparation for installation of an electric vehicle charging station; and
Display kiosk with air quality and alternative transportation educational materials.

**Green Materials and Practices:** Proposed building plans should include green building materials and pollution prevention practices recommended by SB² the IBRP, such as:

- At least 50% of exterior of local masonry; plaster or cement siding; recycled, salvaged or certified sustainable harvested wood; recycled roofing material or combination cement-fiber roofing; 30-year rated life on a minimum of 50% of roofs;
- At least 50% interior floor of tile, stone, finished concrete; cork or natural linoleum, carpet and pad (tacked) of recycled content or natural content, minimal finishes;
- All insulation to be 100% recycled content, wet-blown, and/or cellulose with UL fire retardant; and
- At least 80% of interior and exterior paints and finishes to be water-based or low VOC and adhesives to be solvent-free.

**Plan Requirements and Timing:** Prior to issuance of Zoning Clearances approval of land-use permits for buildings, the IBRC SB² should review the project building plans and provide recommendations on increasing energy efficiencies in project design. P&D staff should confirm the recommended energy conservation measures are incorporated into the project building plans. The project building plans should be reviewed by SB² the IBRC as early as possible in the project-planning phase, but in no instance later than issuance of Zoning Clearances approval of the land-use permits for buildings.

**Monitoring:** County building inspectors shall site inspect for inclusion of proposed energy conservation measures during project construction.

43. **BIO-1 Bird Nesting Surveys.** If vegetation clearing or other project construction is to be initiated during the bird breeding season (February 1 through September 15), final pre-construction/grading surveys shall be conducted by a qualified ornithologist (a person with a biology degree and/or established skills in bird recognition). Surveys shall occur no earlier than 45 days and no later than 14 days prior to initial construction or grading activity, and shall include an area of 500 feet from the proposed construction. If raptors are observed nesting within 500 feet of construction/grading areas, especially within the existing raptor nests located northeast of the library, or if other special-status bird species are observed nesting within 200 feet of construction/grading areas, all construction or grading activities will be postponed or halted at the discretion of the biologist until the nest is vacated and the juveniles have fledged. **Plan Requirements and Timing:** The applicant shall submit findings of required surveys to P&D prior to initiation of any vegetation clearing or construction to be initiated during the bird breeding season.
Monitoring: P&D shall review survey reports prior to grading and construction and require scheduling of construction activities as appropriate.

44. CONDITION COMPLETED. BIO-2(a) Permits. The applicant shall obtain all required federal, state or local permits or authorizations for replacement of the bridge over Chelham Creek including but not limited to: a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG), a Section 404 permit from the U.S. Army Corps of Engineers (USACE), and a Section 401 Water Quality Certification or Waiver from the Regional Water Quality Control Board. Copies shall be submitted to P&D. Plan Requirements and Timing: Applicant shall submit necessary plans to CDFG and USACE with copies to P&D prior to approval of land use permits. At a minimum the applicant shall mitigate all impacts to riparian habitat at a 1:1 ratio for temporary disturbance and 3:1 for permanent disturbance.

Monitoring: P&D staff shall confirm receipt of permits and coordinate monitoring of permit compliance with CDFG and USACE as necessary.

45. BIO-2(b) Riparian Enhancement Plan. Westmont College shall comply with the Riparian Enhancement Plan as revised September 9, 2008 and approved by P&D, which applies to the entire length of all riparian corridors on campus, and shall be implemented in roughly proportional segments with each phase of construction. The applicant shall implement a riparian habitat enhancement plan for the entire length of all riparian corridors on campus to be accomplished during the 20-year buildout of the Campus Master Plan. Clearing practices for fire protection shall have been integrated into the enhancement plan. The enhancement plan, to be prepared by a P&D approved biologist or restoration ecologist, shall be based on consideration of the restoration of multiple creek functions as discussed in the County’s Guidebook for Reference-Based Assessment of the Functions of Riverine Waters/Wetlands Ecosystems in the South Coast Region of Santa Barbara County, California and shall include, but not be limited to, the following measures:

a. Performance measures, annual goals and regular monitoring forms for restoration efforts shall be established.

b. Non-native species shall be removed from the creeks.

c. Restoration landscaping shall be with native riparian species from locally obtained plants and seed stock.

d. The new plantings shall be irrigated with drip irrigation on a timer, and shall be weaned off of irrigation over a period of two to three years from installation.

e. Silt fencing shall be installed downslope of restoration work immediately prior to initiation of work. Fencing shall be located in the field by a P&D approved biologist. Fencing shall be effectively maintained and shall remain in place until following establishment of restoration landscaping in any given area.

f. Downstream pools shall be checked for steelhead by a P&D approved biologist immediately prior to commencing restoration work.

Plan Requirements and Timing: Westmont College shall implement the campus-wide Riparian Enhancement Plan dated September 9, 2008. Prior to approval of any land use permit for Phase I, the applicant shall submit a campus-wide riparian habitat enhancement plan, prepared by a P&D approved biologist, to P&D and the Montecito Fire Protection District (MFPD) for review and approval. Prior to approval of land use permits for Phase I, the applicant shall file has filed
two performance securities with the County to (1) complete installation of the first phase of the riparian habitat enhancement and (2) maintain plantings for a five year period from installation. Additional performance securities will be required with each subsequent phase and may be phased with any phasing of enhancement efforts. Riparian habitat enhancement shall have a 100% success rate over the life of the Conditional Use Permit.

**Monitoring:** P&D staff shall site inspect for enhancement. Maintenance shall be confirmed through site inspections. Permit compliance signature is required for performance security release. Annual compliance reports shall be submitted that include performance review of the enhancement program.

46. **CONDITION COMPLETED: BIO-2(e) Pedestrian Bridge Riparian Enhancement.** Plans for the new pedestrian bridge shall clarify required plant removal, if any, and shall include an enhancement component keyed to the riparian habitat enhancement plan required in measure BIO-2(b). **Plan Requirements and Timing:** Plans shall be submitted to P&D and County Flood Control for review prior to approval of land use permits for the bridge project.

**Monitoring:** Permit compliance shall confirm installation in the field.

47. **BIO-2(d) Riparian Corridor Setbacks.** All ground disturbances and vegetation removal shall be prohibited in a 50-foot setback from the edges of the riparian corridors of Chelham Creek and the unnamed drainage on the west side of the campus except (1) as specifically indicated for the proposed new pedestrian bridge over Chelham Creek and the proposed demolition of the existing pedestrian bridge; (2) as necessary for restoration purposes pursuant to a P&D approved restoration management plan; and (3) as necessary to accommodate the proposed Chapel/Auditorium in the central portion of the campus and the berm along the west side of the western perimeter road as required by Measure N-3(d), as indicated on the 2006 Campus Master Plan. The buffer areas shall be fenced with a type and in a location acceptable to P&D throughout adjacent construction activities. Any portion of the existing parking lot where the chapel is to be constructed or the berm along the western perimeter road that is within the 50-foot ESH buffer zone and is not occupied by the chapel building or perimeter road, respectively, shall be revegetated/ restored consistent with the riparian enhancement/restoration plan required in Measure BIO-2(b). **Plan Requirements and Timing:** The protected riparian area shall be shown on all demolition, grading, site, and landscape planting plans. Fencing shall be installed prior to earth movement associated with any phase of construction.

**Monitoring:** P&D shall perform site inspections throughout grading and construction.

48. **BIO-2(e) Oak Woodland Enhancement.** The Prior to or in conjunction with the buildout of the residence hall on the Cold Spring property, the applicant shall implement the approved oak woodland enhancement plan (dated September 12, 2008) for the remnant areas of the degraded oak woodland on the Cold Spring property, allowing for proposed buildout. The enhancement plan shall have a 100% success rate over the life of the Campus Master Plan. Clearing practices for fire protection shall be integrated into the plan. The enhancement plan, to be prepared by a P&D approved biologist or restoration ecologist, shall include, but not be limited to the following measures:

1. Performance measures, annual goals and regular monitoring forms for oak woodland enhancement efforts.

2. Requirements for ongoing removal of non-native species.
3. Requirement that enhancement landscaping be with native oak woodland species from locally obtained plants and seed stock.

4. Requirements for the new plantings to be irrigated with drip irrigation on a timer, to be weaned off of irrigation over a period of two to three years from installation.

**Plan Requirements and Timing:** Prior to approval issuance of any Zoning Clearance land use permit for the residence hall Phase-I, the applicant shall submit an oak woodland enhancement plan for the remnant areas of degraded oak woodland on the Cold Spring property, allowing for proposed buildout, prepared by a P&D approved biologist, to P&D and to the MFPD for review and approval. Prior to issuance of Zoning Clearances approval of land use permits for the residence hall Phase-I, the applicant shall file a performance securities security with the County to complete the oak woodland enhancement and maintain plantings for a five year period from installation.

**Monitoring:** P&D staff shall site inspect for oak woodland enhancement. Maintenance shall be confirmed through site inspections and annual compliance reports. Permit compliance signature is required for performance security release.

49. **BIO-3(a) Residence Hall Design and Layout.** To reduce the number of oak trees removed, the applicant shall develop the current conceptual layout to place the residence hall footprints within the existing gaps and disturbed areas within the Cold Springs property. No trees with a diameter greater than 24 inches and rated as better or best shall be removed from the Cold Springs property. **Plan Requirements and Timing:** Prior to issuance of the Zoning Clearance approval of land use permits for the construction of the residence halls, the applicant shall submit grading and building plans to P&D for review and approval.

**Monitoring:** P&D shall perform site inspections throughout grading and construction.

50. **BIO-3(b) Tree Protection and Replacement.** To protect existing native, specimen, sensitive\(^\text{10}\) and oak trees and minimize adverse effects of grading and construction on-campus, the applicant shall implement a tree protection and replacement plan. No ground disturbance, including grading for buildings, accessways, easements, subsurface grading, sewage disposal or well placement, shall occur within the critical root zone of any native tree unless specifically authorized by the approved tree protection and replacement plan. The tree protection and replacement plan shall include the following:

1. An exhibit showing the location, diameter and critical root zone of all native, specimen, sensitive and oak trees located within 100 feet of the limits of construction.

2. Fencing of all trees to be protected at or outside of the critical root zone. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The applicant shall place signs stating “tree protection area” at 15 foot intervals on the fence. Said fencing and signs shall be shown on the tree protection exhibit, shall be installed prior to construction initiation and shall remain in place throughout all grading and construction activities.

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\(^{10}\) As identified by Rachel Tiemey in her Botanical Resources Assessment dated April 24, 1998, or as identified by a qualified P&D biologist or arborist.
3. The tree protection plan shall clearly identify any areas where landscaping, grading, trenching or construction activities would encroach within the critical root zone of any native or specimen tree. All encroachment is subject to review and approval by P&D.

4. Construction equipment staging and storage areas shall be located outside of the protected area and shall be depicted on project plans submitted for land use clearance. No construction equipment shall be parked, stored or operated within the protected area. No fill soil, rocks or construction materials shall be stored or placed within the protected area.

5. All proposed utility corridors and irrigation lines shall be shown on the tree protection exhibit. New utilities shall be located within roadways, driveways or a designated utility corridor such that impacts to trees are minimized.

6. Any proposed tree wells or retaining walls shall be shown on the tree protection plan exhibit as well as grading and construction plans and shall be located outside of the critical root zone of all protected trees unless specifically authorized.

7. Any encroachment within the critical root zone of native trees shall adhere to the following standards:
   a. Any paving shall be of pervious material (gravel, brick without mortar or turf block).
   b. Any trenching required within the critical root zone of a protected tree shall be done by hand.
   c. Any roots one inch in diameter or greater encountered during grading or trenching shall be cleanly cut and sealed.

8. All trees located within 25 feet of buildings shall be protected from stucco and/or paint during construction.

9. No permanent irrigation shall occur within the critical root zone of any native [or specimen] tree. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

10. Only trees designated for removal on the approved tree protection plan shall be removed unless approved by a County-qualified arborist with P&D concurrence.

11. Any native trees that are removed and/or damaged (more than 20% encroachment into the critical root zone) shall be replaced on a 10:1 basis with 1 gallon size saplings grown from seed obtained from the same watershed as the Westmont campus. Reduced replacement ratios with larger boxed trees (e.g. 1:1 ratio with 36 inch box trees, or as recommended by the on-site arborist or biologist) may be acceptable subject to P&D approval on a case-by-case basis. Where necessary to remove a tree and feasible to replant, trees shall be boxed and replanted as close as possible to the original location. If relocation is unsuccessful, the tree shall be replaced on a 10:1 basis. A drip irrigation system with a timer shall be installed for all new and relocated trees. Trees shall be planted prior to occupancy clearance for any given phase of buildout and irrigated and maintained until established (five years). The plantings shall be protected from predation by wild and domestic animals, and from human interference by the use of P&D-approved staked, chain link fencing and gopher fencing during the maintenance period. The success rate of replacement trees shall be one mature tree for each tree lost as measured over the life of the Conditional Use Permit.
12. Any unanticipated damage that occurs to trees or sensitive habitats resulting from construction activities shall be mitigated in a manner approved by P&D. This mitigation may include but is not limited to posting of performance security for installation and maintenance, tree replacement on a 10:1 ratio and hiring of an outside consultant biologist to assess the damage and recommend mitigation. Reduced replacement ratios with larger boxed trees (e.g., 1:1 ratio with 36 inch box trees, or as recommended by the on-site arborist or biologist) may be acceptable subject to P&D approval on a case-by-case basis. The required mitigation shall be done immediately under the direction of P&D prior to any further work occurring on-campus. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and approval of such installation and after the maintenance period has elapsed and trees are established.

Plan Requirements and Timing: Prior to issuance of Zoning Clearances approval of land use permits for each phase of buildout, the applicant shall submit grading plans, building plans and the tree protection and replacement plan for each phase of buildout to P&D for review and approval. All aspects of the plan shall be implemented as approved. Prior to issuance of Zoning Clearances approval of land use permits, the applicant shall successfully file a receipt evidence of posting a performance security which is acceptable to P&D to guarantee tree replacement. Timing on each measure shall be stated where applicable; where not otherwise stated, all measures must be in place throughout all grading and construction activities. Tree plantings shall have a 100% success rate over the life of the Conditional Use Permit.

Monitoring: P&D shall conduct site inspections throughout all phases of development to ensure compliance with and evaluate all tree protection and replacement measures. Release of performance security requires P&D staff signature. Annual compliance reports shall include performance review of tree replacements.

51. BIO-5 Invasive Plant Prohibition. Invasive exotic plants (pursuant to the updated list maintained by the California Exotic Pest Plant Council) shall not be included in any approved planting plans or installed on campus. Plan Requirements and Timing: Prior to issuance of Zoning Clearances approval of land use permits, P&D shall check proposed landscape plans.

Monitoring: Permit compliance staff shall conduct site inspections.

52. F-1(a) Fire Protection Design Criteria. The applicant shall implement the fire protection design criteria approved by the Montecito Fire Protection District (MFPD). Any modifications to these criteria inspired by development in knowledge of fire protection measures or necessitated by field changes or other project modifications that occur during project construction shall be approved by P&D and the MFPD prior to implementation of the field changes or project modifications. Plan Requirements and Timing: The fire protection design requirements shall be denoted on building and grading plans as appropriate prior to issuance of any Zoning Clearances approval of any land use permits and shall be implemented during project construction. Applicant shall verify MFPD approval of any changes to the fire protection design criteria during project construction.

Monitoring: The Montecito Fire Protection District shall ensure compliance prior to occupancy clearance. Permit Compliance shall verify compliance prior to signing off on occupancy clearance.

53. F-1(b) Wildfire Evacuation Plan. Westmont College shall comply with the The proposed wildfire evacuation plan approved shall receive final approval by the Montecito Fire Protection District (MFPD) dated October 2008. Plan Requirements and Timing: The wildfire evacuation plan shall be submitted to the MFPD prior
to the issuance of Building Permits for Phase I development. The wildfire evacuation plan shall be periodically reviewed and updated pursuant to the MFPD’s recommendation.

**Monitoring:** Prior to issuance of Building Permits for Phase I development, the Building and Safety Division shall ensure that the MFPD has reviewed the wildfire evacuation plan for compliance with fire protection standards. The MFPD shall ensure that the wildfire evacuation plan is updated, as needed. Reports on emergency preparedness shall be included in annual compliance reports.

54. **F-2(a) Fuel Abatement.** Westmont shall establish a regular fuel abatement program for fire protection purposes. This program shall be integrated with riparian habitat enhancement plans and tree protection and replacement plans, and shall include a regular monitoring schedule and reporting form for submittal to the MFPD on an annual basis. **Plan Requirements and Timing:** The fuel management program shall be submitted to P&D and to the MFPD for review and approval prior to issuance of any Zoning Clearances approval of any land-use permits and annual monitoring reports shall be submitted to P&D.

**Monitoring:** P&D shall confirm receipt of the final plan and annual monitoring reports. Westmont shall assume costs for agency review of monitoring reports.

55. **F-2(b) Construction Period Fuel Abatement.** Westmont shall establish a fuel abatement program for construction periods that occur during the high fire season. This program shall be consistent with the regular fuel abatement program. **Plan Requirements and Timing:** The construction fuel management program shall be submitted to P&D and to the MFPD for review and approval prior to issuance of any Zoning Clearances approval of any land-use permits.

**Monitoring:** P&D shall confirm receipt of the final plan. Permit compliance shall spot check during construction to ensure that fuel abatement procedures are in place.

56. **F-3(a) Emergency Response/Evacuation Plan.** Construction management plans prepared for each phase of construction shall contain an emergency response/evacuation plan in addition to Westmont’s shelter-in-place plan. Construction management plans shall be reviewed and approved by the MFPD. **Plan Requirements and Timing:** Construction management plans shall be submitted to P&D and to the MFPD for review and approval prior to issuance of any Zoning Clearances approval of any land-use permits.

**Monitoring:** P&D shall confirm compliance with the emergency response/evacuation plan during construction periods and review the plan during pre-construction meetings.

57. **F-3(b) Shelter-in-Place Plan Notification.** On “red flag” days, Westmont representatives shall notify people present on and near the campus of the shelter-in-place plan. Residents of properties adjacent to the campus shall be notified of the shelter-in-place plan annually. **Plan Requirements and Timing:** A plan for notifying people on campus shall be submitted to P&D and to the MFPD for review and approval prior to issuance of any Zoning Clearances approval of any land-use permits.

**Monitoring:** P&D shall confirm that an approved notification plan is in place prior to issuance of Zoning Clearances approval of land-use permits.

58. **GEO-1(a) Dry Season Grading.** Excavation and grading shall be limited to the dry season of the year (April 15 – November 1) unless a Building & Safety-approved Grading and Erosion Control Plan is in place and all measures therein are in effect. The Grading and Erosion Control Plan shall be designed to minimize erosion and shall include the following:
1. Detailed plans and report prepared by a licensed geologist or engineer for any permanent erosion control structures.

2. Methods such as retention basins, drainage diversion structures and spot grading shall be used as appropriate to reduce siltation into adjacent drainages or roadways during the grading and construction activities.

3. Provisions to re-seed exposed graded surfaces with ground cover to minimize erosion. Graded areas that are not to be built upon shall be revegetated within four weeks of completion of grading activities with deep-rooted, drought-tolerant species wherever possible and in accordance with the project design guidelines to minimize the potential for oversaturation and erosion. Surfaces graded for placement of structures shall be seeded with ground cover if construction does not commence within four weeks of grading completion. This requirement shall be noted on all grading and building plans.

4. All cut and fill slopes on the property shall be no steeper than 2:1 (horizontal to vertical) without the use of engineered retaining walls. Dry-stack walls less than three feet in height used in landscape applications are not required to be engineered unless otherwise determined necessary by P&D.

5. All fill material shall be recompacted to engineered standards as specified within the Uniform Building Code or by a qualified Soils Engineer and as approved by P&D.

6. Recommendations regarding the placement of fill material, recompaction, and grading methods contained in required soils reports for any given phase of construction shall be implemented.

**Plan Requirements and Timing:** The Grading and Erosion Control Plan for each project shall be submitted for review and approval by P&D and Flood Control prior to issuance of any Zoning Clearances approval of any Land Use Permits for grading. The applicant shall notify Permit Compliance prior to commencement of demolition and/or grading. Applicable components of the grading plan shall be implemented during demolition and grading activities and prior to occupancy clearance.

**Monitoring:** Grading inspectors shall monitor technical aspects of the grading activities. Permit Compliance shall require site inspections during grading to monitor dust generation and four weeks after grading completion to verify seeding and/or that construction has commenced in areas graded for structures.

59. **CONDITION COMPLETED. GEO-1(b) - Pacific Materials Laboratory of Santa Barbara, Inc. (PML) Recommendations.** Geotechnical recommendations included in the PML June 4, 1999, study and the September 2006 PML update letter for Westmont shall be refined as necessary and incorporated into the project design and construction of Phase I. The geotechnical report for the Campus Master Plan concluded that the pad grade elevation at each building will be achieved by cutting from 5 to 20 feet below the existing contours. The 20 foot vertical cut excavation will be located within 20 horizontal feet of the existing Library and Science buildings to the east. Depending on the elevation of the existing footings for these buildings, it may be necessary to underpin the adjacent wall of the existing buildings in order to allow for the temporary cut excavations. The anticipated cut slope shall extend from the new pad grade of the proposed structure and approach the west exterior wall of the existing buildings. An engineering geologist shall be retained to assess the feasibility of a deep cut from a geologic standpoint. **Plan Requirements and Timing:** An updated PML report shall be submitted to P&D for review prior to approval of land use permits for grading.
Monitoring: Building inspectors shall conduct site inspections.

60. **H-1(a) Art Center and Deane Hall Treatment Plan.** Prior to remodeling the former Deane School Junior Dormitory (presently used as the Music Building and the former Dean School El Encinal (presently used as Deane Hall), Westmont shall develop a historic resources treatment plan, for the future remodeling of the Art Center and Deane Hall. The plan shall adhere to the Secretary of the Interior’s Standards for Treatment of Historic Properties with Guidelines for Rehabilitating Historic Buildings, which include:

- A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

- Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

- Changes to a property that have acquired historic significance in their own right will be retained and preserved.

- Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

- Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

- Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

- Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

- New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
Plan Requirements and Timing: The treatment plan shall be submitted to the Historical Landmarks Advisory Commission (HLAC) for review and approval prior to issuance of any Zoning Clearances approval of any land use permits that would involve alteration to either the former Deane School Junior Dormitory (presently used as the Music Building, and the former Dean School El Encinal (presently used as Deane Hall) Art Center or Deane Hall.

Monitoring: P&D shall ensure review by the HLAC and shall check in the field for compliance with the Campus Master Plan.

61. CONDITION COMPLETED. H-1(b) Dure House and Shennum Housing Photodocumentation. The exteriors of Dure House and Shennum House, as well as the two buildings associated with the Murphy Estate and proposed for demolition (Math Building, Physics Building, Day House) shall be photographed to preserve a visual record of these buildings for the community and future researchers. Plan Requirements and Timing: These buildings shall be photographed comprehensively for historic record and photographs with negatives shall be submitted to the Montecito History Committee Archives and P&D for review and approval prior to any demolition.

Monitoring: P&D shall ensure receipt of photographic records.

62. H-1(c) Historic Landmark Preservation Plan. Westmont College shall comply with the Historic Landmark Preservation Plan approved by P&D dated March 2001, to address Westmont’s designated historic landmarks, which indicates prepare a preservation plan for its designated historic landmarks indicating which resources are to be preserved, how they are to be preserved, and what types of modifications to these resources would trigger HLAC review. Follow-up HLAC review of specific projects included in the Campus Master Plan shall be limited to a determination of consistency with the approved preservation plan. Plan Requirements and Timing: Westmont shall submit a comply with the approved preservation plan for its designated historic landmarks, to P&D and the HLAC for review and approval prior to approval of any land use permits affecting designated historic landmarks.

Monitoring: P&D shall ensure receipt of the plan and distribution of the plan to the HLAC. Permit Compliance shall ensure that the plan is implemented in the field.

63. H-1(d) Estate Garden Area Preservation. Campus development shall be prohibited from encroaching into the Kerrwood Hall/Murphy estate garden area or from weakening the existing vegetative screen surrounding this area. Plan Requirements and Timing: The proposed revised Campus Master Plan shall be amended to specifically include this restriction.

Monitoring: P&D shall ensure review of all individual building permit applications to ensure that encroachment into the garden area would not occur.

64. H-1(e) Business Services Building. The design of the Business Services Building shall be compatible with the historic materials, features, size, scale and proportion, and massing of Kerrwood Hall in order to protect the integrity of the property and its environment. The design shall be reviewed and approved by a County-qualified architectural historian as well as the County Historical Landmarks Advisory Commission (HLAC) for adherence to the Secretary of the Interior’s Standard 9 (“New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing of the property”). Plan Requirements and Plan Requirements and Timing: The treatment plan shall be submitted to the HLAC for review and approval prior to approval of any land use clearance that would involve construction of the Business Services Building.
Monitoring: P&D shall ensure review by the HLAC and shall check in the field for compliance with the Master Plan.

65. **CONDITION COMPLETED. H-1(f) Adams Center for the Visual Arts.** The new building shall be set back at least ten feet to the west of the row of cypress trees that marks the western boundary of the proposed County Landmark formal estate gardens. The building design shall incorporate sandstone steps, walls, and as much of the north/south path to the west of the formal gardens as is feasible as part of the proposed gallery garden. **Plan Requirements and Timing:** The treatment plan shall be submitted to the HLAC for review and approval prior to approval of any land use clearance that would involve construction of the Adams Center for the Visual Arts.

Monitoring: P&D shall ensure review by the HLAC and shall check in the field for compliance with the Master Plan.

66. **H-1(g) Voskuyl Chapel.** The When relocated, the chapel shall be set back at least ten feet from the columns that mark the eastern boundary of the proposed County Landmark formal estate gardens. **Plan Requirements and Timing:** Plans for the chapel shall be submitted to P&D for review and approval prior to approval of any land use clearance that would involve construction of the chapel.

Monitoring: P&D shall ensure review of the building permit application for the chapel to ensure that building placement complies with the above restriction.

67. **H-1(h) Lily Pond.** The When relocated, the Lily Pond shall retain its historic orientation, a prerequisite for the relocation of significant resources. This historic orientation will allow the pond to retain its same geographical relationship with the arbor and formal garden as it has today. Before the lily pond is relocated, large-format photographs of it shall be taken to document the shape of the pond, the materials of the pond coping, the stone wall surrounding the pond, and the landscaping surrounding the pond. These photographs shall be presented in a binder to the Montecito History Committee archives. Measured drawings of the pond shall be prepared to assist in reproducing the concrete coping, shape, and stone walls at the new location. **Plan Requirements and Timing:** The treatment plan shall be submitted to the HLAC for review and approval prior to approval of any land use clearance that would involve relocation of the Lily Pond. Photographs shall be submitted to the Montecito History Committee prior to approval of the same land use clearance.

Monitoring: P&D shall ensure review by the HLAC, ensure that photographs have been submitted to the Montecito History Committee, and check in the field for compliance with the Master Plan.

68. **N-1(a) Construction Timing.** With the exception of concrete pours as outlined in Condition No. 83, construction activity for site preparation and for future development, inclusive of equipment and material deliveries, shall be limited to the hours between 7:00 A.M. and 4:30 P.M., Monday through Friday. No construction shall occur on State holidays. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements and Timing:** A minimum of six signs stating these restrictions shall be posted at all entrances to the campus and at each construction site on-campus. Signs shall be in place prior to the beginning of and throughout grading and construction activities for each element of buildout. Violations may result in suspension of permits.

Monitoring: Building Inspectors and Permit Compliance shall spot check and respond to complaints.
69. **N-1(b) Equipment Shielding.** Stationary construction equipment that generates noise exceeding 65 dBA at the campus boundaries shall be shielded to P&D’s satisfaction and shall be located on the construction site as far as possible from occupied residences. **Plan Requirements and Timing:** Construction plans shall specify the use of appropriate temporary shielding between noise-generating construction equipment and off campus receptors.

**Monitoring:** Permit Compliance shall perform site inspections to ensure compliance.

70. **N-1(c) Electrical Power.** Electrical power shall be used to run air compressors and similar power tools. **Plan Requirements and Timing:** The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities for each element of buildout.

**Monitoring:** Permit Compliance shall perform site inspections to ensure compliance.

71. **N-1(d) Equipment Restrictions.** For clearance and grading for the recreational field at the southern end of the campus and the construction of the new campus entrance on Cold Spring Road, no more than two heavy mobile vehicles (graders, heavy trucks, etc.) shall be allowed to operate at any given time. **Plan Requirements and Timing:** Mobile vehicles shall be limited as indicated above throughout construction activities.

**Monitoring:** Permit Compliance shall perform site inspections to ensure compliance.

72. **N-1(e) Notice to Property Owners.** Immediately prior to issuance of Zoning Clearances approval of Land Use Permits for any proposed construction under the Campus Master Plan with the potential to generate off-campus noise, Westmont shall mail written notice of the project’s approval to all property owners and occupants of parcels within 1,600 feet of the campus of the noise generating construction. Mailed notice shall include the conditions of approval, the proposed construction schedule, and a telephone number for noise complaints. **Plan Requirements and Timing:** Proof of mailing the notices shall be provided to P&D prior to issuance of Zoning Clearances land-use permits.

**Monitoring:** Staff shall confirm receipt of the proof of mailing.

73. **N-1(f) Construction Noise Complaint Line.** Westmont shall provide a manned telephone number for local residents to call to submit complaints associated with construction noise. The number shall be included in the notice indicated in Measure N-1(e) and posted on the Westmont campus and shall be easily viewed from adjacent public areas. **Plan Requirements and Timing:** Proof of mailing the notices shall be provided to P&D prior to issuance of Zoning Clearances land-use permits. Also, a minimum of six two signs with the phone number (but not fewer than the number of active construction sites) shall be posted on-campus (this information may be provided on the same signs indicated in Measure N-1[a]). Westmont shall inform P&D of any complaints within one week of receipt of the complaint. Signs shall be in place prior to beginning of and throughout grading and construction activities for each element of buildout. Violations may result in suspension of permits.

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

74. Deleted

75. Deleted
76. CONDITION COMPLETED. N-3(a) Control Cooling Tower Noise. — The Central Plant cooling towers shall be equipped with a quiet fan that uses alternate pitch fan blades and a revised gear ratio. Plan Requirements and Timing: Plans for the cooling towers shall be submitted with applications for land use permits for Phase I. Monitoring: P&D shall confirm installation in the field.

77. CONDITION COMPLETED. N-3(b) Integrated Noise Control Panel System and Mufflers. Integrated noise control panel systems shall be installed on new emergency generators to be added in conjunction with the Central Plant and the perimeter road. These emergency generators shall also be fitted with "critical class" mufflers. Plan Requirements and Timing: Plans for the emergency generators shall be submitted with applications for land use permits for Phase I. Monitoring: P&D shall confirm installation in the field.

78. N-3(d) Perimeter Road Noise Barrier. An earthen berm at least 3 feet in height shall be constructed along the west side of the new Perimeter Road for a distance of 300 feet in length shall be maintained in conformance with the plans approved by P&D and the MBAR. The berm shall be landscaped with native vegetation in conjunction with the riparian restoration and enhancement plan. Plans for the berm shall be submitted to P&D and the MBAR for review and approval prior to approval of land use permits for Phase One of the proposed project. The berm shall be constructed and landscaped prior to final sign off on the roadway. Plan Requirements and Timing: Plans for the berm shall be submitted with applications for land use permits for Phase One. Monitoring: P&D shall confirm that the berm is maintained in conformance with approved plans, construction in the field.

79. CONDITION COMPLETED. N-3(e) Emergency Generator Enclosures. Emergency generators on the roof of Voskuyl Library and adjacent to Page Hall shall be fitted with partial enclosures (roof open, 3-sided, open to the east). The partial enclosures shall incorporate sound-absorbing material on the inside surface of the barrier walls. Plan Requirements and Timing: Plans for the partial enclosures shall be submitted with applications for land use permits for Phase I. Monitoring: P&D shall confirm installation in the field.

79.1 The Owner/Applicant shall obtain APCD permits for all stationary diesel engines rated at 50-brake horsepower or greater, including the generators on the roof of Voskuyl Library and adjacent to Page Hall. Plan Requirements and Timing: The appropriate APCD permits for generators on the roof of Voskuyl Library and adjacent to Page Hall (installed during Phase I) shall be obtained prior to issuance of Building Permits for Phase II (Residence Hall construction). Appropriate APCD permits for any stationary diesel engines rated at 50-brake horsepower or greater installed during Phase I or subsequent phases of development shall be obtained prior to Final Building Inspection Clearance for that phase.

80. CONDITION COMPLETED. N-3(f) Condenser Enclosures. Condensers on the roof of Voskuyl Library shall be fitted with partial enclosures (roof open, 3-sided, open to the south). The partial enclosures shall incorporate sound-absorbing material on the inside surface of the
Plan Requirements and Timing: Plans for the partial enclosures shall be submitted with applications for land use permits for Phase I.

Monitoring: P&D shall confirm installation in the field.

81. **PF-2(a) Solid Waste Management Plan.** Westmont shall develop and implement a Solid Waste Management Plan for each phase of construction. The Plan shall identify:

**CONSTRUCTION**

1. Estimated weight of total materials expected to be utilized for project during construction.

2. Estimated weight, by material type, to be discarded during construction.

3. Estimated weight, by material type, to be recycled or reused during construction.

4. Names and locations of markets for Construction and Demolition (C&D) waste recycling and disposal, i.e., where permittee plans on sending all component materials taken off-campus during construction.

5. Estimated number of separate bins required for recycling construction materials and cleared brush during grading and construction activities. (All demolition and/or excess construction materials shall be separated on-campus for reuse/recycling or proper disposal [e.g., separate bins for concrete and asphalt, wood, metal, drywall and brush] and to take advantage of decreased prices for recycling these materials.)

6. Development of a Source Reduction Element (SRE) describing the recommended program(s) and the estimated reduction of the solid waste before it is created. For example, the SRE may include a description of value-engineering building techniques employed to keep excess cutoffs to a minimum (including increased spacing of joists and studs, in-line framing, reduced header sizes, and modular roof design).

**OPERATION**

7. Continued implementation of campus-wide recycling program, including yard recycling.

8. Per the requirements of the California Solid Waste Reuse and Recycling Access Act (AB 1327), during occupancy, planned provision of adequate space and/or bins for storage of recyclable materials within the Westmont campus.

Plan Requirement and Timing: The applicant shall submit a Solid Waste Management Plan to P&D and Public Works Department for review and approval prior to approval of a Zoning Clearance Land Use Permit for structures. Requirement no. 4 shall be printed on the grading and construction plan. Program components no. 1 through 6 shall be satisfied prior to issuance of building or grading permits, while components no. 7 and no. 8 shall be implemented throughout the life of the project. Applicant shall submit all recycling receipts, including material tonnages to the Public Works Department Solid Waste Division.

Monitoring: P&D and Public Works shall review the Plan prior to land use clearance. Public Works shall review all Plans and receipts prior to, and after occupancy, to ensure all required solid waste management components are established and implemented.
82. **PF-2(b) Material Separation.** Demolition and/or excess construction materials shall be separated on-campus for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided on campus. **Plan Requirements:** This requirement shall be printed on the grading and construction plan. Permittee shall provide P&D with receipts for recycled materials or for separate bins. **Timing:** Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

**Monitoring:** P&D shall review receipts prior to occupancy clearance.

83. **TC-1(a) Construction Traffic Control Plan.** To reduce the potential for construction-related traffic to add to existing congested peak-hour traffic conditions in the MCP area, a construction area traffic control plan, including but not limited to the following measures, shall be implemented.

a) With the exception of concrete pour days, (i) construction workers shall not be scheduled to arrive during the peak AM traffic period (7:45 A.M. to 8:45 A.M.) and (ii) the construction workday shall end no later than 4:00 P.M. and (concrete workers shall be required to depart no later than 4:00 P.M., but not before 2:30 P.M. and 3:30 P.M. on days when Cold Spring School is in session). An allowance of five vehicles per day may be permitted to depart between 2:30 P.M. and 3:30 P.M. for personal appointments.

b) With the exception of vehicles requiring CHP escort, concrete pour days, materials delivery trucks and large construction equipment, including dump trucks, not parked onsite overnight shall not arrive at the site after 9:00 before 7:00 A.M. and such vehicles shall depart before 4:00 P.M., but not between 2:30 P.M. and 3:30 P.M. on days when Cold Spring School is in session.

c) Equipment and delivery trucks shall minimize the use of roadways within the Montecito area (i.e., use Highway 101 and direct arterials as much as possible) to access the work site.

d) Workers’ vehicles, construction equipment, and/or delivery trucks shall park only in designated areas on the campus and not on public roadways, except as necessary to perform specific tasks. No construction-related vehicle or equipment shall be parked overnight on public roadways.

e) With the exception of concrete pour days, work that causes delays and/or redirecting of local traffic shall not commence prior to 9:00 A.M. and shall not continue after 4:00 P.M.

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11 The intent of this condition is to except concrete deliveries from the general prohibition of peak hour deliveries of building materials, such that during morning and/or afternoon peak hours, concrete trucks could deliver concrete for construction as needed and those construction workers involved in completing a concrete pour could stay at the site after 4:00 P.M. No concrete pours excepted by this condition include concrete pours for interior walls and columns, building footings and foundations, concrete slab on metal deck, slab on grade, exterior “shotcrete” foundation walls, elevated structural (formed) slabs, grouting of soldier planes for shoring, and caissons.

12 The intent of these hours is to avoid the period of time when students are arriving and departing from Cold Spring School. Students may be dropped off at Cold Spring School as early as 8:00 A.M. School starts at 8:30 A.M.

13 This time corresponds with the Montecito Community Plan noise policy.
f) The applicant shall designate a person located at the site to receive and respond to complaints from the public regarding traffic. This designee’s name, office location, and telephone number shall be prominently displayed at the site throughout the construction. The applicant also shall provide this information in individual written notification sent to all property owners and residents within 1,600 feet of the campus and to P&D.

g) The applicant shall coordinate with Caltrans and Public Works Roads Division during construction periods that overlap with construction along Highway 101 associated with the Highway 101 In Motion project, in order to avoid excessive traffic congestion and delays associated with road and ramp closures.

h) Westmont College, in coordination with the construction contractor(s), shall institute a transportation demand management program during all construction phases, which shall include the use of vanpooling, off-site parking and shuttling programs, or other alternative means of transportation such that no more than an average of 300 ADTs during Semester Weekdays and 150 ADTs during All Other Days are added to Cold Spring Road during construction, as compared to similar non-construction periods.

Plan Requirements and Timing: Prior to issuance of Zoning Clearances approval of land use permits for each project, the applicant shall submit the construction area traffic control plan to P&D, Public Works Roads Division, and the Montecito Fire Protection District for review.

Monitoring: Permit Compliance shall periodically spot check and respond to complaints.

84. TC-1(b) Traffic Control Monitor. The applicant shall ensure that a traffic control monitor (flag person) is posted on public roadways as needed during construction. Plan Requirements and Timing: The monitor(s) shall direct traffic whenever heavy construction equipment is traversing and/or operating on or near Cold Spring Road, and any other time(s) and location(s) warranted to ensure public safety. The traffic monitor shall be posted throughout the demolition and construction periods, as necessary. The applicant shall coordinate with the Montecito Fire Protection District in order to ensure that traffic control routes and procedures would allow for adequate emergency access.

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

85. TC-1(c) Construction Vehicle Parking. Parking for construction vehicles shall be included in proposed plans for each phase of construction. Plan Requirements and Timing: Submitted plans shall include this information prior to P&D’s and the Montecito Fire Protection District’s approval of land use clearances for any phase of construction.

Monitoring: Permit Compliance shall confirm adherence to this condition in the field.

86. Deleted

87. Deleted

88. CONDITION COMPLETED. TC-3 Campus Gateway Relocation. Consistent with ATE’s recommendation in their February 9, 1999, Traffic Analysis for the Westmont College Revised Access and Circulation Plan, the proposed new south campus gateway location shall be located to provide a minimum 400 feet of sight distance looking to the north, thereby satisfying Caltrans’ requirement. Plan Requirements and Timing: Plans shall include the revised location of the
entry prior to approval of land use permits for the south campus entry relocation. The location of the entry shall be subject to field approval by Public Works Transportation staff.

**Monitoring:** Staff shall check plans and monitor during construction.

89. **WR-1(a) Erosion and Sediment Control Plan.** As required within the SWMP, an erosion and sediment control plan shall be developed prior to the initiation of grading for the first each phase of the Proposed Campus Master Plan at Buildout and implemented for all construction activities on the Westmont campus. This plan shall include:

1) Description of the proposed practices to retain sediment on the campus and a schedule for their maintenance;

2) Description of surface runoff and erosion control practices to be implemented;

3) Description of vegetative practices to be used (including seeds, fertilizers, irrigation, and schedule for maintenance);

4) Measures to ensure that vehicles do not track materials onto public streets (and actions to remove such materials if necessary); and

5) Best Management Practices (BMPs) for control of storm water and non-storm water discharges, such as discarded building materials, litter, sanitary waste, washout of waste materials such as drywall, grout, gypsum, plaster, mortar, concrete, etc.

BMP measures shall be selected from one of three manuals adopted by the Board of Supervisors, these include:


The grading and erosion and sediment control plans shall be designed to minimize erosion and shall include the following requirements:

a. Grading shall be prohibited within 50 feet of the top of bank of Chelham Creek or the unnamed drainage, unless expressly permitted by the MPC, MBAR, and Planning and Development. The protected area shall be designated with orange construction fencing or other barrier to prevent entry by equipment or personnel.

b. Methods such as geotextile fabrics, erosion control blankets, retention basins, drainage diversion structures, siltation basins and spot grading shall be used to reduce erosion and siltation into adjacent water bodies or storm drains during grading and construction activities.
c. All entrances/exits to the construction site shall be stabilized (e.g. using rumble plates, gravel beds or other best available technology) to reduce transport of sediment off of the campus. Any sediment or other materials tracked off-campus shall be removed the same day as they are tracked using dry cleaning methods.

d. Storm drain inlets shall be protected from sediment-laden waters by the use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps.

e. Graded areas other than construction vehicle staging areas shall be revegetated within 4 weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

f. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff.

g. A detailed geological and/or soils engineering study addressing structure sites and the access road shall be prepared to determine structural design criteria, as recommended by the Planning and Development Building & Safety Division. The study shall be submitted for review and approval by Public Works.

h. Equipment storage sites shall be located at least 100 feet from any water bodies.

**Plan Requirements and Timing:** The grading and erosion and sediment control plan(s) shall be submitted for review and approved by P&D prior to issuance of Zoning Clearances approval of land use permits. The plan shall be designed to address erosion and sediment control during all phases of development of the campus. The applicant shall notify Permit Compliance prior to commencement of grading. Components of the grading plan shall be implemented prior to occupancy clearance. Erosion and sediment control measures shall be in place throughout grading and development of the campus until all disturbed areas are permanently stabilized.

**Monitoring:** Permit Compliance will photo document revegetation and ensure compliance with plan. Grading inspectors shall monitor technical aspects of the grading activities. Specific inspection times for erosion and sediment control BMPs will be conducted:

1) Initially (prior to the start of grading);

2) Drainage device inspection (after forms and pipes are in place); and

3) During the rainy season (November 1 to April 15), minimum of two County inspections per month on active projects with open grading with one acre or more of land disturbance.

90. **WR-1(b) Construction Equipment and Vehicle Washing.** During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the campus. Wash waters shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources. The locations(s) of the washout area(s) shall be clearly noted at the construction site with signs. **Plan Requirements and Timing:** The applicant shall designate a washout area, acceptable to P&D, and this area shall be shown on the construction and/or grading and building plans. The washout area shall be designated on all plans prior to issuance of Zoning Clearances approval of land use permits. The washout area(s) shall be in place and maintained throughout construction.
Monitoring: P&D staff shall check plans prior to approval of land use permits and compliance staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area(s).

91. **WR-1(c) NPDES Compliance Documentation.** The applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **Plan Requirements and Timing:** Prior to issuance of Zoning Clearances approval of Land Use Permits the applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan to P&D. The Storm Water Pollution Prevention Plan shall be reviewed and approved by the Regional Water Quality Control Board prior to approval of Building Permits. A copy of the SWPPP must be maintained on campus during grading and construction activities.

Monitoring: P&D shall review the documentation prior to issuance of Zoning Clearances approval of Land Use Permits. P&D shall site inspect during construction for compliance with the SWPPP.

92. **WR-1(d) Construction Materials and Waste.** Construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. shall be stored, handled, and disposed of in a manner which minimizes the potential for storm water contamination. **Plan Requirements and Timing:** Bulk storage locations for construction materials and any measures proposed to contain the materials shall be shown on the grading plans submitted to P&D for review prior to issuance of Zoning Clearances approval of Land Use Permits.

Monitoring: P&D shall site inspect prior to the commencement of, and as needed during all grading and construction activities.

93. **WR-1(e) Clean Imported Fill.** If fill material is brought to the Westmont campus, the applicant shall follow the Department of Toxic Substance Control’s Information Advisory, Clean Imported Fill Material (October 2001). **Plan Requirements and Timing:** The applicant shall demonstrate compliance with the DTSC Information Advisory prior to undertaking any import of fill.

Monitoring: P&D shall ensure that compliance with the Information Advisory prior to import of fill material.

94. **WR-2 Surface Runoff Control.** Surface water detention basins, outlet pipes, velocity reduction structures and bioswales shall be constructed to reduce runoff velocities to or below current levels and to prevent off-campus flooding and long-term erosion induced sedimentation in Sycamore Creek. These features shall be included in drainage plans for new structures. Bioswales shall maximize contact time, minimize concentrated drainage, minimize erosion, and allow suspended solids to settle before entering the tributaries of Sycamore Creek on campus. Each plan shall include specifications for any bioswales to be maintained in working order throughout the life of the college. **Plan Requirements and Timing:** The improvements shall be depicted on drainage plans for each phase of buildup. Drainage plans shall contain specifications and maintenance procedures; the plan shall be reviewed and approved by Flood Control/Water Agency staff and P&D prior to issuance of Zoning Clearances approval of Land Use Permits for the area affected by the new construction.

Monitoring: County Flood Control shall inspect implementation pursuant to approved plans prior to occupancy clearance of any given phase.
95. **WR-3(a) Best Management Practices.** A combination of structural and non-structural Best Management Practices (BMPs) (e.g., bioswales, storm drain filters, permeable pavement, etc.) shall be installed to effectively prevent the entry of pollutants from the Westmont campus into the storm drain system during and after development. These components may include:

- Storm drain filters/inserts, inline clarifiers, or oil separators installed in the project area storm drain inlets and/or paved areas. The filters/inserts shall be maintained in working order.

- Permanent biofilter/bioswale system constructed to treat storm water runoff from the Westmont campus. The biofilter/bioswale system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the retention time of water and the plants selected are adequate to reduce concentrations of the target pollutants. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofilter. Invasive plants shall not be used in the biofilter. Biofilters shall not replace existing native riparian vegetation unless otherwise approved by P&D.

- Retention basin to provide for on-campus retention of storm water runoff, infiltration, and recharge where feasible. Feasibility shall be determined by the P&D Registered Geologist and SBCFCD engineer. Retention basin(s) shall be maintained for the life of the project by the owner/applicant. Recharge systems shall be developed in conjunction with the SBCFCD and P&D.

**Plan Requirements and Timing:** The applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural BMPs to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Records of maintenance shall be maintained by Westmont College. Prior to issuance of Zoning Clearances approval of Land Use Permits, the SWQMP shall be submitted to P&D, Flood Control, and the Water Agency. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to P&D on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the applicant and be made available to P&D or Public Works on request.

**Monitoring:** P&D, Flood Control and/or Project Clean Water the Water Agency shall site inspect prior to occupancy clearance to ensure measures are constructed in accordance with the Conditional Use Permit and periodically thereafter to ensure proper maintenance. Monitoring for specific BMPs would be as follows:

- Storm drain filters/inserts, inline clarifiers, or separators, Stormwater treatment facilities shall be inspected by P&D periodically throughout the construction phase to ensure proper installation. Records of maintenance shall be maintained by and shall be submitted to P&D on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year the records shall be submitted by Westmont College and be made available to P&D on request. P&D shall review the maintenance records and site inspect as needed following completion of construction to ensure periodic cleanout.

- Biofilters/bioswales shall be inspected by P&D at installation and periodically for maintenance throughout the five-year performance period. Performance security release requires P&D approval.
96. **WR-3(b) Outlet Structure Energy Dissipaters.** Outlet structures for energy dissipation shall minimize disturbance to the natural drainage and avoid the use of unnatural materials, such as concrete, grouted rock, and asphalt rubble. Where hard bank materials must be used, natural rock, gabions, crib wall or other more natural means of energy dissipation shall be preferred. Rock grouting shall only be used if no other feasible alternative is available as determined by P&D and Flood Control. **Plan Requirements and Timing:** Plans shall be submitted for review and approval by P&D and Flood Control prior to issuance of Zoning Clearances approval of Land Use Permits for grading. Structures shall be installed during grading operations.

**Monitoring:** P&D staff shall ensure construction according to plan.

97. **WR-3(c) Storm Drain Labeling.** To prevent illegal discharges to the storm drains, all on-campus storm drain inlets, whether new or existing, shall be labeled to advise the public that the storm drain discharges to the ocean (or other waterbody, as appropriate) and that dumping waste is prohibited (e.g., “Don’t Dump – Drains to Ocean”). The information shall be provided in English and Spanish. **Plan Requirements and Timing:** Location of storm drain inlets shall be shown on site, building, and grading plans prior to issuance of Zoning Clearances and approval of grading and land-use permits. Labels shall be installed prior to occupancy clearance. Standard labels are available from Public Works, Project Clean Water, or other label designs shall be shown on the plans and submitted to P&D for approval prior to issuance of Zoning Clearances and approval of grading and land-use permits.

**Monitoring:** P&D shall site inspect prior to occupancy

98. **WR-3(d) Long-Term Maintenance.** The applicant shall be responsible for the long-term maintenance of the water quality conditions of approval included within this section. **Plan Requirements and Timing:** The proposed maintenance responsibilities and schedule shall be included in a maintenance program submitted by the applicant. The maintenance program shall be submitted for review by P&D, Flood Control and the Water Agency prior to issuance of Zoning Clearances approval of Land Use Permits. Annual records of the maintenance activities shall be maintained by Westmont College and submitted to P&D upon request.

**Monitoring:** P&D shall review the maintenance records or site inspect, as needed. Costs shall be borne by Westmont College.

99. **WR-3(e) Parking Lot Cleaning Program.** A parking lot cleaning program shall be developed and implemented. The program shall include the following elements: weekly removal of litter; immediate cleaning of oil, fuel, and other automotive leaks; vacuum sweeping on a monthly basis; at least six times a year and prior to the commencement of the rainy season (at a minimum during summer, Thanksgiving, winter, and spring school vacations, plus two additional days per year); inspection and cleaning of storm drain inlets and catch basins before November October 1 and in January after significant storms each year; and posting of regulations prohibiting littering, oil changing, and other automotive repairs. Debris removed from the catch basins shall be analyzed and disposed of accordingly. **Plan Requirements and Timing:** The cleaning program shall be submitted to P&D for review prior to approval of land use permits. The location of the posted regulations and the requirement for storm drain cleaning shall be included on the site and building plans submitted to P&D. The plans shall be reviewed prior to approval of land use permits.
Monitoring: P&D shall site inspect prior to occupancy clearance and shall respond to complaints. The landowner shall maintain annual records of the storm drain cleaning and make them available for review by P&D on request.

100. WR-3(f) Organic Landscaping Practices. The installation and maintenance of new landscaping shall be conducted using only organic materials and products. **Plan Requirements and Timing:** A landscape plan that identifies the materials and practices to be used for the installation and maintenance of landscaping shall be submitted to the MBAR and P&D for review prior to issuance of Zoning Clearances approval of Land Use Permits.

**Monitoring:** P&D shall require landscape performance securities prior to issuance of Zoning Clearances approval of Land Use Permits for any buildout under the Campus Master Plan. Annual compliance reports shall address compliance with this measure.

**COUNTY STANDARD CONDITIONS OF APPROVAL**

III. This permit is issued pursuant to the provisions of Section 35.472.060 of the Montecito Land Use & Development Code Section 35-483 of Article IV of the Code of Santa Barbara County and is subject to the foregoing conditions and limitations; and this permit is further governed by the following provisions:

101. Prior to Zoning Clearance issuance Land Use Permit approval for Phase I, any phase of development, an Environmental Quality Assurance Program (EQAP) covering all project improvements shall be prepared according to procedures established by the Santa Barbara County Planning & Development Department (P&D) and approved by P&D. The costs of preparing and implementing the EQAP shall be borne by the applicant. The EQAP shall include the integration, coordination, and implementation of all plans and programs relevant to construction of improvements as required by all conditions of approval with a general description of all necessary measures the applicant will take to assure compliance. The program shall provide a framework and a timeline for implementation of the EQAP and guide environmental monitoring, data collection, and management coordination by a contractor selected by P&D in consultation with the applicant. The contractor(s) for preparation and/or implementation of the EQAP shall be under contract and responsible to the County, with all preparation and implementation funded by the applicant. Quarterly monitoring reports shall be prepared throughout grading and construction activities of each phase of the project as set forth under 90-CP-096 RV01 and all accompanying plans and exhibits. Weekly field logs shall also be prepared and submitted to Permit Compliance staff during construction of subdivision improvements. The quarterly reports shall include a detailed description of project status during construction, including project timetable, environmental implementation efforts, and other pertinent or requested data. The EQAP contractor shall appoint at least one Onsite Environmental Coordinator (OEC) responsible for overall monitoring, but shall employ as many qualified specialists as necessary, to be determined by P&D, to oversee specific mitigations (i.e., archaeologists, biologists, etc.). The OEC shall have the authority and ability to secure compliance with all project conditions and to stop work in an emergency situation. In addition, P&D Permit Compliance shall have oversight monitoring authority and responsibilities as noted in each mitigation measure/condition of approval. Provisions to ensure timely and complete implementation of all mitigation measures with an EQAP monitoring element shall be included in the EQAP. The EQAP may also include any appropriate procedures not specified in the conditions of approval which are relevant to environmental protection.

102. New development authorized under this Conditional Use Permit is not valid until a Zoning Clearance Land Use Permit for the development has been obtained. Failure to obtain said Zoning Clearance land Use Permit shall render new development authorized under this Conditional Use Permit null and void. Prior to the issuance of a Zoning Clearance Land Use Permit required under
this Conditional Use Permit, all of the conditions listed in this Conditional Use Permit that are required to be satisfied prior to Zoning Clearance issuance approval of Land-Use Permit must be satisfied. The effective date of this Conditional Use Permit shall be the date of expiration of the appeal period, or if appealed, the date of action by the Board of Supervisors.

103. All final Planning and Development conditions of approval of this project shall be printed on building and site plans. These conditions shall be submitted to the Planning and Development Department and the Building and Safety Division for all applications on the subject property.

104. (a) Before commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Zoning Clearance Land-Use Permit from the Planning and Development Department. The Zoning Clearance Land-Use Permit is required by ordinance and is necessary to ensure implementation of the conditions required by the Planning Commission. Before a Zoning Clearance Land-Use Permit (zoning clearance) will be issued by the Planning and Development Department, the applicant must obtain written clearance from all departments having conditions. A form for such clearance is available in the Planning and Development Department.

(b) Compliance with Other Agency Requirements. Westmont College shall comply with all applicable conditions required by other County departments and agencies prior to issuance of Zoning Clearances Land-Use Permits for construction of each phase of Master Plan buildout. Specifically, Westmont College shall:

1. Comply with the following agency condition letters:
   i. County Public Health Department, dated November 17, 2006;
   ii. Montecito Fire Protection District, dated March 14, 2006
   iii. Montecito Sanitary District, dated September 17, 1998
   iv. Montecito Water District, dated September 22, 1998
   v. Air Pollution Control District, dated October 22, 2014

2. **CONDITION ELEMENT COMPLETED.** Apply for and be issued an Authority to Construct and Permit to Operate by the County Air Pollution Control District for the Central Plant;

3. Pay all applicable Transportation impact fees prior to issuance of Zoning Clearances Land-Use Permits for development of a phase of construction.

105. Prior to issuance of a Zoning Clearance Land-Use Permit for new development as required under this Conditional Use Permit, the applicant shall pay compliance fees of such amount as may be authorized under ordinance and fee schedules to cover full cost of project monitoring. The permit compliance fees required shall be determined by the Permit Compliance Staff. The purpose of the fees shall be to ensure that the project development is completed in compliance with all project conditions including those contained in applicable ordinances, and is in accord with the approved site plan.

106. Prior to issuance of a Zoning Clearance Land-Use Permit as required by this Conditional Use Permit, the applicant shall pay all Planning and Development permit processing fees.

107. If the Montecito Planning Commission determines at a noticed public hearing that the permittee is not in compliance with any permit condition(s), pursuant to the provisions of Sec. 35.474.060 B-483.10 of Article IV of the Santa Barbara County Montecito Land Use and Development Code, the Montecito Planning Commission is empowered, in addition to revoking the permit pursuant to said section, to amend, alter, delete, or add conditions to this permit.
108. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance or Land Use Permit issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit, if applicable.

109. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the permittee.

110. Since the applicant's use of the site as a college campus has already commenced and this Conditional Use Permit is a revision of a prior Conditional Use Permit, no Zoning Clearance Land Use Permit for use is required. However, the applicant shall obtain one or more Zoning Clearances Land Use Permits for each phase of Phase I construction, as defined in this Conditional Use Permit within 24 months of the effective date of this Conditional Use Permit.

111. A Conditional Use Permit shall become null and void and automatically revoked if the use permitted by the Conditional Use Permit is discontinued for more than one year. Enrollment of less than 1,200 students shall not constitute a basis for rendering the Conditional Use Permit null and void.

112. All time limits may be extended by the Montecito Planning Commission for good cause shown, provided a written request, including a statement of reasons for the time limit extension request, is filed with Planning and Development prior to the expiration date.

113. If the applicant requests a time extension for this permit/project, the permit/project may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of issuance of a Zoning Clearance Land Use Permit.

114. Any Planning Commission decision to amend, alter, delete, or add conditions shall be reported to the Board of Supervisors and shall be final except that, within twelve (12) days after the Planning Commission's action, the Board of Supervisors may set a public hearing on the decision and, after said public hearing, the Board of Supervisors may affirm, modify or reverse the Planning Commission's action by order.

115. Developer shall defend, indemnify and hold harmless the County or its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void for annul, in whole or in part, the County's approval of this Conditional use Permit. In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

116. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the Planning Commission and no approval shall be issued unless substitute feasible mitigation measures are imposed.
CONDITIONS REQUESTED BY SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT

117. Standard dust mitigations (Attachment A of the APCD letter dated October 22, 2014) 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 issuance of land use clearance.

118. 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 text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.

119. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. 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 ozone precursors and fine particulate emissions from diesel exhaust.

120. Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. 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.

121. Spark ignition piston-type internal combustion engines (e.g., gasoline or propane-fired) used exclusively for emergency electrical power generation or emergency pumping of water for flood control or firefighting are exempt from permit requirements pursuant to APCD Rule 202, Section F.1.d., provided the engine operates no more than 200 hours per calendar year and a record is maintained and is available to the District upon request. The record shall list the identification number of the equipment, the number of operating hours on each day the engine is operated and the cumulative total hours.

122. 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 operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

123. Stationary diesel engines rated at 50 brake-horsepower or greater are required to obtain APCD permits prior to installation.

124. 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 installation. Please see www.sbcapcd.org/eng/boiler/rule360/rule_360.htm 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 SBCAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).

125. Boilers, steam generators, and process heaters with rated heat inputs greater than or equal to 5 million Btu per hour used in all industrial, institutional, and commercial operations must comply with emission limits and requirements of APCD Rule 342. Please see www.sbcapcd.org/rules/download/rule342.pdf for more information.
126. 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).**

- **While at a school, the driver must shut down the engine immediately upon arrival and leave within 30 seconds of starting the engine.**

- **See www.arb.ca.gov/noidle for more information.**

127. 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)**

- **Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)**

- **Water conservation (improved practices and equipment, landscaping)**

- **Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)**

- **Architectural features (green building practices, cool roofs)**

128. **Asphalt paving activities shall comply with APCD Rule 329, Cutback and Emulsified Asphalt Paving Materials.**