#### **ATTACHMENT 2**

CITY COUNCIL RESOLUTION NO. 15- \_\_\_\_\_, ENTITLED "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; APPROVING A VESTING TENTATIVE MAP; APPROVING A DEVELOPMENT PLAN WITH ASSOCIATED MODIFICATION; MAKING A GOOD CAUSE FINDING FOR HEIGHT; AND APPROVING A REDUCTION IN INCLUSIONARY HOUSING FOR THE OLD TOWN VILLAGE MIXED-USE PROJECT; CASE NO. 14-026-VTM-DP; APN 071-130-064 (FORMERLY 071-130-023)"

#### RESOLUTION NO. 15-\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; APPROVING A VESTING TENTATIVE MAP; APPROVING A DEVELOPMENT PLAN WITH ASSOCIATED MODIFICATION; MAKING A GOOD CAUSE FINDING FOR HEIGHT; AND APPROVING A REDUCTION IN INCLUSIONARY HOUSING FOR THE OLD TOWN VILLAGE MIXED USE PROJECT; CASE NO. 14-026-VTM-DP; APN 071-130-064 (FORMERLY 071-130-023).

The City Council of the City of Goleta does resolve as follows:

#### <u>SECTION 1:</u> *Recitals.* The City Council finds and declares that:

- A. On April 3, 2014, Peikert & RRM Design Group, representing City Ventures Homebuilding Inc. ("Applicant"), submitted an application for a Vesting Tentative Map ("VTM") and a Development Plan ("DP") for a project consisting of mixed residential and commercial uses that includes 113 traditional townhomes, 28 shop keeper townhomes, 34 live-work flex townhome units and a community center (the "Project");
- B. Considered separately, the Project also includes a request for a General Plan Amendment to change the land use designation to Commercial Old Town (C-OT) and a rezone to Old Town Residential/General Commercial (OT-R/GC);
- C. The City reviewed the Project's environmental impacts in accordance with the California Environmental Quality Act (Public Resources Code, §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 California Code of Regulations, §§ 15000, et seq., the "CEQA Guidelines"), and the City's Environmental Review Guidelines ("Goleta Guidelines");
- D. On July 27, 2015, the Planning Commission conducted a duly noticed public hearing and considered the entire administrative record including, without limitation, staff reports and evidence submitted during the public hearing; and
- E. On August, 2015, the City Council conducted a duly noticed public hearing and considered the entire administrative record including, without limitation, information submitted to the Planning Commission.

#### SECTION 2: Factual Findings and Conclusions. The City Council finds as follows:

- A. The Project site is located on vacant land west of South Kellogg Avenue and Kellogg Way consisting of 12.31 total acres (Assessor's Parcel No. 071-130-064). The Project site currently has a General Plan land use designation of Commercial Visitor-Serving (C-VS) and zone designation of Resort/Visitor Serving Commercial (C-V). By separate application, however, the Applicant is seeking a General Plan amendment. If approved, the General Plan amendment would cause the Project site to be designated Commercial Old Town (C-OT);
- B. Access to the Project site is proposed from South Kellogg Avenue and the extension of Ekwill Street that is scheduled to be built by the City in 2016. The Ekwill Street extension was approved by the City Council in 2011;
- C. The Project includes a request for approval of a Development Plan ("DP") for a 175 unit mixed-use residential and commercial development with a modification to increase residential building height limits from 25-feet to 35-feet pursuant to the Goleta Inland Zoning Ordinance ("ZO");
- D. The Project includes a request for a Vesting Tentative Map ("VTM") with two lots: Lot 1 for the development of 175 townhomes and the Ekwill Street extension Right of Way (Ekwill ROW) and Lot 2, which will be dedicated to the City for the storm water purposes;
- E. The Project is located outside both the clear and approach zones of the Santa Barbara Municipal Airport as well as the downwind and base legs or departure paths or traffic patterns. Additionally, the Project site is located outside the 60dB CNEL noise contour:
- F. The Project has a density of 14.2 units per acre based on 175 residential and mixed-use townhomes on a 12.31 gross developable acres;
- G. The Project site is a generally level large rectangular-shaped parcel;
- H. Twenty-two percent (22%) of the DP site would be open space;
- I. The Project provides more parking spaces (489) than the parking spaces mandated by zoning regulations (487);
- J. The Project site has sufficient frontage on proposed Ekwill Street and South Kellogg Avenue to provide a driveway on each street for adequate ingress

and egress that also meets Fire Department requirements; and

K. The factual findings in this Section are based upon substantial evidence found within the entirety of the administrative record. Notwithstanding the identification of specific facts within this Section, the entire administrative record adequately provides substantial evidence for all findings set forth in this Resolution.

<u>SECTION 3:</u> Environmental Assessment Findings. The City Council makes the following environmental findings pursuant to CEQA § 21081 and CEQA Guidelines §§ 15090 and 15091:

- A. The City completed a MND and MMRP (collectively, the "MND") for the Project in accordance with applicable law including, without limitation, CEQA Guidelines §§ 15070, 15071 and 15073. The MND is dated July 2015 and entitled "Old Town Village Mixed-Use Project Final Mitigated Negative Declaration" While too voluminous to be attached to this Resolution as an exhibit, the MND is incorporated into this Resolution by reference as if fully set forth. The MND is available for public review in the City Clerk's office;
- B. Based upon the factual findings in Section 2, the Project will not result in a safety hazard or noise problems for persons using the airport or for persons residing or working in the Project area (see CEQA Guidelines §15074(e));
- C. Pursuant to CEQA Guidelines § 15074, the MND reflects the City's independent judgment and analysis. The City Council has independently reviewed and analyzed the MND prepared for the Project. The MND is an accurate and complete statement of the potential environmental impacts of the project. The MND was prepared under the direction of the Planning and Environmental Review Department and reflects its independent judgment and analysis of the environmental impacts and comments received on the MND.

<u>SECTION 4:</u> Vesting Tentative Map Findings. The City Council makes the following findings pursuant to Government Code § 66473.1, § 66473.5, and § 66474.6. Based upon those findings, the City Council determines that the facts would not support findings for denial under Government Code § 66474:

A. Should the GPA be adopted, the Project (along with the design and proposed improvements) will be compatible with the Goleta General Plan for the reasons set forth in the separate General Plan Consistency Analysis (Exhibit 5).

- B. The Project site is 12.31 acres and can accommodate all development including, without limitation, its density and public infrastructure proposed by the Project. Moreover, it is located close to public infrastructure including, without limitation, existing and planned public streets; freeway access; bus and train service; large employment businesses; and commercial service centers.
- C. As set forth in the MND, the Project will not have a significant impact on the environment. Similarly, nothing in the MND identifies the Project as causing serious public health problems.
- D. Nothing about the Project will interfere with public easements affecting the Project site. To the contrary, the Project proposes to provide an roadway easement to the City to ensure that the Ekwill Street improvement can be timely completed.
- E. The property orientation and topography, surrounding vegetation and design of the Project provide opportunities for passive or natural heating or cooling. The Project buildings would be built with solar panels on the roof tops and wired for plug-in electric vehicles.
- F. Wastewater resulting from the Project would be collected and treated by the Goleta Sanitary District ("GSD"). GSD has sufficient infrastructure to undertake this task. Accordingly wastewater discharge into the community sewer system will not result in violation of existing law.

<u>SECTION 5:</u> Development Plan Findings. Pursuant to Sections 35-317.7 and 35-317.8 of the ZO, the Development Plan (Case No. 14-026-DP) conforms to the City's zoning regulations as follows:

- A. As set forth in Section 2, the Project site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of the proposed Project.
- B. As set forth in the MND, adverse impacts from the Project are mitigated to the maximum extent feasible.
- C. As set forth in the MND and conditions of approval (set forth in attached Exhibit 4, and incorporated by reference) the streets and highways are adequate and properly designed.
- D. As set forth in the MND, there are adequate public services, including but

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not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.

- E. As set forth in the MND and secured by the MMRP and conditions of approval, the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.
- F. As set forth in the MND; Exhibit 1, which is incorporated by reference; the City Council's separate consideration of a General Plan amendment; Sections 2 and 7 of this Resolution; and the General Plan and Zoning Consistency analyses (Exhibits 5 and 6 to this Resolution), the Project conforms to the General Plan and the ZO regulations.
- G. Since there are no public access easements that burden the Project site, the Project will not conflict with any easements required for public access through, or public use of a portion of the property.
- H. The modification to the 25-foot building height restriction of the ZO is justified as follows:

Residential Building Height: Allowing a 35-foot height limit for the traditional residential townhomes located around the outside perimeter of the Project site, would permit those structures to match the height of all other buildings proposed on the Project site. The increased height would also allow the residential units to be sized for families, including 4-bedroom units, without using more of the Project site's open space. The height increase to 35-feet for residential structures is justified in order to ensure uniformity in height among all of the structures and avoid any decrease in open space. Further, Ekwill Street extension ROW constrains the area of development. If the Ekwill Street extension ROW was available for development, then the units could have had a greater footprint without the need for the height increase. However, with the Ekwill Street ROW, the area for development is constrained.

<u>SECTION 6:</u> Good Cause Finding. The City Council makes the Good Cause Finding pursuant to General Plan Land Use Element Table 2-2 to allow the Project's proposed 35-foot building height as follows:

There is Good Cause to allow the Project's buildings to be 35-feet in height rather than the 30-foot restriction in the General Plan Land Use Element for the Commercial Old Town zone. Approximately 1.3 acres of the Project land would be set aside as a right-of-way easement to the City for the

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extension of Ekwill Street at a value of approximately \$1.3 million. With the inclusion of the dedication of Lot 2 of the Vesting Tentative Map, the value of the land provided to the City becomes approximately \$2.4 million.

Additionally, the increased height enhances the design harmony within the project and provides for an ample amount of open space and landscaping on the site. The 35-foot building height is compatible with the height of office/light industrial buildings in the area and adjacent to the site and the 35-foot building height would not impact the general public view of the Santa Ynez Mountains. The Project provides significant community benefits and implements community goals.

<u>SECTION 7</u>: Inclusionary Housing. The City Council considered the Applicant's request to reduce inclusionary housing requirements from 20% of the residential units to 15% in accordance with Section 2.5 of the Housing Element to the General Plan. The City Council finds as follows:

- A. The Applicant is providing approximately 2.4 acres of real property (in easement and dedication form) to the City with an approximate value of \$2.4 million (the "Street Property"). This Street Property is needed by the City to finish the Ekwill Fowler street public works project.
- B. Providing the Street Property to the City represents a "community service" that exceeds the normal expectations and standards set forth in applicable law since, among other things, it will save the City a significant amount of money in property acquisition costs that would otherwise need to be expended for the Ekwill Fowler street public works project.
- C. Further, the City Council agrees that the Applicant's payment of approximately \$1,000,000 in-lieu of building 13 affordable units meets the requirements of the Housing Element. This money can be capitalized by the City, for example as "matching funds", to assist in funding future housing projects for low and very-low income households.

### SECTION 8 Actions. The City Council takes the following actions:

- A. Adopts the MND including, without limitation, the MMRP required by CEQA § 21081.6 and CEQA Guidelines § 15097. The MND constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA; the MMRP is attached as Exhibit 2 and incorporated by reference.
- B. Approves the Vesting Tentative Map subject to the conditions of approval attached as Exhibit 3, and incorporated by reference.

- C. Approves the Development Plan subject to the conditions of approval attached as Exhibit 4, and incorporated by reference.
- D. Approves the modification to increase the residential building heights from 25 feet to 35 feet.
- E. Make the Good Cause Finding to increase building heights from 30 feet to 35 feet pursuant to the General Plan Land Use Element Commercial Old Land Use Town Zone.
- F. Reduce the required inclusionary housing percentages from 20% to 15% and accept the in-lieu payment of \$1,048,385.
- G. Directs the City Manager, or designee, to file a Notice of Determination in accordance with CEQA §§ 21152, 21167(f); CEQA Guidelines § 15094; and any other applicable law.

<u>SECTION 9</u>: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

<u>SECTION 10</u>: *Limitations*. The City Council analysis and evaluation of the project, including this Resolution, are based on the entire record, including the best information currently available. This includes competent and substantial evidence, both oral and written. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

<u>SECTION 11:</u> Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

<u>SECTION 12:</u>This Resolution will become effective immediately upon adoption and will remain effective unless superseded by a subsequent Resolution.

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absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

<u>SECTION 12:</u>This Resolution will become effective immediately upon adoption and will remain effective unless superseded by a subsequent Resolution.

SECTION 13: The City Clerk is directed to mail a copy of this Resolution to Peikert & RRM Design Group and City Ventures Homebuilding Inc. and to any other person requesting a copy.

<u>SECTION 14:</u>The City Clerk will certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this _	day of 2015.
	PAULA PEROTTE, MAYOR
ATTEST:	APPROVED AS TO FORM:
DEBORAH LOPEZ CITY CLERK	TIM GILES CITY ATTORNEY

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ATE OF CALIFORNIA ) UNTY OF SANTA BARBARA ) ss. Y OF GOLETA )
I, DEBORAH LOPEZ, City Clerk of the City of Goleta, California, DO CERTIFY that foregoing Resolution No was duly adopted by the City Council of the City of Goleta regular meeting held on the day of, 2015 by the following vote of the Council:
≣S:
ES:
SENT:
(SEAL)
DEBORAH LOPEZ
CITY CLERK

### **ATTACHMENT 2, EXHIBIT 1**

## FINAL MITIGATED NEGATIVE DECLARATION JULY 2015

This document is on file with the Goleta City Clerk given its size.

It can also be accessed at

http://www.cityofgoleta.org/government/planning-and-environmental-review/ceqa-review/old-town-village-mixed-use-project

## **ATTACHMENT 2, EXHIBIT 2**

## MITIGATION MONITORING AND REPORTING PROGRAM

#### **Mitigation Monitoring and Reporting Program**

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Old Town Village Mixed-Use Project, proposed in the City of Goleta, California. Public Resources Code Section 21081.6(a)(1) requires that a Lead Agency adopt an MMRP before approving a project in order to mitigate or avoid significant impacts that have been identified in an Initial Study-Mitigated Negative Declaration (IS-MND). The purpose of the MMRP is to ensure that the required mitigation measures identified in the IS-MND are implemented as part of the overall project development process. In addition to ensuring implementation of mitigation measures, the MMRP provides guidance to agency staff and decision-makers during project implementation, and identifies the need for enforcement action before irreversible environmental damage occurs.

The following table summarizes the mitigation measures for each issue area identified in the IS-MND for the Old Town Village Mixed Use project. The proposed project would consist of 113 traditional townhomes, 34 live-work townhomes, 28 shopkeeper townhomes, and a community center. The table identifies each mitigation measure; the action required for the measure to be implemented; the time at which the monitoring is to occur; the monitoring frequency; and the agency or party responsible for ensuring that the monitoring is performed. In addition, the table includes columns for compliance verification. Where an impact was identified to be less than significant, no mitigation measures were required.

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Com	pliance	Verification
					Initial	Date	Comments
Aesthetics							
AES-1 Lighting Specifications  Any exterior lighting installed on the project site must be low intensity; low glare design; be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels; and must otherwise meet dark night sky requirements. Exterior lighting fixtures must be kept to the minimum lighting level and intensity needed to ensure public safety. These lights must be dimmed after 11 PM to the maximum extent practical without compromising public safety as determined by the Planning and Environmental Review Director, or designee. Upward directed exterior lighting is prohibited. Lighting fixtures must be appropriate for the architectural style of the structure and surrounding area. The final lighting plan must be amended to include identification of all types, sizes, and intensities of wall mounted building lights and landscape accent lighting, and a photometric map must be provided. "Moonlighting" type fixtures that illuminate entire tree canopies should also be avoided.	Review the locations of all exterior lighting fixtures, complete review and approval of cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures.  Inspect exterior lighting features to ensure that they have been installed consistent with approved plans.	Prior to issuance of a Building Permit for construction.  Prior to issuance of certificate of occupancy.	One time activity prior to the issuance of a Building Permit for construction.  One time activity prior to certificate of occupancy.	City of Goleta Planning and Environmental Review Director, or designee.			
Air Quality							
AQ-1 Diesel Equipment Standards Any diesel construction equipment used during paving of the project site must meet or exceed the U.S. Environmental Protection Agency's Tier 1 emission standard for offroad equipment.	Submit a list of all stationary equipment to be used in project construction. This information must be reviewed and approved by the Planning and Environmental Review Director, or designee. All City-approved diesel construction equipment	Prior to issuance of a Land Use Permit.	Periodically during construction.	City of Goleta Planning and Environmental Review Director, or designee.			

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification			
					Initial	Date	Comments	
	must be used for the duration of paving on-site. Inspect the project site to ensure equipment use is consistent with Mitigation Measure N-3.							
BIOLOGICAL RESOURCES								
BIO-1 Conduct Monarch Butterfly Surveys and Avoidance Consistent with GGP/CLUP Policy CE 4.6, if an active aggregation (present for one week or more) is present on the project site, all construction, grading, or noise-generating work associated with this project must be seasonally timed to avoid noise- and human activity-related impacts to aggregating monarch butterflies. If work must occur during the overwintering season (generally between October and March), before work, a biologist approved by the Planning and Environmental Review Director, or designee, must survey all habitat trees (e.g., eucalyptus, coast live oak) within 100 feet of the residential development area to determine use by monarchs. If the eucalyptus groves in the project area are found to serve as monarch butterfly aggregation site, indirect impacts must be minimized to the extent practicable. Construction within 100 feet of an aggregation must be delayed until the butterflies abandon the aggregation. With approval of the Director, construction activities may occur within 100 feet of aggregations under the direction of a biological monitor. Surveys must be conducted in favorable conditions to identify any monarch aggregations within 100 feet of the area proposed for disturbance seven	Verify through site inspection that construction and grading is occurring outside the winter roosting season, or that monarch surveys have been conducted, and buffer requirements specified above are in place (if applicable). Prepare and submit a written report of the findings of the preconstruction survey to the City for review prior to finalization. This measure, including the fencing location, must be incorporated into the grading plans for the Project.	Prior to issuance of grading or building permit (whichever occurs first) and during construction.	Periodically throughout the construction period if monarch aggregations are detected.	City of Goleta Planning and Environmental Review Director, or designee.				

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification			
					Initial	Date	Comments	
days before construction activities commence. If no aggregations are observed, no further mitigation is required. If monarch aggregations are detected, a temporary fence must be installed along the outer boundary of the buffer zone prior to and during any grading and construction activities on the site.								
BIO-2 Nesting Birds and Raptors.  To avoid construction impacts to nesting birds and raptors, vegetation removal and initial ground disturbance must occur outside the bird and raptor breeding season, which is typically February 1 through August 31, but can vary based on local and annual climatic conditions. If construction must begin within this breeding season, then not more than two weeks before ground disturbance and/or vegetation removal commences, a bird and raptor preconstruction survey must be conducted by a City-approved biologist within the disturbance footprint plus a 300-foot buffer, as feasible. If the project is phased, a subsequent pre-construction nesting bird and raptor survey is required before each phase of construction within the project site. If no raptor or other bird nests are observed no further mitigation is required.  Pre-construction nesting bird and raptor surveys must be conducted during the time of day when bird species are active and be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors within the 300 foot buffer. A report of the nesting bird and raptor survey results, if applicable, be submitted to the Planning and Environmental Review Director, or designee, for review and approval before	Verify through field inspection that construction and grading is occurring outside the nesting season, or that nesting bird and raptor surveys have been conducted, and buffer requirements specified above are in place (if applicable). This measure, and any buffer requirements, must be incorporated into the grading plans for the Project.	Prior to issuance of any grading or building permit (whichever occurs first).	Periodically throughout the construction period if nests are detected.	City of Goleta Planning and Environmental Review Director, or designee.				

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification			
					Initial	Date	Comments	
the City issues grading permits. If active raptor or Migratory Bird Treaty Act protected bird nests are found within 300 feet of the project site, their locations must be flagged and then mapped onto an aerial photograph of the project site at a scale no less than 1"=200' and/or recorded with the use of a GPS unit. If active raptor nests are detected the map will include topographic lines, parcel boundaries, adjacent roads, known historical nests for protected nesting species, and known roosting or foraging areas, as required by Conservation Element Policy CE 8.3 of the Goleta Community Plan /Coastal Land Use Plan. If feasible, the buffer must be 300 feet in compliance with Conservation Element Policy CE 8.4 of the Goleta General Plan/Coastal Land Use Plan. If the 300-foot buffer is infeasible, the City approved biologist may reduce the buffer distance as appropriate, dependent upon the species and the proposed work activities. If any active non-raptor bird nests are found, a suitable buffer area (varying from 25-300 feet), depending on the particular species found, shall be established by the City approved biologist. No ground disturbance can occur within the buffer until the City-approved biologist confirms that the breeding/nesting is completed and all the young have fledged. Alternately, a City approved biologist must monitor the active nest full-time during construction activities within the buffer to ensure project activities are not indirectly impacting protected nesting birds and raptors.								
BIO-3 Sediment Control.  To avoid wetland impacts, the Stormwater	Verify that this measure has been incorporated	Prior to issuance of any grading or	Periodically during	City of Goleta Planning and				

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification			
				, arty	Initial	Date	Comments	
Pollution Prevention Plan (SWPPP) and Erosion Control Plans must be augmented by best management practices (BMPs) recognized in the industry and aimed at reducing sediment erosion into the creek (e.g., straw wattles, silt fencing between the creek and construction area, erosion control blankets, hydroseeding) must be installed around the project site before the onset of construction activities. If no runoff to the jurisdictional water is present, no further mitigation is required.	into the grading plans for the Project.	building permit (whichever is first) and during construction.	construction period.	Environmental Review Director, or designee.				
BIO-4 Washing of Materials.  During construction, washing of concrete, paint, or equipment can occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing is not allowed in the dripline of a native tree or non-native specimen tree. An area designated for washing functions must be identified on all plans submitted for issuance of any grading and/or building permit(s).	Designate a wash off area on all plans submitted for issuance of any grading or building permit(s). The washoff area must be in place throughout construction. Conduct site inspections to confirm compliance throughout construction period.	Prior to issuance of any grading or building permit (whichever occurs first).	Periodically during construction.	City of Goleta Planning and Environmental Review Director, or designee.				
BIO-5 Lighting Plan. In addition to the lighting specifications in Mitigation Measures AES-1, light and glare from new development must be controlled and directed away from the Old San Jose Creek Corridor. Exterior night lighting must be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs.	Review the locations of all exterior lighting fixtures, complete review and approval of cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures.	Prior to issuance of a building permit and prior to issuance of certificate of occupancy.	Once time prior to building permit and one time prior to certificate of occupancy.	City of Goleta Planning and Environmental Review Director, or designee.				
	Confirm that exterior lighting fixtures have been							

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification			
				1 2	Initial	Date	Comments	
	installed consistent with approved plans.							
BIO-6 Invasive Species.  Nonnative, invasive plant species cannot be included in any erosion control seed mixes and/or landscaping plants associated with the proposed project. The California Invasive Plant Inventory Database contains a list of nonnative, invasive plants (California Invasive Plant Council, 2006, Updated 2011).	Review and approve final landscape plan. Inspect landscape plantings features to ensure that they have been installed consistent with approved plans.	Prior to issuance of any grading or building permit (whichever is first) and prior to issuance of certificate of occupancy.	One time prior to grading/building permit.  One time prior to certificate of occupancy.	City of Goleta Planning and Environmental Review Director, or designee				
CULTURAL RESOURCES								
Resources. In the event that archaeological resources are encountered during grading, work must be stopped immediately or redirected until the City-approved archaeologist and Native American representative can evaluate the significance of the find pursuant to Phase 2 investigation standards set forth in the City Archaeological Guidelines. The Phase 2 study must be funded by the applicant. If resources are found to be significant, they must be subject to a Phase 3 mitigation program consistent with City Archaeological Guidelines. The Phase 3 mitigation program must be funded by the applicant.	Must be printed on all plans submitted for any planning, building, grading, or demolition permits.	During all project site excavation, grading, or construction.	Periodically during ground disturbing activities.	City of Goleta Staff.				
Hydrology and Water Quality								
HYD-1 Flood Protection. The following mitigation must be implemented if the Flood Insurance Rate Map has not been amended by the Federal Emergency Management Agency to remove the AE zone from the project site before the City issues any building or grading permits. The finished floor elevation of the buildings within the AE zone must be a minimum of 1'	Must be reviewed and approved by the Planning and Environmental Review Director, or designee.	Prior to issuance of any grading or building permit (whichever occurs first).	One time activity.	City of Goleta Planning and Environmental Review Director, or designee.				

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification			
				larty	Initial	Date	Comments	
above existing adjacent grade or a design such as a berm can be considered and approved by the Planning and Environmental Review Director, or designee, as a temporary measure until the AE zone is removed.								
NOISE								
N-1 Outdoor Living Area Noise Attenuation.  Second-floor decks associated with six shopkeeper units located at the southeastern edge of the project site, fronting on S. Kellogg Avenue, must be protected from sound intrusion so that they meet the City's standard of 65 dBA CNEL for outdoor living spaces. Sound attenuation barriers must be placed along the perimeter of decks at the shopkeeper units adjacent to S. Kellogg Avenue and shall consist of Plexiglas or a similar transparent material that does not obstruct views from the residences. The sound attenuation barriers must be of a size and material to adequately mitigate this impact as determined by an acoustical study to be performed by an environmental/acoustical consultant as approved by the Planning and Environmental Review Director, or designee, to determine project-specific requirements for affected residences. Failure to conclusively demonstrate the effectiveness of the proposed noise attenuation measures must result in the redesign of the affected unit(s) to remove the proposed private outdoor living space.	Requirements must be incorporated into all construction documents submitted for approval before the issuance of a Building Permit for the shopkeeper units adjacent to S. Kellogg Avenue.	Prior to the issuance of a Building Permit and certificate of occupancy.	One time activity prior to the issuance of a Building Permit for construction.  One time activity prior to certificate of occupancy.	City of Goleta Planning and Environmental Review Director, or designee.				
N-2 Construction Timing and Signage.  All noise-generating project construction	Provide three (3) signs stating restrictions and post on site. Signs must	During all project site excavation,	Periodically during construction.	City of Goleta Planning and Environmental				

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Com	pliance	Verification
				, u.ty	Initial	Date	Comments
activities is limited to Monday thru Friday, 8:00 a.m. to 5:00 p.m. Construction will not generally be allowed on weekends and state holidays. Exceptions to these restrictions may be made in extenuating circumstances (in the event of an emergency, for example) on a case by case basis at the discretion of the Director of Planning and Environmental Review, or designee. The applicant must post the allowed hours of operation near the entrance to the site, so that workers on site are aware of this limitation.	be a minimum size of 24" x 48." All such signs must be in place before commencing any grading/demolition and maintained through to occupancy clearance.	grading, or construction.		Review Director, or designee.			
N-3 Shielding of Construction Equipment.  Stationary construction equipment that generates noise which exceeds 65 dB(A) measured 50-feet from the source in an unattenuated condition must be shielded to reduce such noise levels to no more than 65 dB(A) at project boundaries.	Submit a list of all stationary equipment to be used in project construction which includes manufacturer specifications on equipment noise levels as well as recommendations from the project acoustical engineer for shielding such stationary equipment so that it complies with this requirement for review and approval. All City approved noise attenuation measures for stationary equipment used in any construction and/or demolition activities must be implemented and maintained for the duration of the period when such equipment is onsite.	Prior to the issuance of Land Use Permit.	Periodically inspect the site to ensure compliance with all noise attenuation requirements.	City of Goleta Planning and Environmental Review Director, or designee.			

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Com	pliance	Verification
					Initial	Date	Comments
N-4 Acoustical Blankets.  Construction fencing shall be lined with acoustical blankets during grading/demolition and construction to further minimize noise impacts to nearby sensitive receptors.	Acoustical blankets must be installed prior to beginning commencement of any grading/demolition and maintained through to occupancy clearance.	During all project site excavation, grading, or construction.	Periodically during construction.	City of Goleta Planning and Environmental Review Director, or designee.			
TRANSPORTATION AND TRAFFIC							
T-1 Hollister Avenue/S. Kellogg Avenue. The applicant must pay Goleta Transportation Improvement Program (GTIP) fees which will contribute to the costs of implementing the City's programmed improvement of installing a free right-turn lane to the northbound approach of this intersection.	Pay a monetary contribution for the additional northbound through lane improvements per the current GTIP resolution.	Prior to issuance of any certificate of occupancy	Once time prior to certificate of occupancy.	City of Goleta Public Works Director.			

## **ATTACHMENT 2, EXHIBIT 3**

## **VESTING TENATIVE MAP CONDITIONS OF APPROVAL**

# CONDITIONS OF APPROVAL OLD TOWN VILLAGE VESTING TENTATIVE MAP CASE No. 14-026-VTM

In addition to all applicable provisions of the Goleta Municipal Code ("GMC"), City Ventures Homebuilding Inc. ("Applicant", "Developer", or "Permittee") agrees to the following conditions for the City's approval of Case No. 14-026-VTM ("Project Conditions").

Unless the contrary is stated or clearly appears from the context, the construction of words and phrases used in these Project Conditions use the definitions set forth in the GMC. For purposes of these Project Conditions, the term "Director" refers to the Planning and Environmental Review Director, or designee.

#### 1. AUTHORIZATION

A. This Vesting Tentative Map authorizes implementation of the Project Plans attached as Exhibit 7 to this Resolution. The Vesting Map creates two lots. Lot 1 is 11.16 acres and is planned for airspace condominium purposes to provide 175 residential units, associated infrastructure, common open space and the Ekwill Street extension right-of-way. Lot 2 is 1.15 acres and is planned for stormwater purposes. Of the 175 units, 14 of the units will be Income Restricted for 55 years as described in Condition 4Bi3.

As part of the project, the Applicant will provide a 72.5 foot easement for street right of way for the Ekwill Street extension (Ekwill ROW) as shown on the Vesting Tentative Map. Further, the Applicant will dedicate Lot 2 to the City.

All construction, improvements, implementation and/or other actions taken pursuant to this approval must be in substantial conformance with this approval. Any deviations from this approval must be reviewed and approved by the City of Goleta (City). The City must determine whether any deviation substantially conforms to this approval. Any deviation determined to not be substantial conformance with this approval requires the Applicant to seek additional approval, permits, or other action by the City. Any deviation from this approval made without the above-described review and approval of the City is a violation of this approval.

B. This Vesting Tentative Map will expire five (5) years after approval, unless before the expiration, a final map has been recorded or a time extension has been applied for by the Permittee. The decision maker with jurisdiction over the project may, upon good cause shown, grant a time extension as permitted

by law. If the Permittee requests a time extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Any new fees imposed and the rates of existing fees will be those in effect at the time of the extension request.

- C. Any proposed deviations from the exhibits, project description or Project Conditions must be submitted to the Director of Planning and Environmental Review for review and approval by appropriate decision maker. Any unapproved deviations from the project approval will constitute a violation of the permit approval. The exhibits associated with this permit include the plans labeled "Attachment 1, Exhibit B, Exhibit 7, dated June 9, 2014" and herein incorporated by reference.
- D. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions must prevail.
- E. Permittee agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including without limitation, attorney's fees), injuries, or liability, arising from the City's approval of the Vesting Tentative Map except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of the Vesting Tentative Map, Permittee agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section, "the City" includes the City of Goleta's elected officials, appointed officials, officers, and employees.
- F. The effectiveness of this Vesting Tentative Map will be suspended for the time period that any Project Condition is appealed whether administratively or as part of a legal action filed in a court of competent jurisdiction. If any Project Condition is invalidated by a court of law, the Project must be reviewed by the City and substitute conditions may be imposed to validate the Vesting Tentative Map.

#### 2. ENVIRONMENTAL IMPACT REPORT MITIGATIONS

A. The Permittee must comply with all mitigation measures identified in the Final Mitigated Negative Declaration prepared for the project, Exhibit 1 to City

Council Resolution No. 15- \_\_\_\_\_. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review of the project and is attached as Exhibit 2 to City Council Resolution No. 15- \_\_\_\_\_. The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

#### 3. AGENCY REQUIREMENTS

- A. Santa Barbara County Fire Department (SBCFD): Comply with all conditions and requirements outlined in the April 28, 2014 Santa Barbara County Fire Department Letter to the satisfaction of the SBCFD as applicable to facilitate recordation of a Final Map.
- B. Santa Barbara County Air Pollution Control District (APCD). Comply with all conditions and requirements outlined in the June 10, 2015 Santa Barbara County Air Pollution Control District letter to the satisfaction of the APCD as applicable to facilitate recordation of a Final Map.
- C. **Goleta Water District (GWD).** Comply with the requirements of the GWD to the satisfaction of the GWD as applicable to facilitate recordation of a Final Map.
- D. Goleta Sanitary District (GSD). Comply with all of the conditions and requirements outlined in the April 24, 2014 Goleta Sanitary District letter to the satisfaction of the GWSD as applicable to facilitate recordation of a Final Map.

#### 4. CITY DEPARTMENT CONDITIONS

- A. **Public Works Department:** All conditions outlined in the City of Goleta Public Works Department Memorandum of June 22, 2015 are incorporated into these Project Conditions. Prior to the recordation of a Final Map, the Permittee must:
  - 1. Comply with the conditions associated with the Vesting Map approval.
  - 2. Secure approval of the Final Map from the Public Works Director. The final Map at a minimum must include:
    - a. A 72.5 foot easement for street right of way for the Ekwill Street extension as shown on the Vesting Tentative Map of as needed and specified in the project description.
    - b. Dedicate in fee the northerly portion of the property to the City of Goleta north of the new Ekwill street right of way as shown on the Vesting Tentative Map.

- c. Public utility easements at the locations and widths required by the serving utilities. The Permittee shall attempt to secure a letter from each utility and water/sewer district serving the property stating that any easements shown thereon are acceptable.
- 3. Pay plan check and inspections fees for the public improvements in accordance with the City's current fee schedule.
- 4. Secure approval of a Public Improvement Plan (for both permanent and interim improvements as necessary and outlined below) from the Public Works Department. The Public Improvement Plan must be prepared by a registered civil engineer and must, in general, provide for the improvements in accordance with the project description, conditions of approval and environmental documents(s). All public improvements (curb, gutter, sidewalk, and parkway) must be built to the limits of the property with appropriate transitions to tie into existing improvements that may be beyond the property frontage. The Permittee shall submit two (2) copies of the Public Improvement Plan for Kellogg Way, Kellogg Place, Kellogg Avenue and Ekwill Street. The Public Improvement Plan must include but is not limited to the following items:

#### a. For Kellogg Avenue

- i. Minimum 6 foot City standard sidewalk
- ii. Minimum 3 ½ foot parkway with street trees or other landscaping as approved by the Public Works Department between the sidewalk and the curb face.
- iii. Provide City standard curbs and gutters
- iv. Restripe Kellogg Avenue to provide for bike lanes along the project frontage.
- v. Underground existing overhead utilities (other than the transmission lines) and remove poles.

#### b. For Ekwill Street

- Design and construct the off street parking that will be posted and maintained by the development in perpetuity as shown on the Vesting Tentative Map for the length of the project frontage.
- ii. Provide for a minimum 6' sidewalk and 8' parkway with street trees along the future Ekwill Street

- extension for the length of the project frontage. The landscaping and trees shall be maintained by the development in perpetuity.
- iii. Provide City standards curbs, gutters, and drainage swales as needed for street drainage.
- c. If Ekwill Street is not constructed prior to the completion of the development, then the Permittee shall:
  - Provide a minimum of 20' of paved surface to function as a private driveway/roadway and fire/emergency access from the site's northern driveway entrance to Kellogg Way.
  - ii. Design and construct an appropriate cul-de-sac turn around at the end of the "private driveway" in order to facilitate safe vehicular travel and fire department requirements.
  - iii. Design and construct temporary intersection improvements to Kellogg Way and Kellogg Place in order to provide for traffic circulation and access to the project over the future Ekwill Street.
  - iv. Maintain the above improvements until such time as the City completes the Ekwill Street extension.
- d. All public improvements shall:
  - i. Provide for drainage improvements in accordance with the approved final drainage report.
  - ii. Preserve and/or tie out survey monuments.
  - iii. Provide for pavement preparation and slurry seal of the public street to repair any existing damage, trench cuts, or restriping at the end of the construction as necessary.
  - iv. All driveway accesses shall be ADA compliant, including access ramps with truncated domes as necessary.
- 5. Provide an Engineer's Estimate that is signed and stamped by a registered Civil Engineer for all required public improvements and secure its approval from the Public Works Director.
- Execute (and record if determined necessary) a Subdivision/Public Improvement Agreement and any easements documents (provided by the City) after securing its approval from the City Attorney.

- 7. Provide Securities for construction of the public improvements prior to the Execution of the Improvement Agreement. Securities must be 100% of the approved Engineer's Estimate for the performance of the work and 100% of the Engineer's Estimate for labor and materials.
- 8. Submit a final drainage study and secure its approval from both Building Division and Public Works Department staff. The final drainage study shall incorporate appropriate Best Management Practices (BMPs) to minimize storm water impacts in accordance with the City's Storm Water Management Plan (SWMP) and the City's General Plan. The Study must include but not be limited to:
  - a. Existing watershed map and location of existing drainage infrastructure.
  - b. Using the Santa Barbara Unit Hydrograph calculation from the 2, 5, 10, 25, 50, and 100 year storm events for both the pre and post construction.
  - c. Mitigate any increase in peak flow for the 2, 5, 10, 25, 50 and 100 year storm events over existing conditions.
  - d. Specify the percentage of effective impervious area to meet the City's Storm Water Management Plan.
- 9. The Permittee is responsible for ascertaining and paying all City Development fees required for Map Recordation, including without limitation, Quimby Fees as required by the GMC. This condition also serves as notice pursuant to Government Code Section 66020 (d) that the City of Goleta is imposing development impact fees ("DIFs").

The Permittee must pay all applicable development impact fees and other contributions in full no later than at the time specified in the below chart. The amount of the actual fee may be different than that listed below, as the Permittee must pay the most current rate of the fee in effect at the time of payment. This application is exempt from any additional impact fee types enacted after July 9, 2014 (date Vesting Tentative Map was deemed complete). At the Permittee's discretion, the Permittee may choose to pay the below listed fee at any time, but no later than the time frame specified.

Fee	Rate	Estimated Fee	Due	Agency/ Department
Quimby Park Fee (Residential Portion Only	\$10,583	\$1,852,025	Map Recordation	City
Estimated Total		\$1,852,025		

#### B. Planning and Environmental Review

- i. Prior to the recordation of the Final Map, the Permittee must secure approval from the City of Goleta, at the Permittee's expense, and execute the following documents:
  - The proposed CC&Rs. The City of Goleta shall be made party to the CC&Rs for any changes related to conditions of approval that may be considered subsequent to the adoption of the CC&Rs. The CC&Rs at a minimum must:
    - a. Provide for the shared maintenance of common areas under the responsibility of the association of homeowners, including but not limited to, private roads, temporary roads, parking adjacent to Ekwill ROW, bioswales, fences, retention/detention basins, and landscaping etc.
    - b. Provide "Notice of Airport in Vicinity" in accordance with Business and Professional Code § 11010 and Civic Code §§ 1102.6, 1103.4, 1353. Unless modified by the State, the notice must state: "This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property many be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with property before you complete your purchase and determine whether they are acceptable to you."

- c. Provide buyer notification regarding potential noise associated with adjacent businesses, SR 217, and aircraft overflight.
- d. Provide notice of responsibility for all lots to maintain property in compliance with all conditions of approval associated with this project.
- 2. The Landscape/Hardscape Installation and Maintenance Agreement(s) ("Landscape Agreements"). The Landscape Agreements are for improvements within and adjacent to the Ekwill ROW for landscape improvements within the project site. The Landscape Agreements must specific installation procedures and maintenance standards for the life of the project for the required landscaping and water-conserving irrigation systems as provided in the final landscape plan. The agreement must include a least a 5- year maintenance period.
- 3. Agreement to Provide Affordable Housing and the Resale Restrictive Covenant and Preemptive Right. The project must provide 7 (seven) units at moderate-income levels (80 to 120 percent of median income) and 7 (seven) units at above moderate-income levels (120 to 200 percent of the median). The associated documents at a minimum must:
  - a. Specify that the 14 affordable units to be provided on site shall remain affordable for 55 (fifty-five) years and the compliance term shall restart with each subsequent sale of an affordable unit unless preempted by state or federal programs.
  - b. Specify affordability consistent with the terms described above and shall include provisions describing marketing and lottery requirements for the initial sale of units. Income eligibility of prospective purchasers/renters shall be determined by the City of Goleta or its designee at applicant's expense.
  - c. Specify intent to reside statement shall be required for potential owners of the affordable units.
- ii. Prior to recordation of the Final Vesting Map, the Permittee must post securities for installation and maintenance of the landscape and hardscape improvements. The securities shall be in the amounts as provided in the agreement and based on a Landscape Architect's Estimate, signed and stamped by a registered landscape architect.

Attachment 2, Exhibit 3 VTM Conditions of Approval Old Town Village Mixed-Use Project

By signing this document, Bill McReynolds on behalinc., certifies that he has read, understood, and agree in this document.	•		•
Bill McReynolds, for City Ventures Homebuilding Inc.	Date	е	

## **ATTACHMENT 2, EXHIBIT 4**

## **DEVELOPMENT PLAN CONDITIONS OF APPROVAL**

# CONDITIONS OF APPROVAL OLD TOWN VILLAGE DEVELOPMENT PLAN 14-026-DP

In addition to all applicable provisions of the Goleta Municipal Code ("GMC"), City Ventures Homebuilding Inc. ("Applicant", "Developer", or "Permittee") agrees to the following conditions for the City's approval of Case No. 14-026-DP ("Project Conditions").

Unless the contrary is stated or clearly appears from the context, the construction of words and phrases used in these Project Conditions use the definitions set forth in the GMC. For purposes of these Project Conditions, the term "Director" refers to the Planning and Environmental Review Director, or designee.

#### 1. AUTHORIZATION

a. The Development Plan allows the construction of 113 traditional townhomes, 34 live work townhomes and 28 shopkeeper units. The live-work townhomes include 192 square feet of ground floor space that can be used as a commercial office or a den as part of the townhome. The shopkeeper units include 275 square feet of ground floor commercial office space and access to the shopkeeper space is separated from the residence above. In order to satisfy the project's affordable housing requirements of providing 27 units (after a 5% reduction), the Developer will construct 14 affordable units (2 and 3 bedroom floor plans) on site and make an in lieu payment for the 13 remaining units. This permit allows 7 affordable units to be provided to moderate-income households (80-to 120 percent of median) and 7 affordable units to be provided to above moderate income households (120-200 percent of the median income), all subject to a 55- year resale restriction. In addition, the project provides a housing in-lieu contribution for the remaining 13 units.

The project design incorporates Green Key Standards for energy and water efficiency by providing solar heating, pre-wired conduits for electric car chargers, high efficiency irrigation and drought tolerant landscaping, high efficiency water saving plumbing fixtures, and installation of a reclaimed water line system pending future recycled water availability.

b. Approval of the Development Plan will expire five (5) years after approval, unless before the expiration, substantial physical construction has been completed on the Development Plan or a time extension has been applied for by the Permittee. The decision maker with jurisdiction over the project may, upon good cause shown, grant a time extension as specified by City regulations. If the Permittee requests a Time Extension, the project may be

- revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Any new fees imposed and existing fees will be those in effect at the time of the extension request.
- c. This permit runs with the land and the rights and obligations thereof, including the responsibility to comply with Development Plan are binding upon successors in interest. The Development Plan may be modified, terminated, or abandoned in accordance with applicable law including, without limitation, the GMC.
- d. On the date that a subsequent Development Plan is approved for this site, any previously approved but unbuilt plans must become null and void.
- e. The City will only issue permits for development, including grading, when the construction documents (e.g. grading plans, building plans etc.) are in substantial compliance with the approved Development Plan. The size, shape arrangement, use and location of buildings, walkways, parking areas, drainage facilities, and landscaped areas must be developed in substantial conformity with the approved plans. Substantial conformity must be determined by the Planning and Environmental Review Director.
- f. Any proposed deviations from the exhibits, project description or Project Conditions must be submitted to the Planning and Environmental Review Director for review and approval by the appropriate decision maker. Any unapproved deviations from the project approval will constitute a violation of the permit approval. The exhibits associated with this permit include the plans labeled "Attachment 1, Exhibit B, Exhibit 7 dated June 9, 2014" and herein incorporated by reference.
- g. The height of structural development shown on the final plans must not be greater than 35' above finish grade as denoted and shown on the approved project plans dated June 9, 2014. If the applicant cannot meet the flood zone requirements as outlined in Condition Number 4bi3, then the applicant .must submit a request for an increase to the height limitation applicable to the impacted units.
- h. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions must prevail.
- i. Permittee agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of the Development Plan except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be names in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not arising out of the City's approval of the Development Plan. Permittee agrees to defend the City (at the City's request and with counsel satisfactory

- to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Goleta's elected officials, appointed officials, officers, and employees.
- j. The effectiveness of this Development Plan will be suspended for the time period that any Project Condition is appealed whether administratively or as part of a legal action filed in a court of competent jurisdiction. If any Project Condition is invalidated by a court of law, the Project must be reviewed by the City and substitute conditions may be imposed to validate the Development Plan.

#### 2. ENVIRONMENTAL IMPACT REPORT MITIGATIONS

a. The Permittee must comply with all mitigation measures identified in the Final Mitigated Negative Declaration prepared for the project, Exhibit 1 to City Council Resolution No. 15- \_\_\_\_\_. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review of the project and is attached as Exhibit 2 to City Council Resolution No. 15- \_\_\_\_\_. The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

#### 3. AGENCY REQUIREMENTS

- a. Santa Barbara County Fire Department (SBCFD): Comply with all conditions and requirements outlined in the April 28, 2014 Santa Barbara County Fire Department letter to the satisfaction of the SBCFD. A copy of the SBCFD letter is attached at the end of these conditions and is incorporated by reference.
- b. Santa Barbara County Air Pollution Control District (APCD). Comply with all conditions and requirements outlined in the letter dated June 10, 2015, from the Santa Barbara County Air Pollution Control District to the satisfaction of the APCD. A copy of the APCD letter is attached at the end of these conditions and is incorporated by reference.
- c. **Goleta Water District (GWD).** Comply with all of the requirements of GWD to the satisfaction of the GWD, including securing water service connections prior to the issuance of grading permits.
- d. Goleta Sanitary District (GSD). Comply with all of the conditions and requirements outlined in the April 24, 2014 Goleta Sanitary District letter to

the satisfaction of the GWSD. A copy of the GWD letter is attached at the end of these conditions and is incorporated by reference

### 4. CITY DEPARTMENT CONDITIONS

- a. **Public Works Department:** All conditions outlined in the City of Goleta Public Works Department Memorandum of June 22, 2015 are incorporated into these Project Conditions.
  - i. Before the City issues grading permits, the Permittee must:
    - 1. Record the Final Map.
    - 2. Submit and secure approval of a grading plan from both the Building Division and Public Works Department. The final grading plan must incorporate appropriate Best Management Practices to minimize storm water impacts and comply with the City's Storm Water Management Plan (SWMP) and the City's General Plan. The SWMP must identify the following:
      - a. All proposed storm water BMP's required to mitigate storm water quality impacts.
      - b. Clean water activities such as bio-swales, permeable paving, on-site detention, fossil filters, and other operational features.
    - 3. Secure approval of a Preconstruction Waste Reduction and Recycling Plan (pre-WRRP) from the Public Works Department. Said pre-WRRP must indicated how a minimum 65% diversion goal will be met during construction including but not limited to the following:
      - Separation of demolition and/or excess construction materials onsite for reuse/recycling or proper disposal (e.g. concrete asphalt.).
      - b. Provision of separate bins on site for recycling of construction materials and brush.
      - c. Recycling of construction materials as necessary throughout construction. All Construction materials must be recycled prior to occupancy clearance.
      - d. Contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable materials. A copy of the contract shall be provided to the City. Recoverable construction materials shall include but not be limited to asphalt, lumber, concrete, glass, metals, and drywall.

- 4. Provide and secure approval of a Storm Water Pollution Prevention Plan (SWPPP) to control off-site discharge of sediments and non-stormwater pollutants during construction phase, from both the Building Division and Public Works Department. The SWPPP must be prepared in compliance with the California's Construction General Permit, using the California Stormwater Quality Association (CASQA) SWPPP template (http://www.casga.org) and must developed, and amended or revised by a Qualified SWPPP Preparer (QSP).
- ii. Before the City issues an encroachment permit to perform work in the public right of way, the Permittee must:
  - 1. Pay inspection fees.
  - 2. Submit two copies of the previously approved Public Improvement Plan required in Condition 4A of the Vesting Tentative Map Conditions of Approval.
- iii. Before the City issues building permits, the Permittee must:
  - 1. Identify/denote on the building plans all existing survey monuments to be preserved and/or tied out in coordination with the County of Santa Barbara's Surveyor's Office.
  - 2. Provide BMPs for the trash/recycle areas(s) to ensure that organics and other materials are appropriately filtered prior to entering a public storm drain system or natural waterway.
  - 3. Provide the trash/recycling containers containing minimum equal volume (minimum 50% recyclables). Trash/recycling areas must be easily accessed by the consumer and the trash hauler. The location of all planned common trash recycling area(s) must be shown on the Building Plans.
  - 4. Enclose all common trash/recycling area(s) with a visual screening wall and covered to prevent run-on and/or run-off of storm water. Common trash/recycling areas must be sized and designed according to the City of Santa Barbara Enclosure and Facility Design Guidelines for Recycling and Trash Removal Service.
  - 5. Provide for adequate area for green waste within the trash/recycle area(s) or provide statement of intent is to have a maintenance company remove green waste off site. Green waste is not a part of the 50% recycle calculation.

- 6. Provide recycling containers in common areas such as club houses, common dining areas such as outdoor BBQ areas, lobby areas, and pool areas.
- iv. Before the City issues a certificate of occupancy, the Permittee must:
  - Pay Development Impact Fees for Transportation (GTIP) and Park and Recreation Fees for the Non-Residential portion at the rate in effect at the time of issuance of the Certificate of Occupancy as outlined in Condition Number 4bi1.
  - 2. Must enter into a Stormwater Facility Maintenance Agreement with the City
  - Complete all public improvements on Kellogg Avenue and Ekwill Street, as shown on the approved Public Improvement Plans prepared at the time of the Final Map, to the satisfaction of the Public Works Director or designee.
  - 4. Underground all new utility services from the public right- ofway to the site.
  - 5. Submit to the Public Works Department reproducible Record Drawings and an electronic signed copy of the Record Drawings.
  - 6. Reset all existing survey monuments that were preserved and/or tied out in coordination with the County of Santa Barbara's Surveyor's Office.
  - 7. Secure approval of a Post-Construction Integrated Solid Waste Management Plan from the Public Works Department. Said plan must identify the projected amount of ongoing waste generated onsite at the project's completion. The plan must include, but is not limited to the following:
    - a. A cover page with the following information
      - i. Name of Project
      - ii. Date
      - iii. Name of Owner, Owner Representative and contact information
      - iv. Preparer's name
    - b. A Source Reduction Plan (SRP) describing the recommended program(s) and the estimated reduction of the solid waste disposed by the project. For example, the SRP may include a detailed set of office procedures such as the use of duplex copy machines intended to reduce consumption of paper.

- c. A recycling plan, describing the type and location of all common area refuse, recycling and green waste containers. Trash and recycling containers (bins or carts) must be provided by the City's Franchise Solid Waste Hauler (MarBorg Industries) and must contain a minimum equal volume (minimum 50% recyclables). Green waste is not part of the 50% recycle calculation. Provide adequate area for green waste within trash/recycle area(s) or provide statement if intent is to have a maintenance company remove green waste off-site.
- d. Reduce the use of pesticides, rodenticides, insecticides, and fungicides within the project boundaries, with an emphasis on the use of Integrated Pest Management strategies. Contract with landscaping companies must include provisions for Integrated Pest Management to reduce use of harmful herbicides/pesticides.
- e. Reduce use of harsh, toxic or caustic cleaning products, with an emphasis on the use of less toxic alternatives. Contracts with custodial companies must include provisions for the use of less toxic cleaning products.
- f. Provide information homeowners to and on-site management describing how the project's source reduction and recycling programs are intended to how to properly dispose of hazardous, function. electronic and universal waste, the use of Integrated Pest Management techniques and less toxic cleaning materials by maintenance staff.
- 8. Repair damaged public improvements (curbs, gutters, sidewalks, pavement markings, etc.) caused by construction to the satisfaction of the Public Works Director.
- Submit a Post Construction Waste Reduction and Recycling Plan (post- WRRP) to the Public Works Department for review and approval. Said post-WRRP shall indicate how the required minimum 65% diversion goal was met and shall designate all materials landfilled and recycled, broken down into material types.
- 10. Recycle and remove all materials identified in the post-WRRP from the site.

11. Locate all private improvements (i.e. backflow devices, signs etc.) out of the public of right-of-way to the satisfaction of the Public Works Director.

### b. Planning and Environmental Review Department

- i. The following standards/requirements are general/on-going and must be complied with by the Permittee and/or successors in interest:
  - 1. The Permittee is responsible for ascertaining and paying all City Development fees, including without limitation, fire facility fees, library fees, park and recreation fees, police services fees, public administration fees, and transportation fees as required by the GMC and making the Housing In-Lieu contribution. In addition, the impact fees established by the Santa Barbara County Fire Department (Fire Protection Fee) and the Goleta Union/Santa Barbara Unified School Districts (School Fees) shall also be paid in accordance with the requirements of those entities. This condition also serves as notice pursuant to Government Code Section 66020 (d) that the City of Goleta is imposing development impact fees ("DIFs").

The Permittee must pay all applicable development impact fees and other contributions in full no later than at the time specified in the below chart. The amount of the actual fee may be different than that listed below, as the Permittee must pay the most current rate of the fee in effect at the time of payment and on the latest edition of the Institute of Traffic Engineers Trip Manual. This application is exempt from any additional impact fee types enacted after July 9, 2014 (date the Vesting Tentative Map was deemed complete). At the Permittee's discretion, the Permittee may choose to pay the below listed fees at any time, but no later than the time frame specified.

Fee	Rate	Estimated Fee	Due	Agency/ Department
Fire Facility (314,652 sq. ft. of Res)	\$.75/ sq. ft.	\$235,989	CO *	City
Fire Facility (14,228 sq. ft. of Commercial Space)	\$.77/ sq. ft.	\$10,955	CO	City
Library (175 Res Units)	\$333/Unit	\$58,275	CO	City
Library (14,228 sq. ft. of Commercial Space)	\$158/ 1000 sq. ft.	\$2,248	CO	City
Park and Recreation (14,228 sq. ft. Non Res.	\$1,620/1000 sq. ft.	\$23,050	СО	City
Police (175 Res. Units)	\$378/ Unit	\$66,150	СО	City
Police (14,228 sq. ft. of Commercial Space)	\$358/ 1000 sq. ft.	\$5,094	CO	City
Public Admin. (175 Res. Units)	\$1,478/Unit	\$258,650	СО	City
Public Administration (14,228 sq. ft. of Commercial Space)	\$698/ 1000 sq. ft.	\$9,931	СО	City
Transportation (109 PM Peak Trips per Project Traffic Report)	\$16,151/ Peak Hour Trip	\$1,760,459	СО	City
Housing In Lieu		\$1,048,385	СО	City

Contribution for 13 units				
Fire Protection	Set by County of Santa Barbara		CO	Santa Barbara County Fire Department
School Fees	Set by School Districts		BP+	Goleta Union & SB Unified School Districts
Estimated Total		\$3,479,186		

<sup>\*</sup>Certificate of Occupancy/Final Inspection

- 2. Construction of the affordable units must be concurrent with the construction of the market rate units and the affordable units must be located throughout the project site. The availability of affordable units must occur as follows:
  - a. When 50% of the Market Rate Units obtain Certificates of Occupancy, then seven (7) affordable units must obtain Certificates of Occupancy.
  - b. When 100% of the Market Rate Units obtain Certificates of Occupancy, then the additional seven (7) affordable units must obtain Certificates of Occupancy.
- 3. Building permit for the construction of the 65 units that are located within the flood hazard zone will not be issued until such time as: 1) the existing flood hazard has been resolved; or 2) interim/temporary protective measures, found acceptable to both the Public Works Director and the Planning and Environmental Review Director, have been constructed. Any interim/temporary measures must not increase the existing hazard for nearby properties and must remain in place until such time as FEMA issues a Letter of Map Revision for the area.
- 4. Any modifications to the approved plans including but not limited to site plan, floor plans, elevations, landscaping, colors and materials, cannot be executed without Planning and Environmental Review Director or designee's approval.

<sup>+</sup>Building Permit

- 5. Promptly remove any and all graffiti at the project site. Permittee must execute a maintenance agreement in a form approved by the City Attorney, including a 5-year maintenance period.
- 6. All plans submitted for permit issuance (e.g. grading, building permit etc.), must include all applicable conditions of project approval.
- 7. Before the start of any work on-site, the Permittee must conduct a pre-construction meeting that includes the Permittee, project superintendent, architect, subcontractors, as well as City representatives from the Planning and Environmental Review and Public Works Departments.
- 8. All work within the public right-of-way, including without limitation, utilities and grading, must be explicitly noted on the building plans. The Permittee must obtain all necessary encroachment permits from the Public Works Director or designee, before commencing work within or over the public right-of-way including without limitation, water meters, backflow devices, signs, and curb/gutter/sidewalk improvements.
- Any temporary building, trailer, commercial coach etc. installed or used in connection with the construction of this project must comply with the requirements of Section 35-281 Article III of the City's Inland Zoning Ordinance.
- 10. The Permittee is responsible for informing all sub-contractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with these conditions including, without limitation, the GMC. This includes the requirements that a business license be obtained to perform work within the City as well as the City's construction hour limitations.
- 11. Project construction hours are limited to Monday through Friday 8:00am-5:00pm and generally prohibited on weekends, and on observed state and federal holidays. Exceptions to these restrictions may be made for good cause shown at the sole discretion of the Planning and Environmental Review Director or designee. The permittee must post the allowed hours of operation near the entrance to the site so that workers on site are aware of the limitations.

ii. Before the City issues building permits, the Permittee must:

- 1. Secure Design Review Board (DRB) Final Approval of site plan, architecture, landscaping, and lighting.
- Secure approval of a composite utility plan from the Planning and Environmental Review Department and the DRB. All external/roof mounted mechanical equipment (including solar panels, HVAC condensers, switch boxes, etc.) must be included on all building plans and designing this equipment must be integrated into the structure and/or screened in its entirety from public view.

Screening may include a combination of landscaping and/or fencing/walls. Utility transformers must be placed underground vaults where they are completely screened from view, unless otherwise approved by the Planning and Environmental Review Director. All meters painted must be concealed by matching the color of the building. All backflow prevention devices and communications equipment must be concealed in an enclosed portion of the building, on top of the building, or within a screened utility area. All transformers and vaults installed within the public right-of way must be below grade unless otherwise approved by the Planning and Environmental Review Director and the Public Works Director and then completely screened from view.

- 3. Secure DRB approval of the design and location of all trash/recycling enclosures. The design must be compatible with the architectural design of the project, of adequate size for trash and recycling containers (at least 50 square feet), and accessible by residents and by the trash hauler. The trash/recycling areas must be enclosed with a solid wall of sufficient height to screen the area, with a solid gate and a roof, to be maintained in good repair in perpetuity.
- 4. Incorporate energy conservation measures into the building design. All new residential buildings must comply with the energy efficiency standards set forth in the Goleta Municipal Code, with the California Green Building Code.
- 5. Obtain all the necessary approvals, licenses and permits and pay all of the appropriate fees as required by the City. Before any permit may be issued by the City of Goleta, the Permittee must obtain written clearance for each development phase from all Departments/Agencies having conditions or project approval.

- Such clearance must indicate that the Permittee has satisfied all pre-construction conditions.
- 6. Secure approval of landscaping and irrigation plans from the DRB.
  - a. The landscaping plan must:
    - i. Consist of at least 75% drought-tolerant native or Mediterranean type plants which adequately complement the project design and integrate the site with surrounding land use. The plant material used in the landscape palette must be compatible with the Goleta climate pursuant to Sunset Western Garden Book Zone 24 published by Sunset Books, Inc. Revised and Updated 2012 edition.
    - ii. Screen the on-site parking and structures as required by the Inland Zoning Ordinance.
    - iii. Screen ground level mechanical equipment, refuse collectors, storage tanks, generators, pool equipment, and other similar facilities with dense landscaping and/or walls. Materials and finishes must be compatible with the overall design of the project and ancillary buildings.
    - iv. Use low profile plants around residential unit patios, windows, doors and entryways so as not to limit visibility or provide climbing access. Dense bushes cannot be clumped together in a manner that provides easy concealment.
  - b. The irrigation plan must:
    - i. Demonstrate compliance with the City's Water Conservation regulations and Guidelines for Water Conservation in Landscaping. Use reclaimed water to irrigate landscaped areas if feasible. To that end, dual water connections must be installed to allow for landscaping to be irrigated by reclaimed water, if feasible.
    - ii. Utilize efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g. drip irrigation, automatic sprinklers equipped with moisture sensors etc.)
    - iii. Utilize automatic sprinkler systems that must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water less often in cooler

months and during the rainfall season so that water is not wasted by excessive landscaping irrigation.

- 7. Secure approval of an exterior lighting plan and photometric light study plan from the DRB.
  - a. The lighting plan must:
    - i. Minimize off-site glare.
    - ii. Use lighting devices that are enclosed and protected by weather and vandal resistant covers.
    - iii. Illuminate all interior and/or exterior corridors, passageways, pedestrian walkways, and open parking lots at all times with a minimum maintained one footcandle of light on the walking surface.
    - iv. Illuminate stairways with a minimum maintained one footcandle of light on all landings and stair treads at all times
    - v. Illuminate any/all recessed areas of buildings/fences, which have the capability of human concealment, with a minimum maintained 0.25 foot-candles of light at the ground level during the hours of darkness. This requirement applies to defined recessed areas which are within six feet of the edge of a designated walking surface with an unobstructed pathway to it, not hindered by walls or hedge row landscaping that has a minimum of two feet in height.
    - vi. Illuminate street addresses, open parking lot areas, and trash dumpsters with a minimum maintained of one foot-candle of light on the ground surface during hours of darkness. Street addressing must be a minimum of 6 inches high and must be visible from the street or driving surface, of contrasting color to the background and be illuminate during hours of darkness. Addressing must also be shown on the building plan elevations.
    - vii. Illuminate all exterior doors with a minimum maintained one foot-candle of light measures within a five-foot radius on each side of the door at ground level during hours of darkness. The light source must be controlled by a photocell device or a time-clock with an astronomic clock feature and capable of operating during a power outage.
  - b. The photometric light study must:

- Provide point by point photometric calculations of lighting levels around all buildings, parking areas, walkways areas.
- ii. Measure foot-candles on a horizontal plane and conform to a uniformity ratio of 4:1 average/minimum.
- iii. Adjust lighting levels to meet the minimum foot candle requirements within each area of the site.
- 8. Design the buildings to comply with all GMC standards and mitigation measures for the attenuation of interior noise to the satisfaction of the Planning and Environmental Review Director.
- 9. Secure the construction site with a minimum 6-foot high fence. The fence must be covered with a material approved by the Planning and Environmental Review Director to minimize dust from leaving the site.
- 10. Enter into an agreement with the City to pay Compliance Review fees to cover full costs of compliance monitoring.
- 11. During grading and construction activities, the Permittee, to the satisfaction of the Planning and Environmental Review Director and/or the Public Works Director, must:
  - a. Prevent construction and/or employee trash from blowing offsite by:
    - i. Providing covered receptacles on-site before commencement of any grading or construction activities;
    - ii. Picking up waste weekly or more frequently as directed by the City; and
    - iii. Designating and providing to the Planning and Environmental Review Director the name and contact information of the project foreman who will monitor construction trash/waste. Additional covered receptacles must be provided as determine necessary by Planning and Environmental Review Director.
  - b. Ensure that public sidewalks remain open at all times
  - c. Ensure that all haul trucks, hauling soil sand, and other loose materials, are either be covered or maintain two feet of freeboard.
  - d. Reduce NO<sub>x</sub> emissions during construction by limiting the operation of heavy –duty construction equipment to no more than 5 pieces of equipment at any one time.

- e. Maintain equipment and vehicles engines in good condition and in proper tune as per manufacturer's specifications and per APCD rules to minimize dust emissions.
- f. Use electricity from temporary power poles rather than temporary diesel or gasoline powered generators.
- g. Ensure that construction vehicles only use the City's designated Truck Routes to the satisfaction of the Public Works Director. All other routes are prohibited. Construction traffic must be routed away from congested streets.
- h. Configure construction parking to minimize traffic interference to the satisfaction of Public Works Director.
- i. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g. flag persons) to the satisfaction of the Public Works Director.
- j. Secure approval of the construction vehicle staging and location of vehicle ingress/egress location and the use of temporary construction driveways from the Public Works Director or designee.
- k. Use electric equipment if feasible to replace diesel-powered equipment such as booster pumps or generators.
- I. Install catalytic converters on equipment if feasible.
- m. Equip equipment with two to four degree engine time retard or pre-combustion chamber engines.
- Use methanol or natural gas powered mobile equipment and pile drivers instead of diesel equipment if readily available at competitive prices.
- iii. Before the City issues certificate of occupancy, the Permittee must:
  - 1. Install all required Trash enclosures in accordance with approved plans.
  - 2. Screen all mechanical equipment in accordance with approved plans
  - 3. Install all landscaping and irrigation in accordance with approved plans.
  - 4. Screen all new utility service connections and above-ground mounted equipment such as backflow devices, etc. from public view and/or painted in a soft earth tone color so as to blend in with the project (red is prohibited) in accordance with approved plans.

Attachment 2, Exhibit 4
Development Plan Conditions of Approval
Old Town Village Mixed-Use Project

- 5. Pay all adopted impacts fees due including but not limited to Fire Service, Parks and Recreation, Transportation, Library, Public Administration and Police Fees in effect at the time.
- 6. Remove temporary construction driveway.
- 7. Secure final clearance from all applicable Agencies/City Departments as needed.

Ву	signing this o	document,	Bill McReyno	ds on beha	If of City	/ Ventures	Homel	ouilding,
Inc.	, certifies tha	t he read,	understands,	and agrees	to the P	roject Con	ditions	listed in
this	document.							

Bill McReynolds, for City Ventures Homebuilding Inc.

Date

### ATTACHMENT 2, EXHIBIT 5

### **GENERAL PLAN CONSISTENCY ANALYSIS**

### OLD TOWN VILLAGE MIXED USE PROJECT GENERAL PLAN/COASTAL LAND USE PLAN CONSISTENCY ANALYSIS

The project is consistent with the Goleta General Plan/Coastal Land Use Plan (GP/CLUP) as follows:

Land Use Element: The project would amend the Land Use Plan Map (Figure 2-1) of the GP/CLUP from Commercial Visitor Serving (C-VS) to Commercial Old Town (C-OT). The C-VS land use designation permits limited uses, only those related to lodging, such as entertainment and eating establishments. The C-OT land use permits a broader range of retail, office, financial institutions, specialty stores, as well as lodging and eating establishments. Importantly, the C-OT land use designation permits residential use at a density up to 20 units per acre. This ability to create residential communities as well as mixed use in Old Town is consistent with Land Use Element Policy 3.4 related to Old Town; to enhance the physical and economic environment for existing businesses and uses of the Old Town commercial district by bringing new residents into the Old Town community. The C-OT land use designation facilitates the creation of a mix of commercial and residential uses in keeping with General Plan policy for the Old Town area of Goleta to strengthen and enhance the economic vitality of Old Town.

In 2011, after completion of an economic study for the project site, the City determined that the best use for the site would be multi-family residential development at market rental rates. The current C-V land use designation on the site does not permit residential use, whereas, the proposed C-OT land use designation would. Allowing development of residential use on this infill site would allow the best use of the land. Therefore, the project is consistent with the General Plan Land Use Element.

**Open Space Element:** An Environmentally Sensitive Habitat Area (ESHA) is designated in the General Plan Open Space Element Map at the northwestern tip of the project parcel along Old San Jose Creek. Policy OS 7.3 Open Space for Preservation of Natural Resources, includes all ESHAs including eucalyptus woodland and monarch butterfly aggregation sites, which have been identified on the project site. The proposed project would involve no tree removal, grading or landscaping within 50-feet from the edge of eucalyptus tree canopies. No direct impacts to the eucalyptus woodland habitat or monarch butterfly aggregations would result. The Mitigated Negative Declaration (MND) for the Old Town Mixed Use Project contains mitigation measures requiring butterfly surveys and avoidance before and during construction to address preservation of natural resources on and adjacent to the project site.

Twenty-two percent of the parcel proposed for development would contain open space and landscaping. The 2.47 acres of land for the proposed Ekwill Street extension and the stormwater management open space would provide an

additional to be dedicated to the City would remain undeveloped. Within the proposed Old Town Mixed Use Project the following open space amenities are planned: a passive pocket park, a central green with entertainment area, a pocket park with a tot lot, a central walk-street/common space plaza and community gardens. Therefore the project is consistent with Open Space Element polices for the preservation of natural resources and site design.

Conservation Element: The Special Status Species and Environmentally Sensitive Habitat Areas Map Figure 4-1 illustrates Riparian ESHA and a redtailed hawk nest along Old San Jose Creek at the northeastern boundary of the project site. Recent biological assessments found eucalyptus tree woodland and an inactive raptor nest along the creek. Also, the assessment identified a monarch butterfly site in the eucalyptus woodland where transient butterflies appeared to bask but not to over-winter in aggregations. The project would not remove any biological resource habitat as it would be located greater than 100 feet from the channel of Old San Jose Creek and would be consistent with Policy CE 2.2, Protection of Creek, and Riparian Areas. The project also would be consistent with Policies CE 1, CE 2, CE 3, CE 4, and CE 9 all which require protection of various sensitive habitats and species. With mitigation measures to survey for monarch butterflies, nesting birds and raptors prior to construction, minimizing light and glare and the use of noninvasive landscape plantings, the project is consistent with the Conservation Element.

The project incorporates best management practices (BMPs) to protect stormwater quality and sediment control through the requirement of an approved Storm Water Control Plan pursuant to Conservation Element Policy CE 10. A Waste Reduction and Recycling Plan is required is a condition of approval. The project is consistent with the Conservation Element watershed management and water quality policies.

No cultural resources were identified on the project site during on-site investigations; however mitigations for field inspections during grading and construction will provide protections. The project with mitigations is consistent with the Conservation Element

Safety Element: The proposed buildings are not located in a fault zone or tsunami inundation area consistent with Policy SE 4. Further, the site is level and not in an area prone to slope instability or landslides consistent with Policy SE 5. Wildfire hazard areas are not located in the vicinity of the project site pursuant to Policy SE 7. The project is in the vicinity of the Santa Barbara Municipal Airport. The Santa Barbara County Association of Governments/Airport Land Use Committee made a finding of consistency with the Airport Land Use Plan for this project, as it is located outside both the clear and approach zones of the Santa Barbara Airport, as well as the downwind and departure paths and therefore it would be a compatible land use. A stormwater management basin in the northern undeveloped portion of the project site would process stormwater

from the area as well as the site and satisfies required treatment volumes for the project's on-site retention of stormwater.

The southeastern portion of the site falls within the 100-year flood zone associated with San Jose Creek which is located east of the project site and on the west side of South Kellogg Avenue. Portions of the project site are located in the 100-year flood zone. The City's San Jose Creek Capacity Improvement and Fish Passage Project widened and strengthened the San Jose Creek Channel located adjacent to the project site. With the completion of the planned Hollister Bridge creek crossing north of the project site, San Jose Creek can accommodate the 100-year storm events and the project site would no longer be located within the 100-year floodplain. (The Federal Emergency Management Agency must still reflect this change in its Flood Insurance Rate Map.) Since the timing of the Hollister Bridge completion and the project construction are not known at this time, a condition of approval will provide protection from flooding for project buildings. If FEMA has not re-designated the area, either the project would be built in phases starting with the units that would be outside the flood zone or the finished floor elevations of those buildings in the 100-year flood zone would be raised a minimum of one-foot above the 100-year flood level (approximately four-feet above existing grade) Both flood protection scenarios provide safety from flooding consistent with the Safety Element Policy 6. The project contains or is conditioned to provide protection from safety risks. Therefore, the project is consistent with the Safety Element.

Visual and Historic Resources Element: The project would involve residential and mixed-use 35-foot tall buildings on approximately 9.8 acres of vacant/agricultural land located on South Kellogg Avenue. Policy VH 1.1 in the Goleta GP/CLUP identifies agricultural land, including the project site in its current state, as one of the City's scenic resources. This agricultural land is visible to motorists traveling State Route 217 for a brief time as they pass the site. Existing vegetation also limits existing views of the site to motorists. A change in the character of the project site was anticipated when the 2006 General Plan land use designation of Commercial Visitor Serving was applied to the site.

State Route 217 is designated on the Scenic and Visual Resources Map as a Scenic Corridor and an area with Scenic Views to be protected. Northbound motorists on State Route 217 have a scenic view of the Santa Ynez Mountains across the project site to the north. Policy VH 1.4 Protection of Mountain and Foothill Views is met by the project's site plan that clusters buildings on the site to minimize intrusion into views of the foothills and mountains.

Policy VH 3.2 Neighborhood Identity, promotes the preservation and strengthening of the unique qualities and character of each neighborhood. Policy 3.4 Building Design, supports expresses that the City's visual character shall be enhanced through development of structures that are appropriate in scale and orientation and that use high quality, durable materials. Structures shall incorporate architectural styles, landscaping, and amenities that are compatible

with and complement surrounding development. The project buildings would have flat roofs and exterior walls would consist of a combination cement plaster, corrugated metal siding, cement fiber siding, aluminum frame windows, sliding glass doors, and perforated metal sunshades above windows. Solar photovoltaic panels would be installed on south-facing roofs. The 35-foot height of the proposed townhomes would be compatible with the existing light manufacturing building south of the site and the industrial park building to the west. As the project buildings are compatible with adjacent development relative to size, bulk and scale, the project promotes neighborhood consistency.

The GP/CLUP identifies two historic resources in the vicinity of the project site. One is the John Begg Family House, a Carpenter Gothic-style homestead (circa 1885), located at 469 Kellogg Way, approximately 50 feet north of the project site. However, this historic building is surrounded by urban development and separated from the project site by an RV storage yard. Although the proposed townhomes, at 35 feet in height, would be partially visible from the John Begg Family House, they would not have a substantial adverse effect on its physical setting. The second site is the former Goleta Union School Building (now the Goleta Valley Community Center) to the north of the project site, at 5679 Hollister Avenue. This Mediterranean-style building was originally constructed in 1927. As riparian woodland vegetation along Old San Jose Creek completely obstructs views between the project site and the Goleta Valley Community Center, the proposed project would not affect the setting of this historic site. The project site does not include any historic resources. Therefore, the project is consistent with the Visual and Historic Resources Element.

Transportation Element: Policy TE 4 targets level of service (LOS) with the objective to maintain adequate LOS on City streets and intersections and to avoid further degradation of service levels at intersections where existing services levels do not meet target standards (LOS C). The traffic study indicates that Existing plus Project traffic for roadway volumes and intersections would remain within the City's Acceptable Capacity ratings. However, Cumulative plus Project traffic in the PM Peak Hour results in LOS D impacts at the Hollister Avenue/South Kellogg Avenue intersection. The City has identified an improvement to construct a free right-turn lane on the northbound approach of the Hollister Avenue/Kellogg Avenue intersection. This improvement would provide LOS C operation or better at this intersection. The applicant would pay Goleta Transportation Improvement Project (GTIP) fees toward the City's improvement for this intersection.

Policy TE 7 and TE 10 Address Alternative Transportation: Transit and Pedestrian Circulation. The project would connect with Class II bike lanes on the extension of Ekwill Street as illustrated in the Transportation Element Figure 7-6. The project is within walking distance of commercial services in Old Town and bus services. MTD bus lines serve UCSB, Santa Barbara, and Goleta commercial areas. The project is consistent with the Transportation Element with the approval of required mitigation measures and conditions of approval.

Public Facilities Element: Policies PF 2 and PF 3 require the City to provide a full range of public facilities including library, police station, fire protection and fire station. The Permittee must pay development impact fees for these public facilities as well as parks, recreation, and public administration facilities as required by GMC Title 16. The project is designed to comply with fire safety design standards identified in the California Fire Code, as adopted by the GMC, and the Santa Barbara County Fire Department development standards. The project would not result in any significant new demands on police or fire protection services. PF 4 requires adequate water supply and distribution facilities and sewage collection facilities and treatment capacity to meet existing uses and new development. The Goleta Sanitary District has indicated that sanitation services are available to serve the project. The Goleta Water District, water purveyor to the site is legally obligated to serve the project site based on a water agreement, and hence the site is entitled to water service. Further, the District considers properties with a water entitlement to be an existing water customer. The water needed for the development of the Old Town Mixed Use Project has been calculated as part of the District's water demand. The Permittee would be required to pay school impact fees as required by the Goleta Union School District and Santa Barbara Unified School District. All utility providers have indicated that they can serve the project. The project is consistent with the Public Services Element.

Noise Element: Noise Element Policy NE 1.2 Location of New Residential Development. The City shall require design of residential projects to mitigate interior noise levels and noise levels for exterior living and play areas to an acceptable level. Area noise, generally associated with State Route 217, affects the project site. Second-floor decks associated with six shopkeeper units located at the southeastern edge of the project site, fronting on South Kellogg Avenue, must be protected from sound intrusion so that they meet the City's standard for outdoor living spaces. Sound attenuation barriers must be placed along the perimeter of decks at the shopkeeper units adjacent to South Kellogg Avenue consisting of Plexiglas or a similar transparent material that does not obstruct views from the residences. Project proposed sound walls along the northeastern and southern property lines, and natural attenuation of traffic noise by proposed buildings fronting on Kellogg Way and South Kellogg Avenue would effectively reduce exterior noise to acceptable levels on the remainder of the project site.

Pursuant to the Table 9-2 in the General Plan's Noise Element, the project site is located outside of the 60 dB CNEL noise contour for the Santa Barbara Municipal Airport. Noise levels below 60 dB CNEL would be acceptable for residents on the project site. As such, the proposed project would not be significantly impacted by noise from the airport.

Noises associated with operation of the proposed project may be periodically audible at adjacent uses. The closest sensitive receptor to the project site is a single-family residence located approximately 50 feet to the east, across Kellogg Way. A mobile home park is also located approximately 350 feet to the west of the site. Noise events that are typical of residential developments include music,

Attachment 2, Exhibit 5 General Plan Consistency Analysis Old Town Village Mixed-Use Project

conversations, doors slamming, and children playing and trash hauling. However, activities associated with operation of the proposed project would be comparable to those of existing residential uses near the project site.

The project, as conditioned, is consistent with land use compatibility standards identified in the Noise Element. With the implementation of mitigation measures, interior and exterior noise levels would feasibly be reduced to acceptable levels. Construction mitigations would reduce indoor noise exposure levels to acceptable levels. In addition, mitigation measures on temporary construction noise are included in the conditions of approval

**Housing Element:** The project would construct 175 residential units including 113 traditional townhomes, 34 live-work flex townhomes, 28 shopkeeper townhomes and a 1,600 square foot community center at a density of 14.2 units per gross acres of land. This proposed residential density is less than the maximum limit of 20 units per acre designated by the project's proposed GP/CLUP designation of Commercial Old Town (C-OT) and the proposed zone designation of Old Town Residential/General Commercial (O-TR/GC).

Pursuant to GP/CLUP Housing Element Policy 2.5(d), projects of five or more for-sale units must provide 20 percent of the units at an affordable rate. The City may consider decreasing the 20 percent requirement to not less than 15 percent on a case-by-case basis where community services resulting from the project exceed standards set forth in applicable law. The Project as proposed would provide a dedication to the City of 2.4 acres of land valued at \$2.4 million. This land would allow the City to construct Ekwill Street and a basin for stormwater detention/retention that serves the area. Fifteen percent of the project units equates to 27 units. Of these units, 14 would be constructed on-site for moderate and above moderate-income households. An in-lieu fee of approximately \$1,000,000.00 would be made to the City for the remaining 13 units. The proposed in-lieu fee payments can be used by the City as "matching funds" for low and very-low income units tax credit funding. By dedication of land to the City as a community benefit, the reduction from 20% to 15% provision of affordable housing can be satisfied. Between the provision of on-site affordable (moderate and above-moderate) housing units and the in-lieu fee payment that is available to assist low and very-low income unit construction, the 15 percent Inclusionary Housing requirement would be fulfilled. Additionally, the on-site and in-lieu fee units would provide a variety of housing for households with a range of incomes. These for-sale units would address the local and regional housing deficit and contribute to improving the City's jobs/housing balance. Therefore, the project is consistent with the Housing Element.

### ATTACHMENT 2, EXHIBIT 6

### **ZONING REGULATION CONSISTENCY ANALYSIS**

### **Consistency with Zoning Ordinance Requirements**

Old Town Residential/General Commercial (OT-R/GC)

Zoning Requirements	Proposed Project
Front Yard Setback: Commercial or Commercial and Residential Structures and Buildings: Ten (10) feet from property line.  Residential Only Structures and Buildings: Ten (10) feet from property line and 40 feet from the centerline of Street.	Consistent The structures front setback along Ekwill Road and South Kellogg Avenue would be a minimum of 10 feet from the right-of-way line. Additionally all residential only structures located along Kellogg Way would be a minimum of 40 feet from the street centerline.
Side Yard Setback: Residential Only Structures and Buildings: Ten (10) feet from any side property line.  Commercial or Commercial and Residential Structures and Buildings: None	Consistent The side setback for structures along the southern property line would be a minimum of 10 feet.
Rear Yard Structure Setback: Residential Only Structures and Buildings: Ten (10) feet from any rear property line for residential only structures.  Commercial or Commercial and Residential Structures and Buildings: Ten (10) percent of lot depth for all other buildings and structures.	Consistent The rear setback for residential only structures along the western property line would be a minimum of 10 feet. No commercial or commercial and residential structures subject to rear yard setbacks would be within the setback.
Distance between buildings: All: Minimum of 5 feet	Consistent There would be a minimum of 5 feet between buildings.
Building Coverage: Not to exceed 50% of the gross area of the property Height limit:	Consistent The total building footprint is 155,958 square feet or 37% of the total site area Consistent with Approval of Modification
Residential Only Structures and Buildings: 25 feet	The proposed project includes a mix of residential only and commercial and residential buildings with a mix of flat and sloped roofs with a heights ranging from 22 feet to 35 feet.

### **Consistency with Zoning Ordinance Requirements**

Old Town Residential/General Commercial (OT-R/GC)

Zoning Requirements	Proposed Project
Commercial or Commercial and Residential Structures and Buildings: 35 feet	The permittee is requesting a modification to the development standard to allow the residential only structures to reach a height of 35 feet, exceeding the 25 foot height limit.
Architectural projections are allowed up to a maximum of 50 feet, pursuant to City of Goleta Zoning Code Section 35-276 (Height)	Architectural projections to allow for elevators and stairs to the residential roof deck are proposed at a maximum height of 40 feet.
Parking Design: Arranged to prevent through traffic to other parking areas; uncovered parking shall be screened from the street and adjacent residences to a height of at least four feet with hedges, dense plantings, solid fences or walls.	Consistent The proposed parking areas would only connect to Ekwill Road and South Kellogg Avenue and would not connect to other parking areas. Parking areas would be screened from adjacent development with 6-foot high masonry walls on the south and west sides of the site and buildings along the street frontages to the north and east.
Required Parking 2-bedroom: 2 sp/unit 3-bedroom: 2.5 sp/units Guest: 1 sp/5 units Commercial: 1sp/300 sq. ft. of Commercial  Based on the number of bedrooms, visitor parking,	Consistent 23-2-bedroom: 46 spaces required 152-3-bedroom: 380 spaces required Guest: 35 spaces required Commercial Spaces: 26 required Total Required: 487 spaces  Total Provided: 489 spaces
and commercial space the project would be required to provide 487 spaces	
Landscaping: Uncovered parking area separated from property lines by a landscaped strip not less than 5 feet in width.	Consistent All uncovered parking spaces are proposed to be located a minimum of 5 feet from the property lines.
Residential Density: No Zone Requirement	Consistent.

### ATTACHMENT 2, EXHIBIT 7

### PROJECT PLANS (11 x 17)





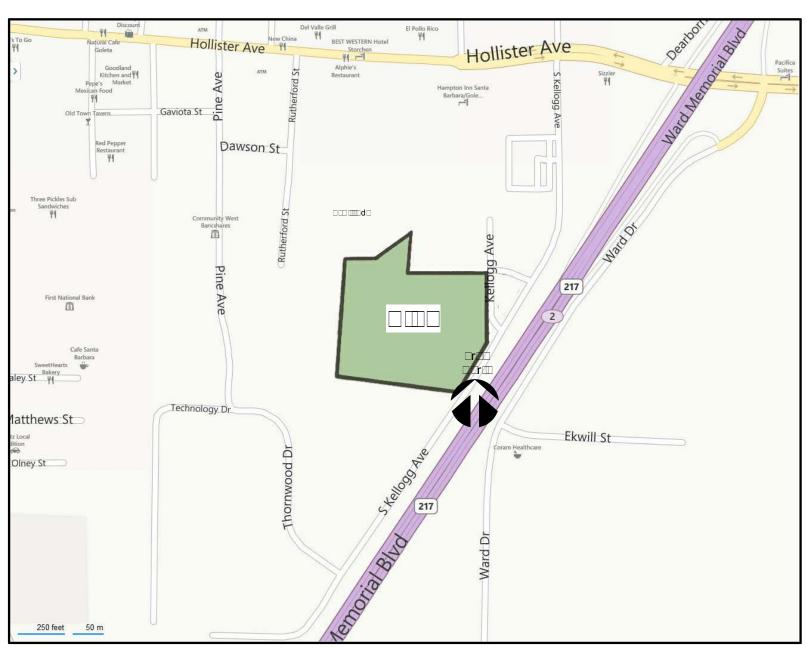
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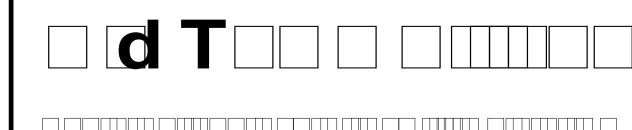
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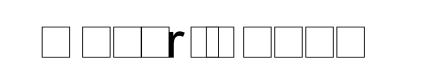
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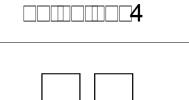








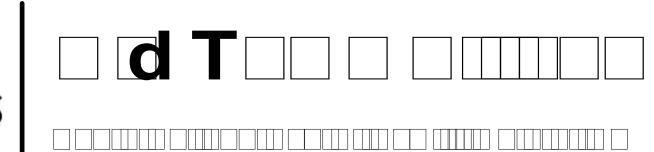












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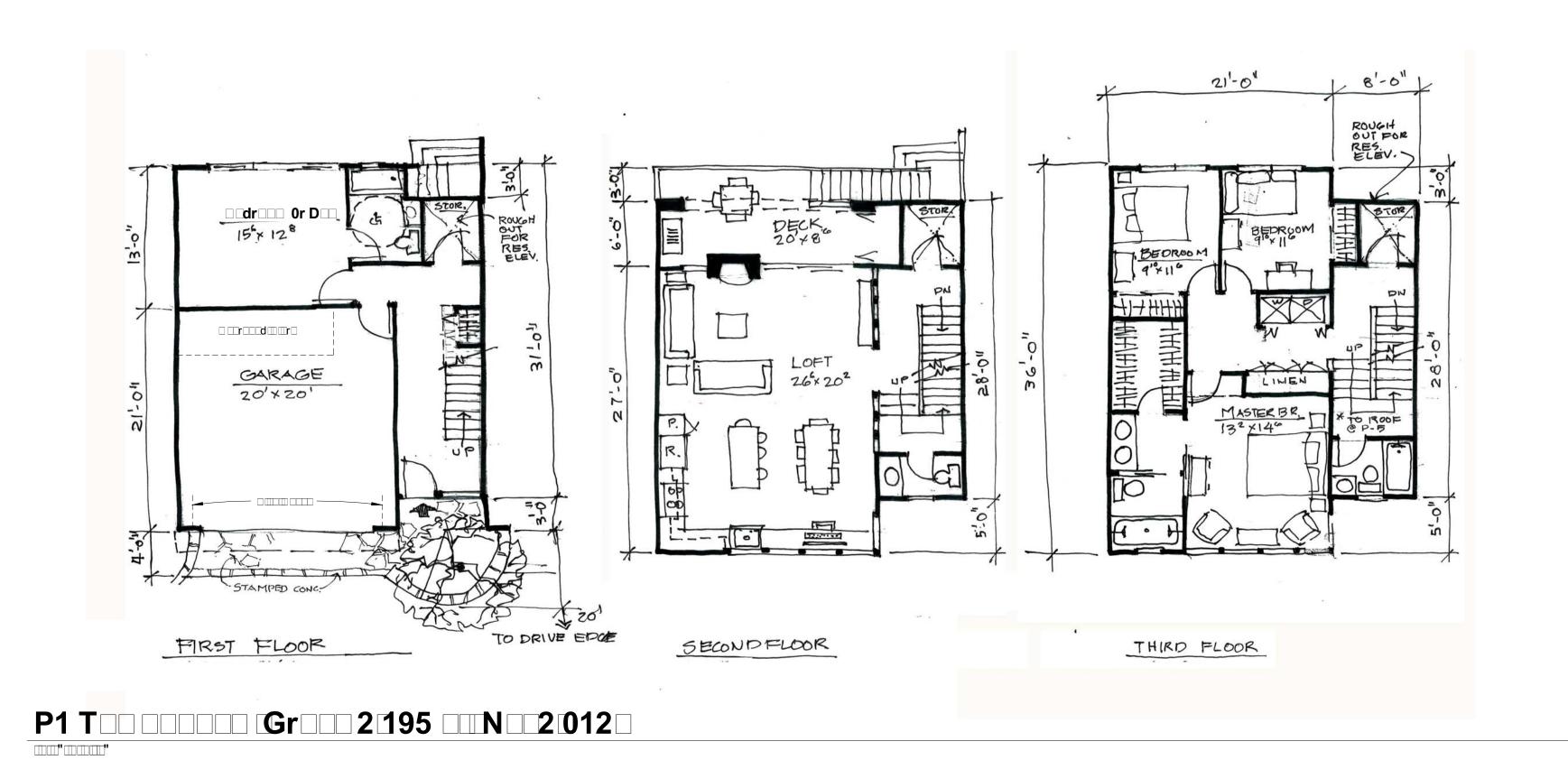
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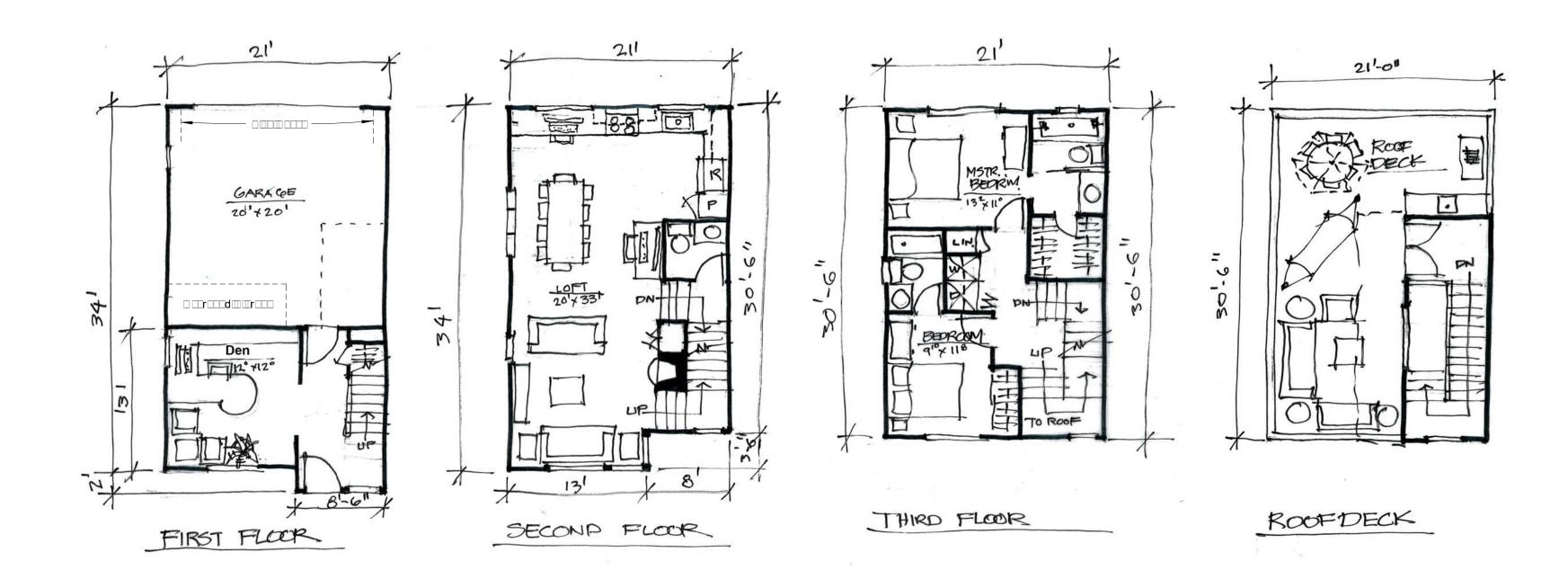
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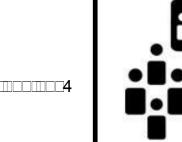




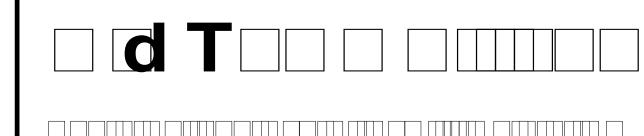


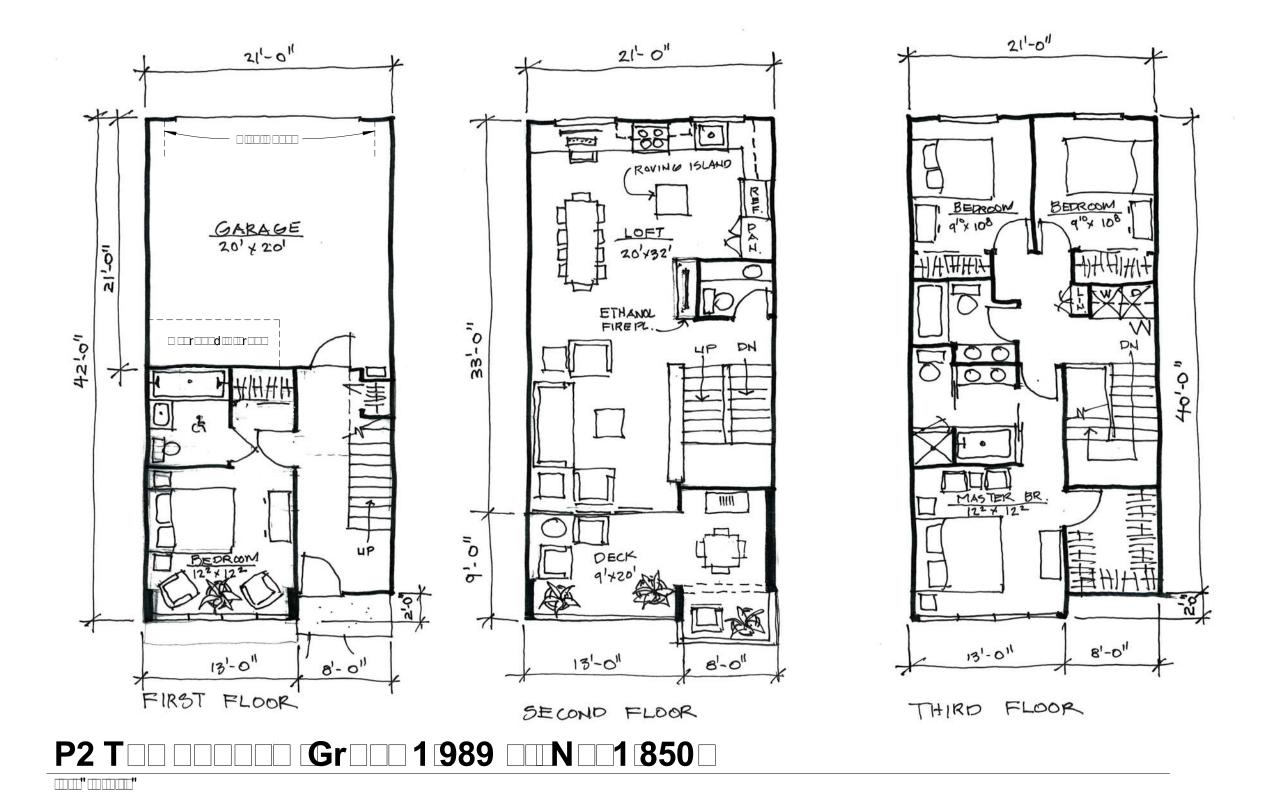
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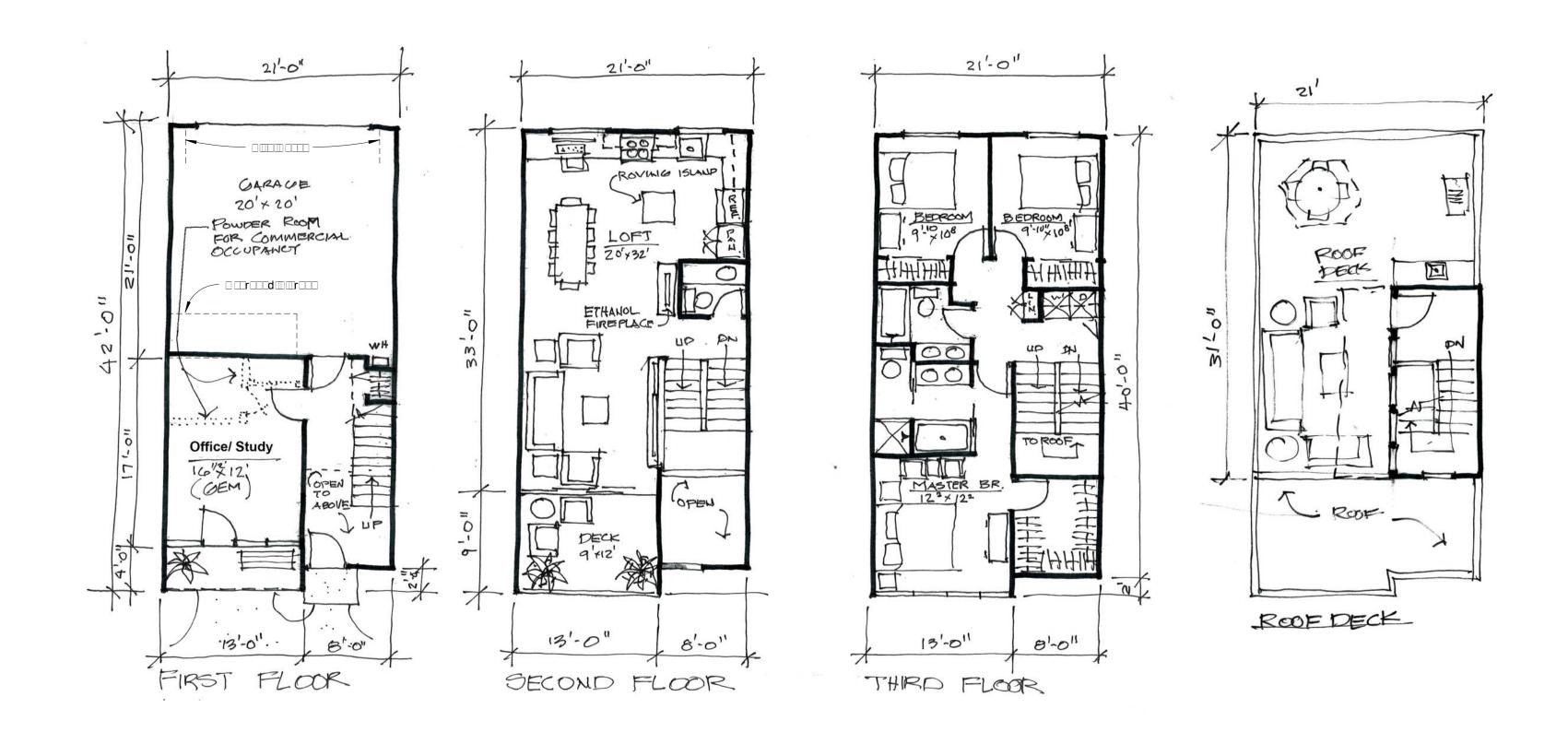


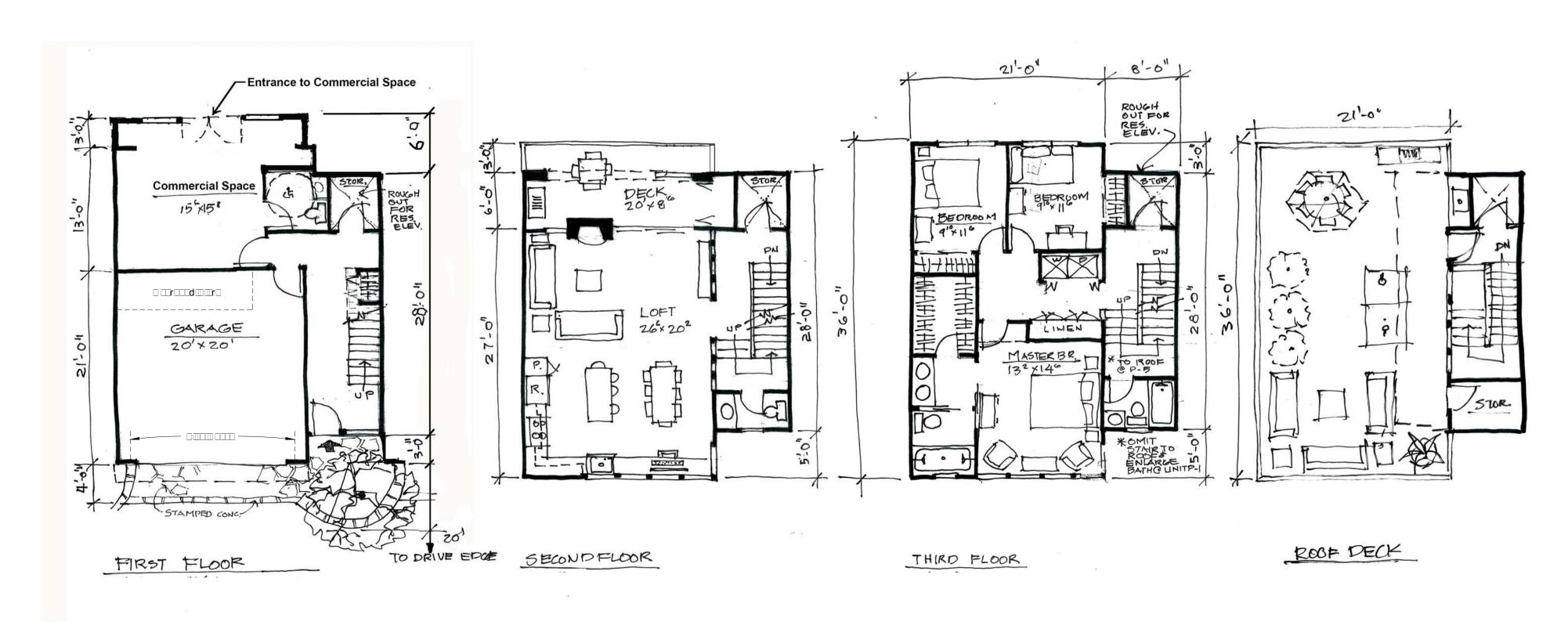




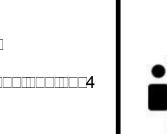




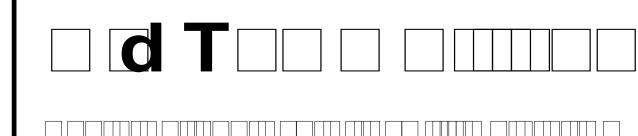




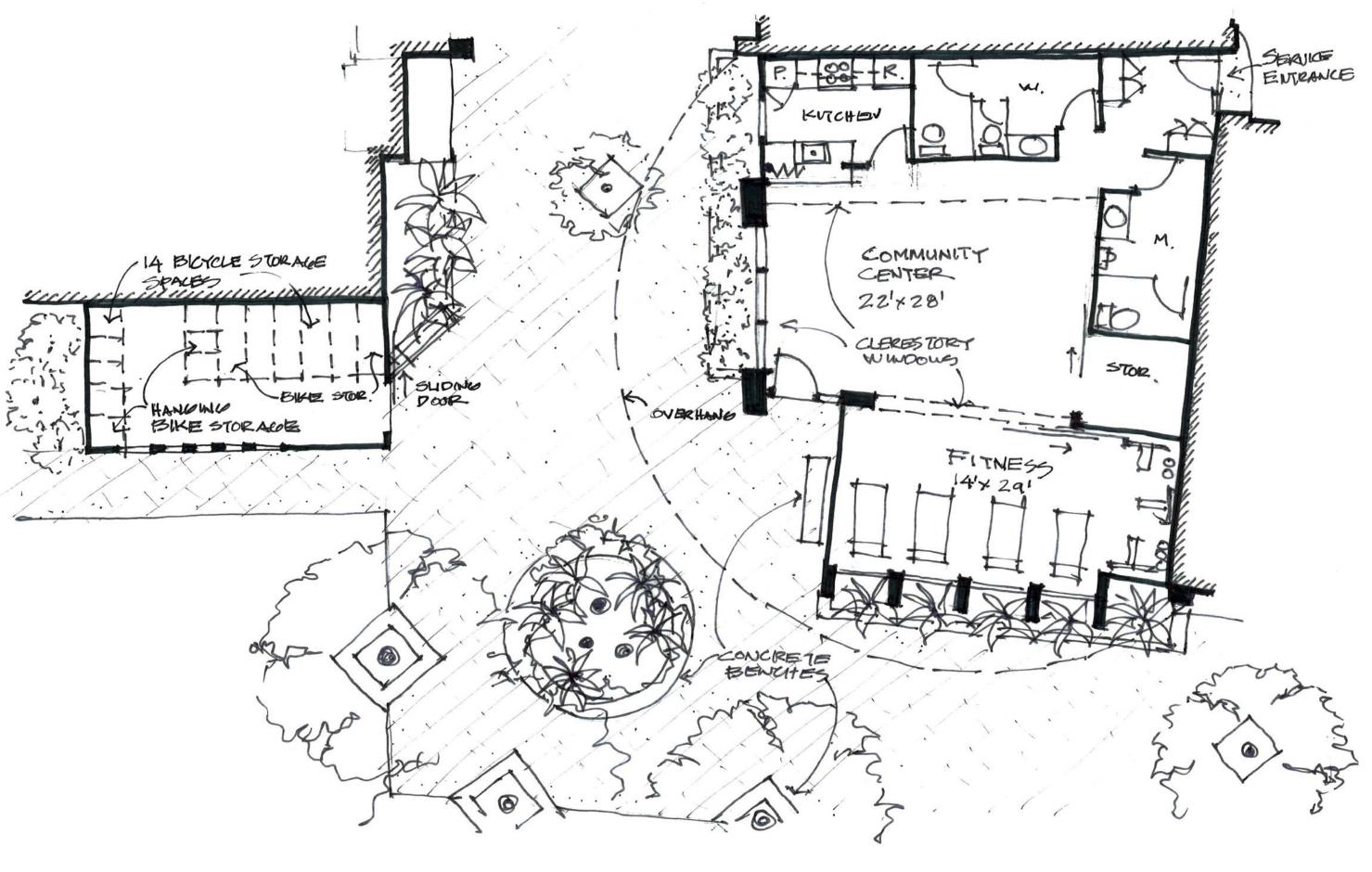




City Ventures



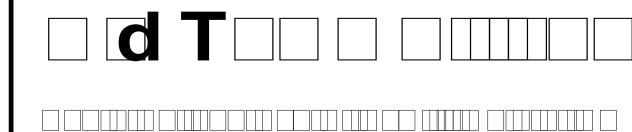


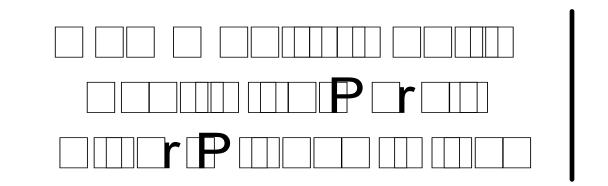






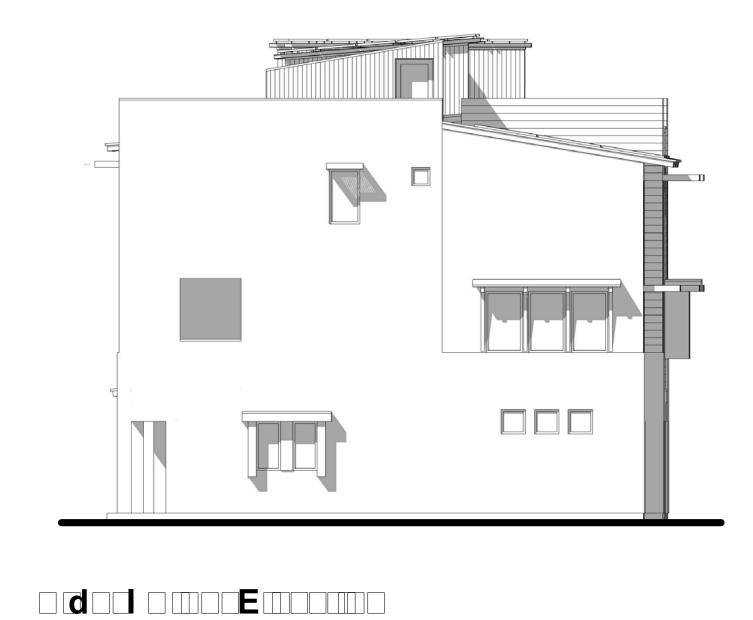




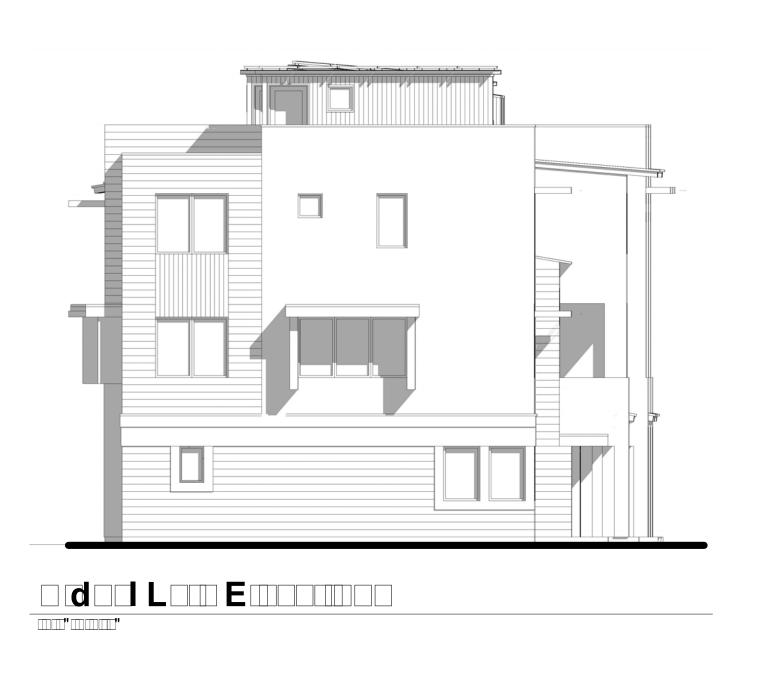




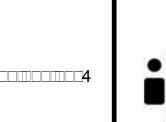




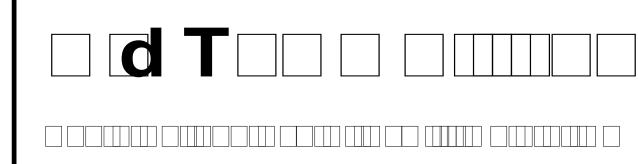


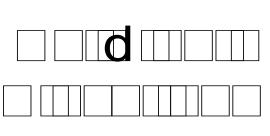






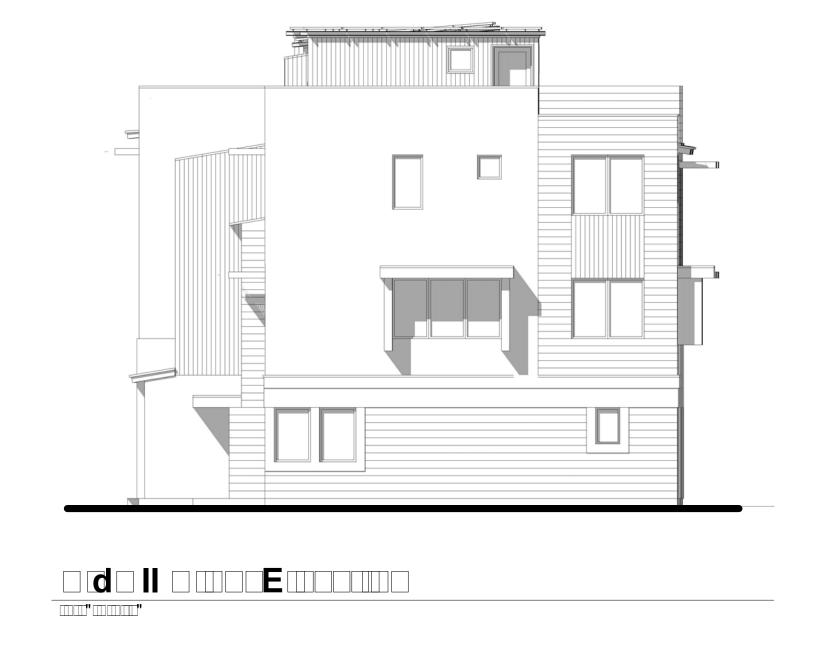








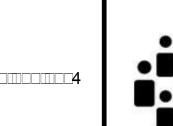




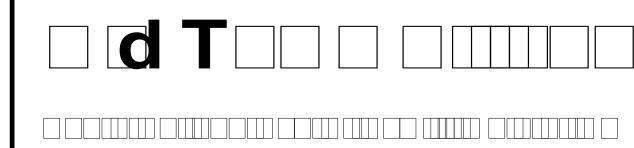


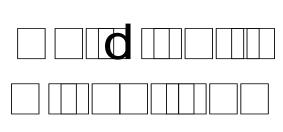






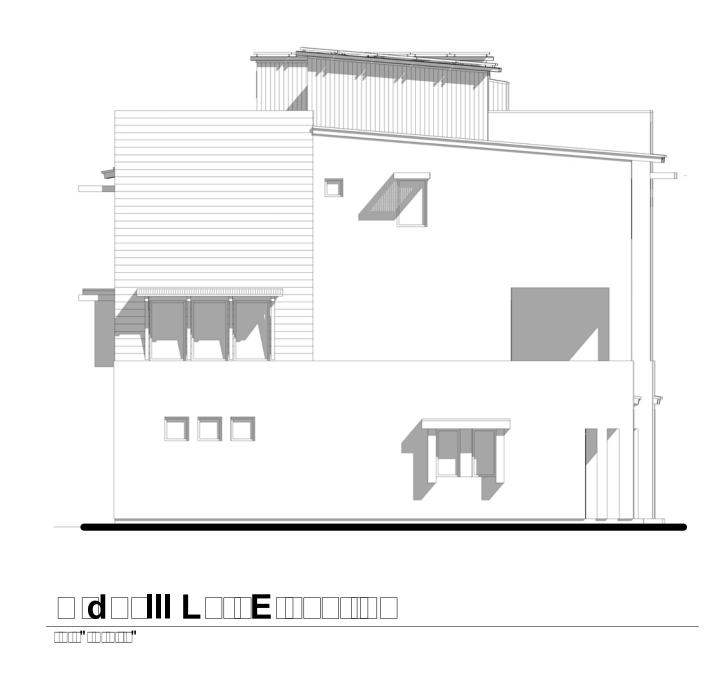




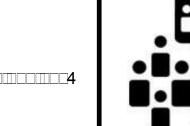




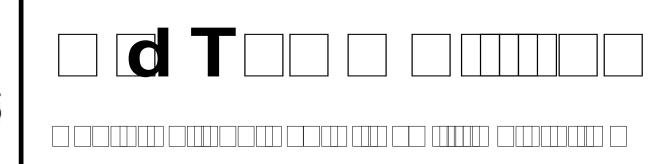


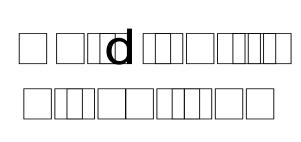


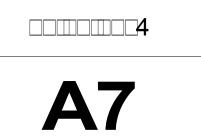


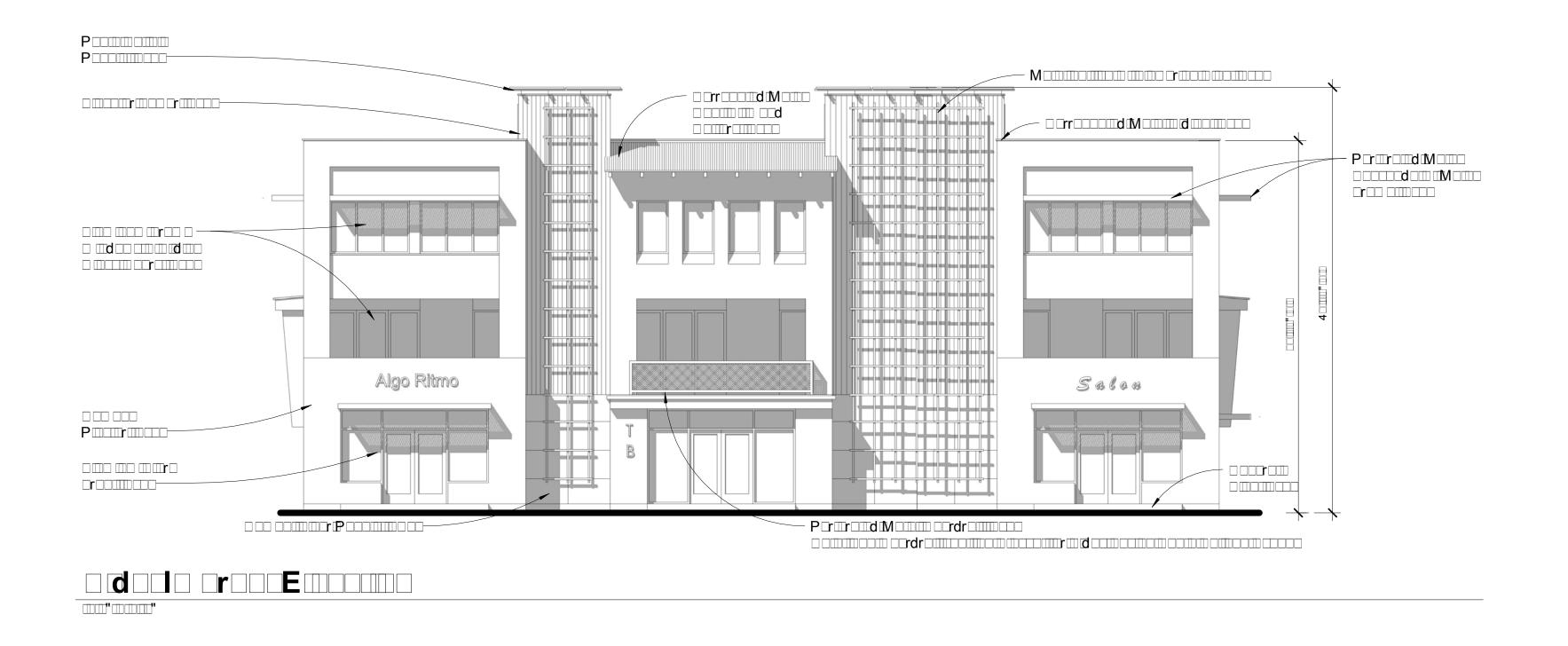




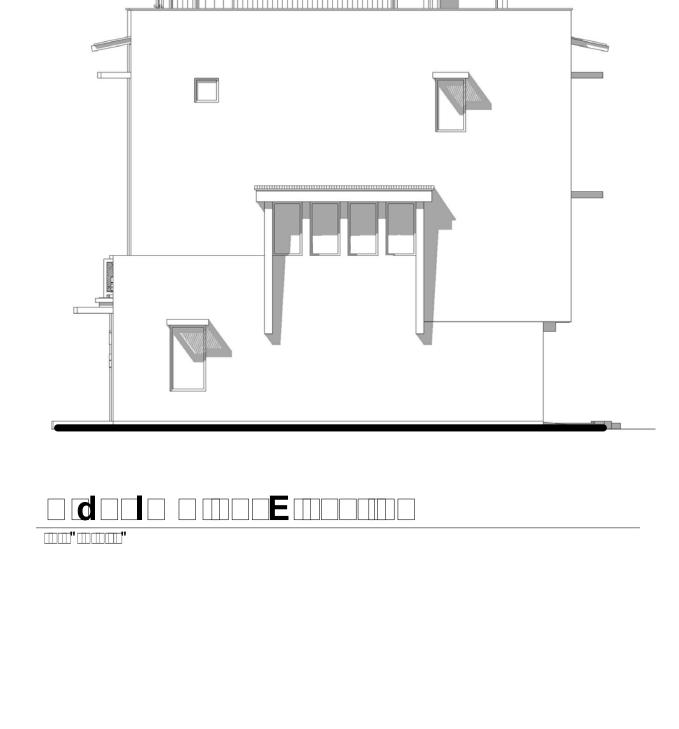


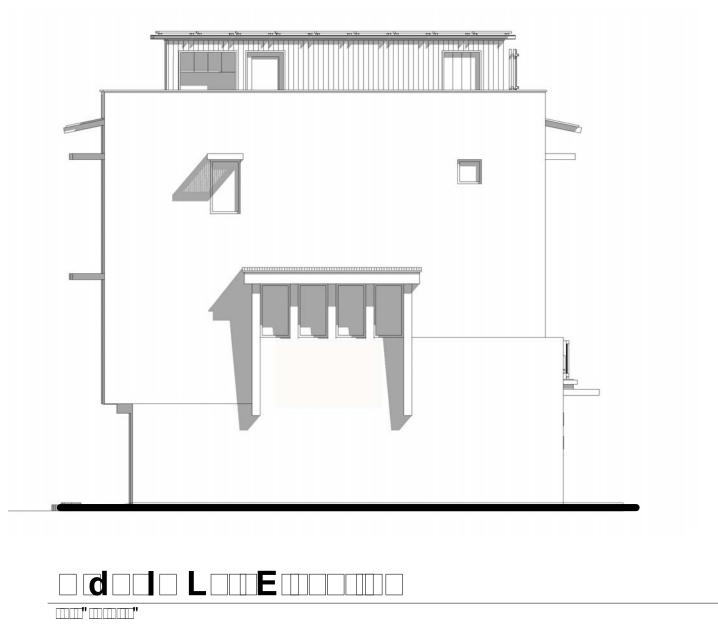


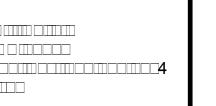




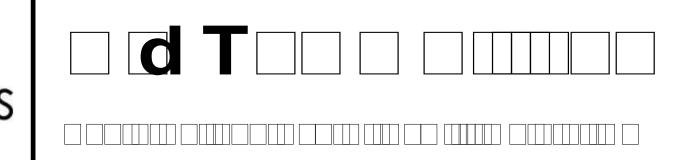


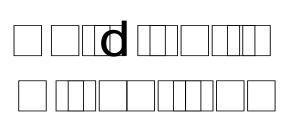


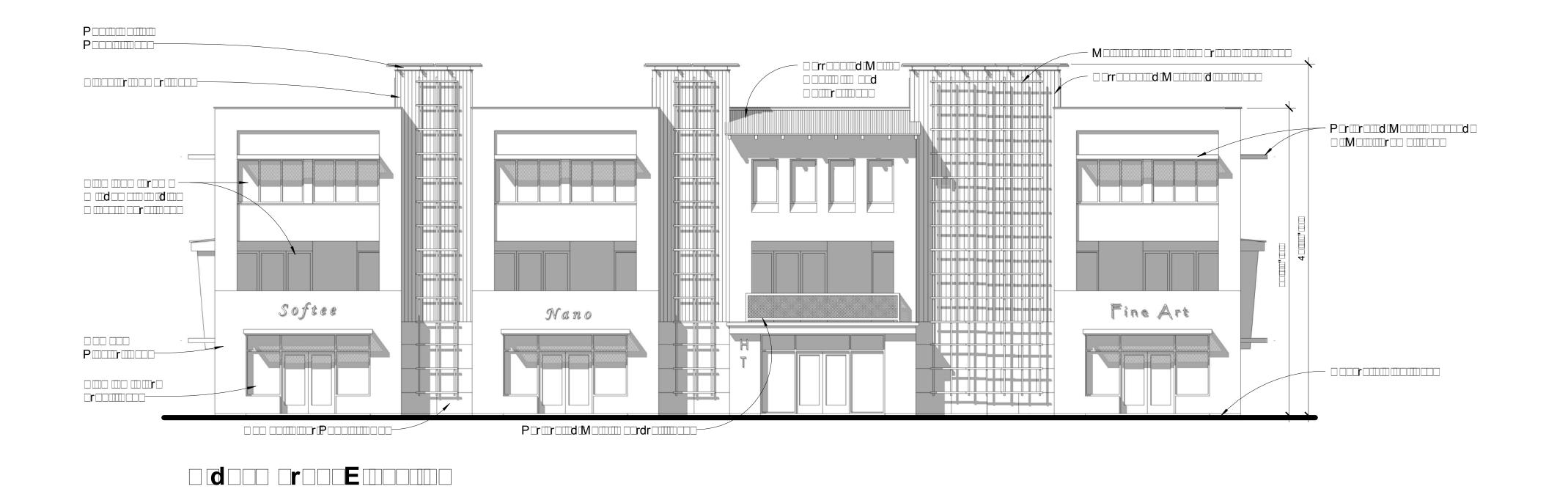


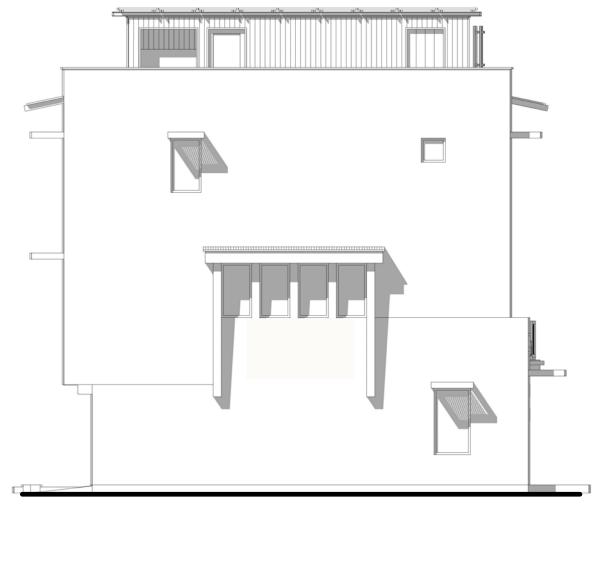




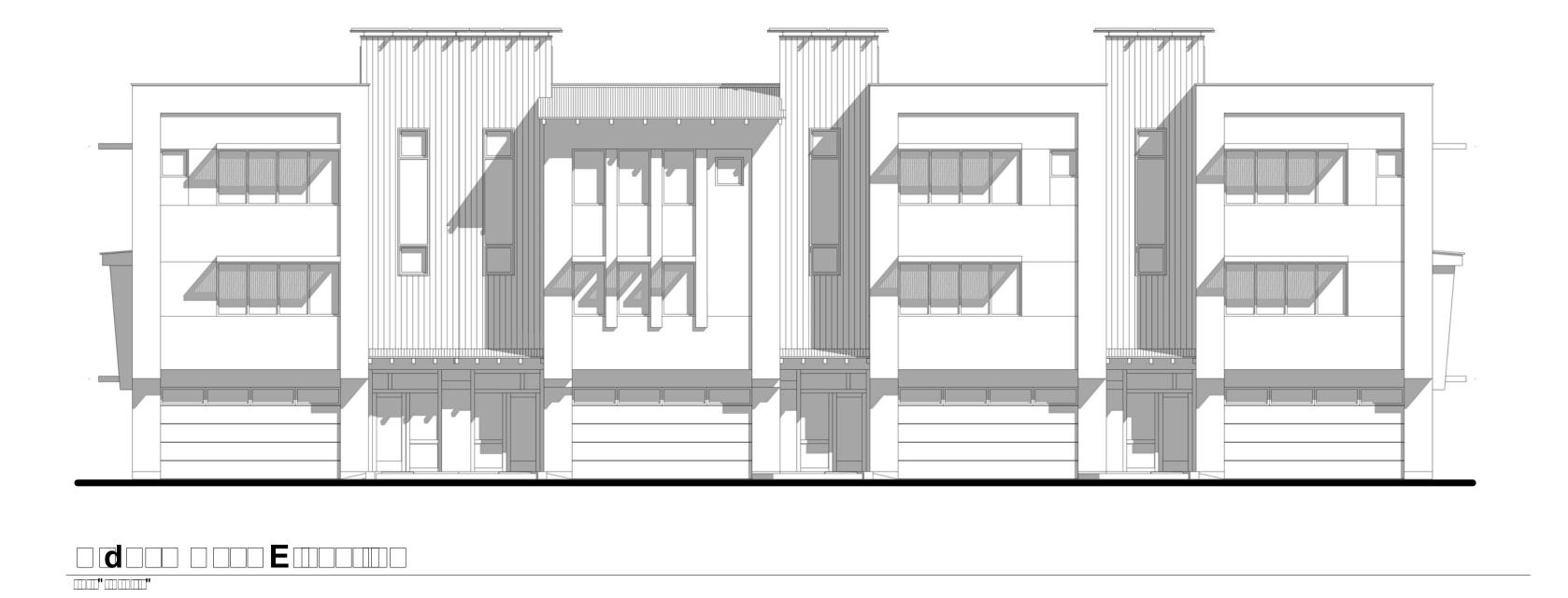


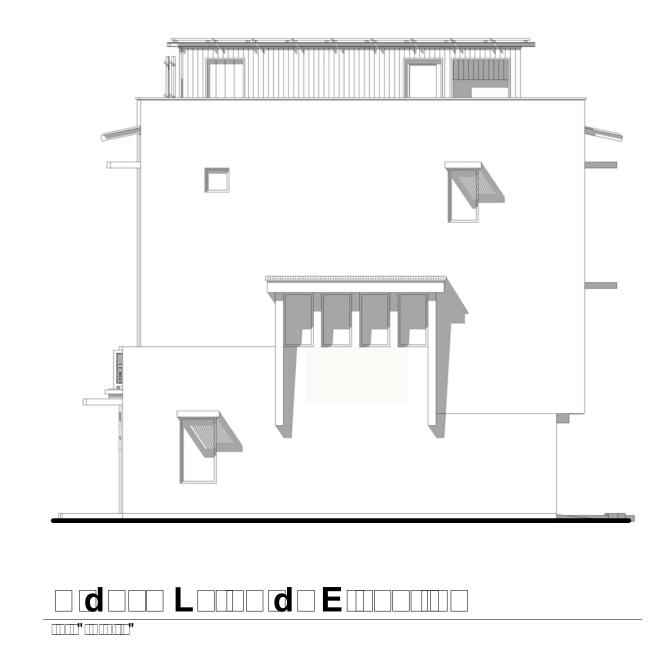




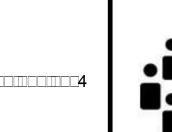




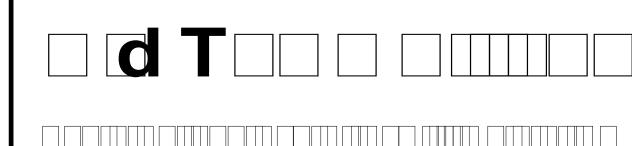


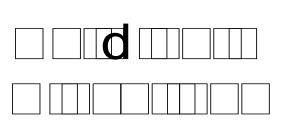


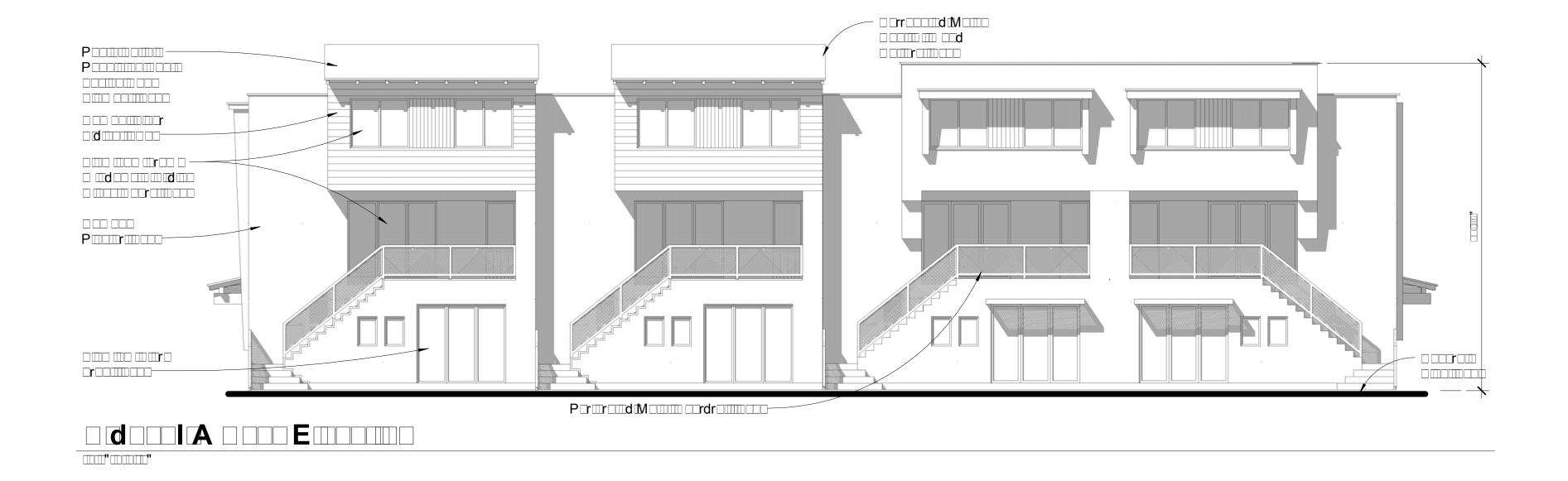




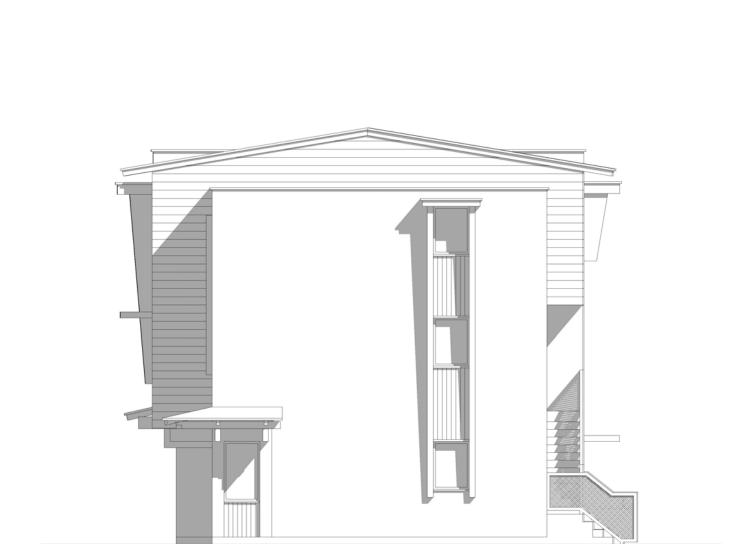




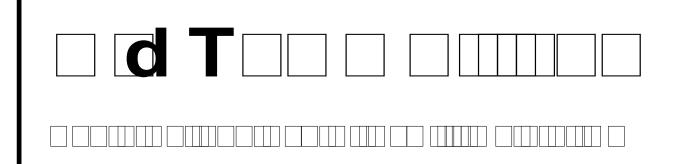


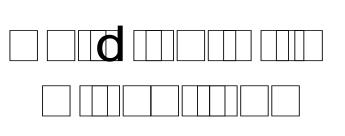




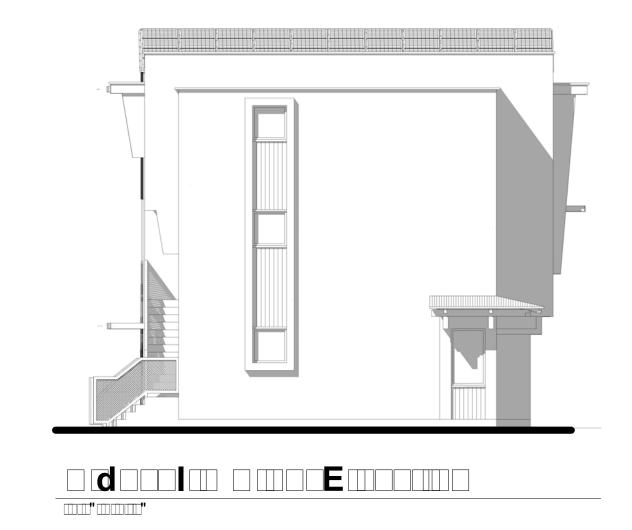


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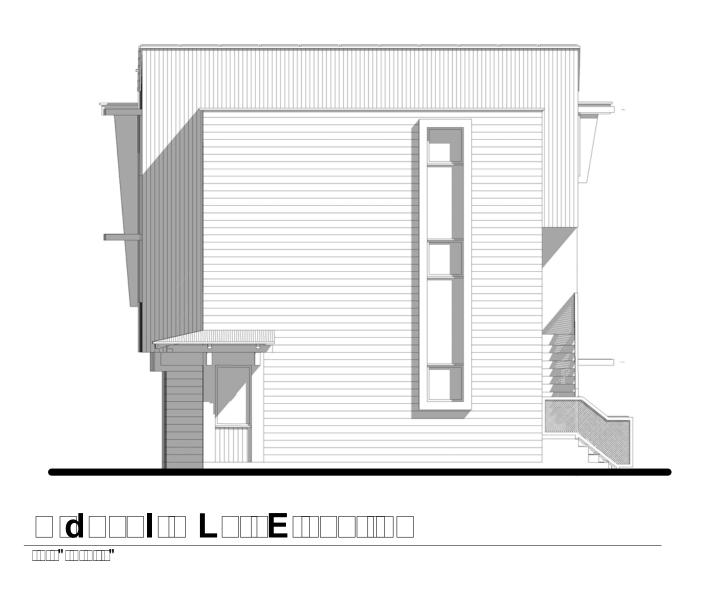


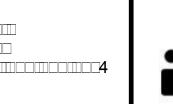




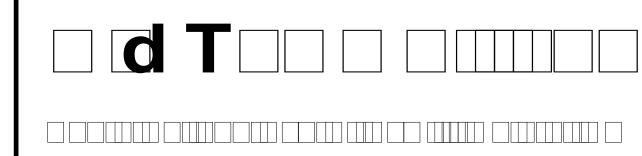


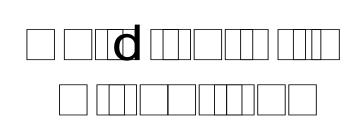


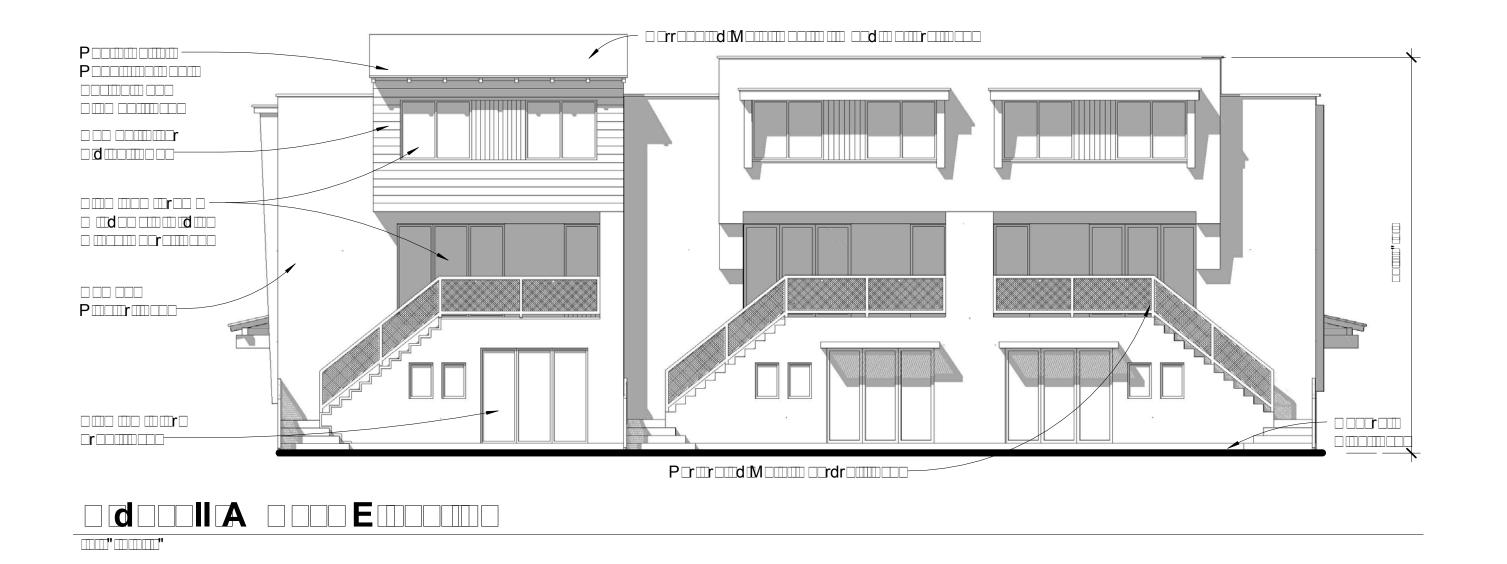




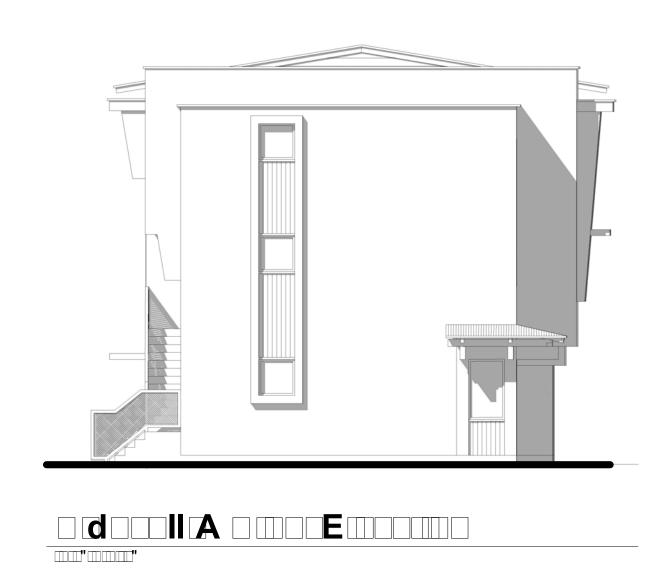


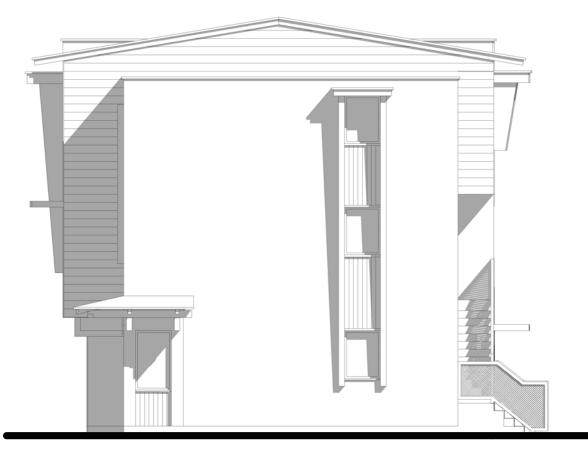




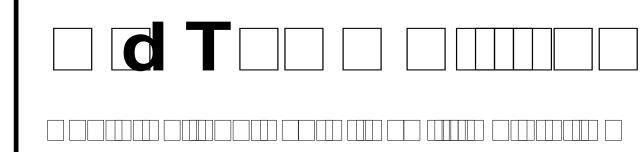


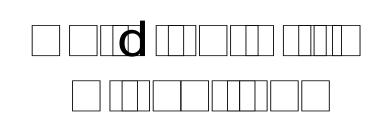


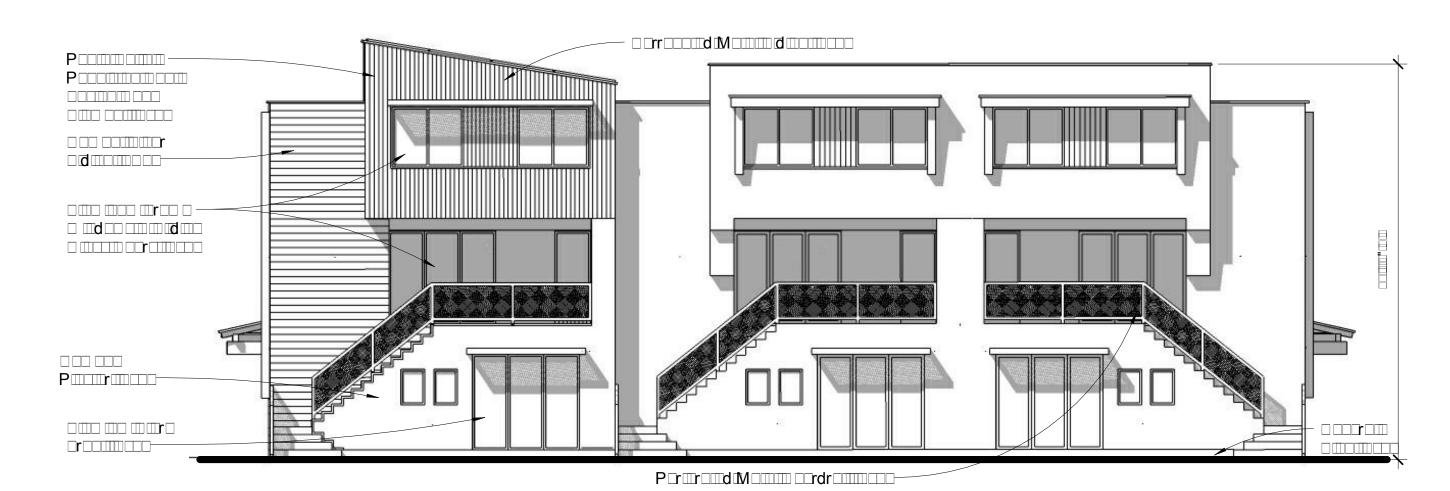








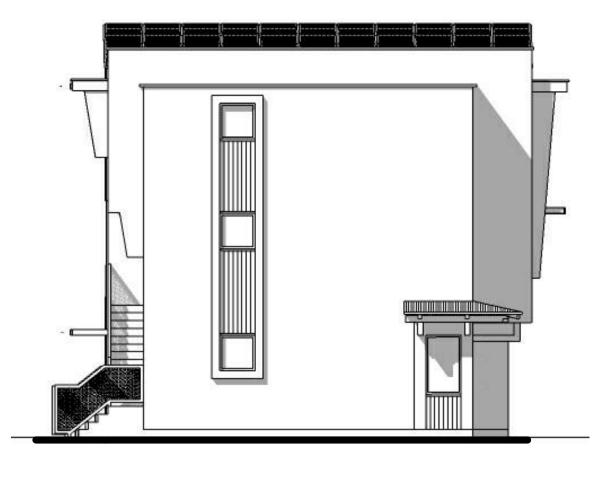


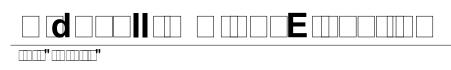


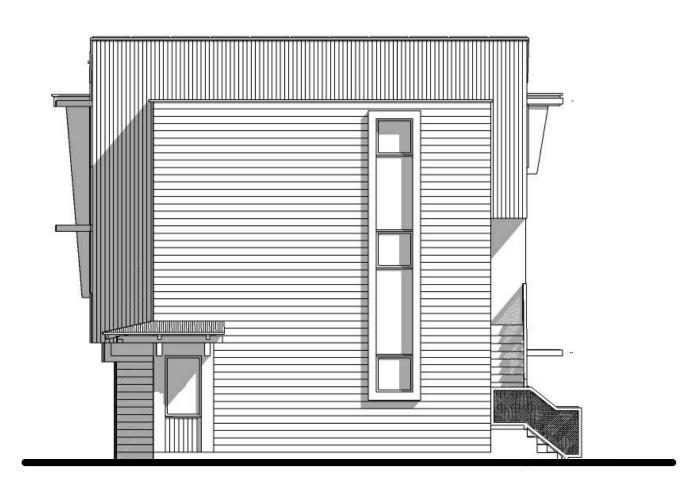




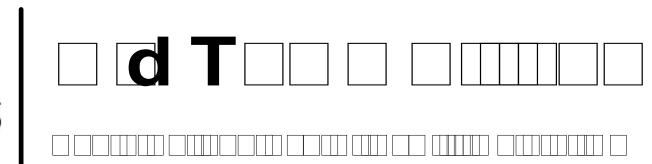


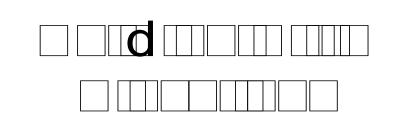


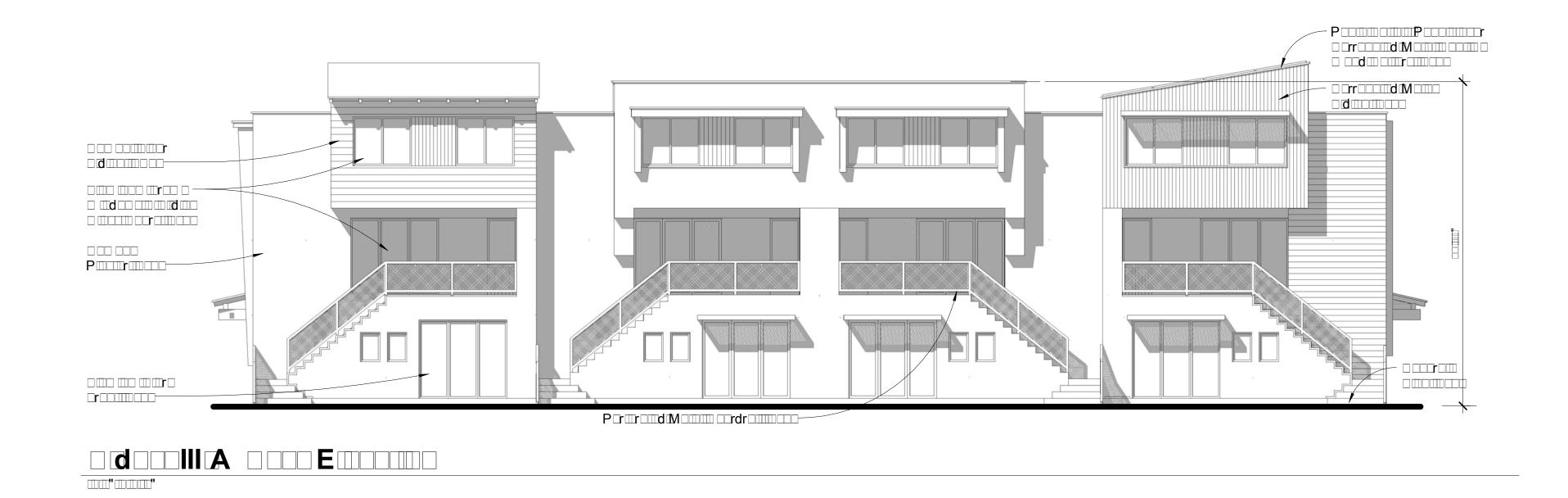


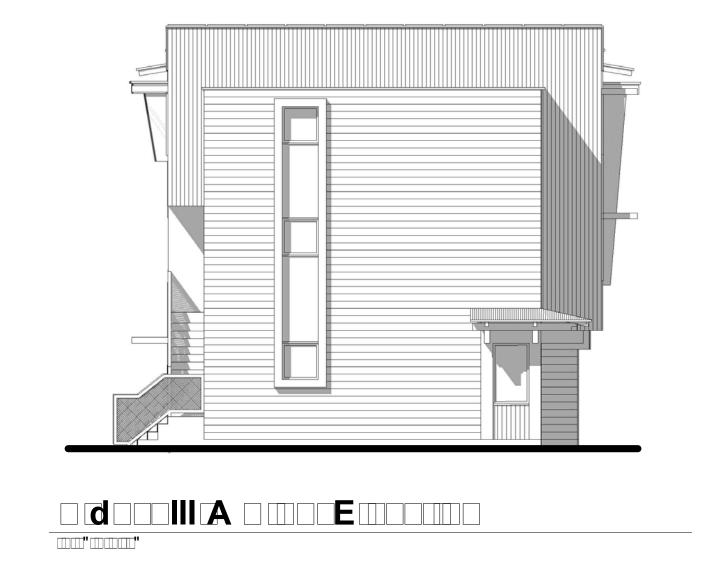




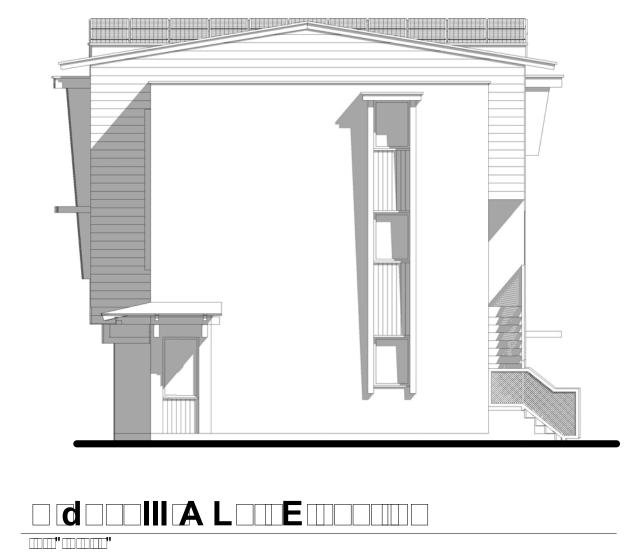


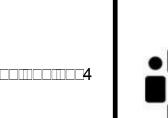




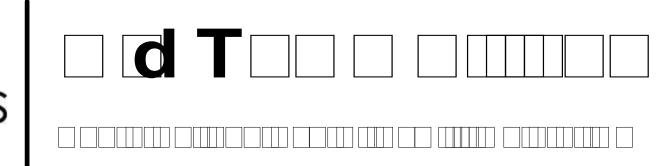


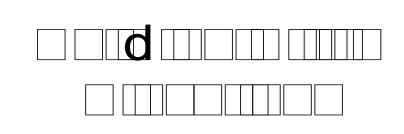


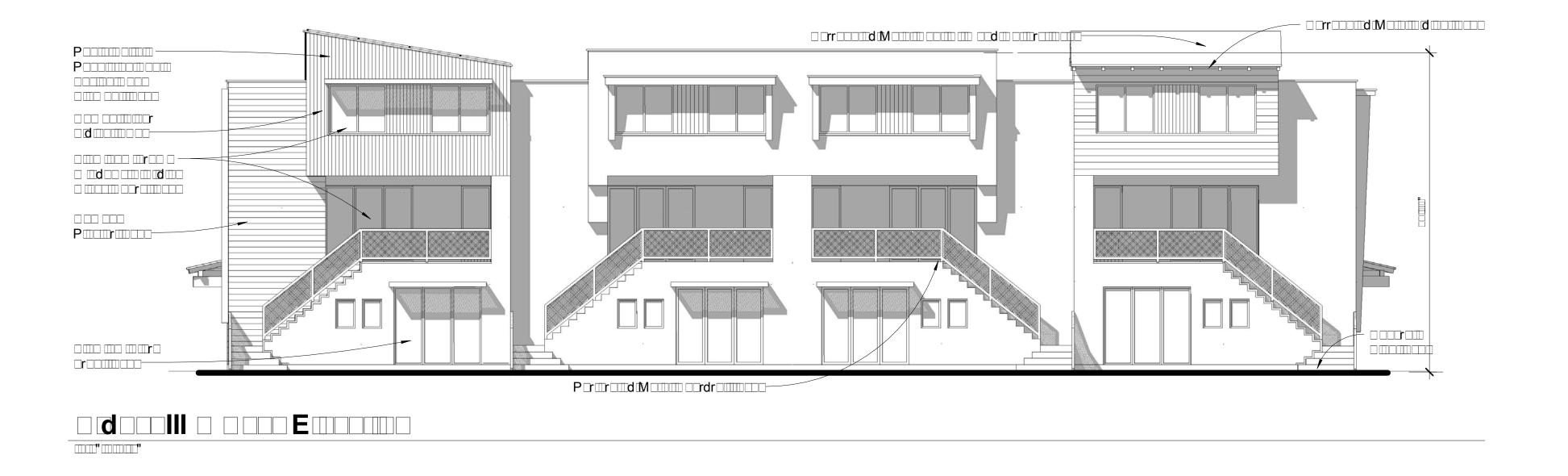


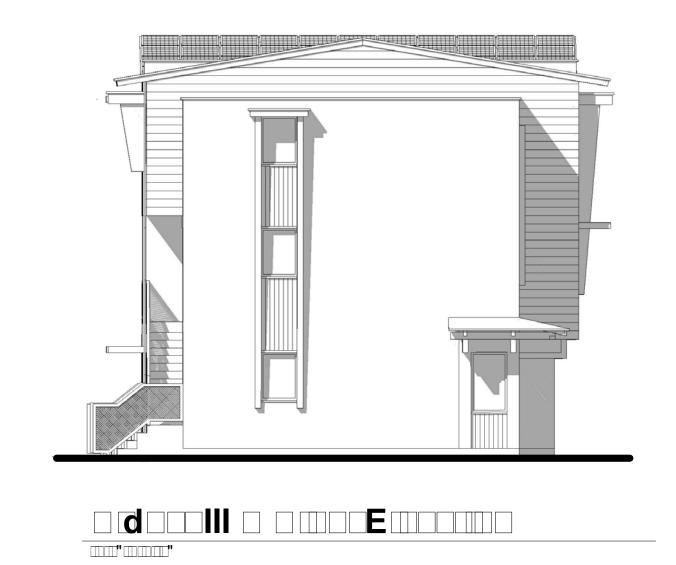




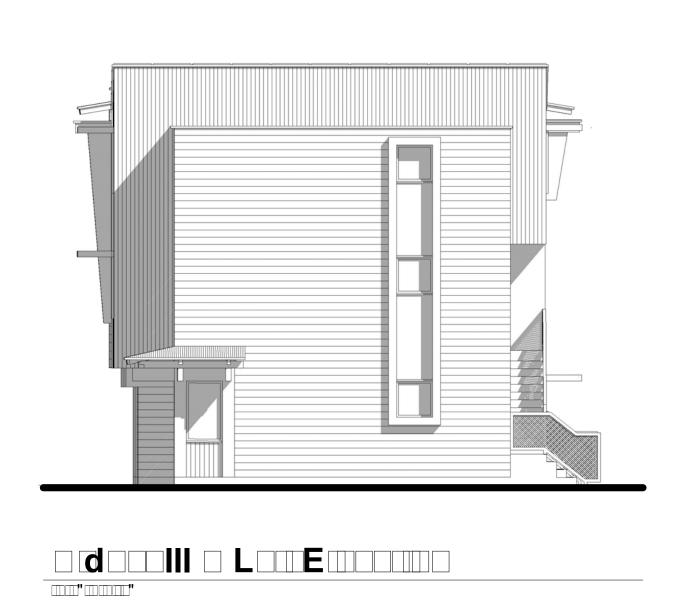






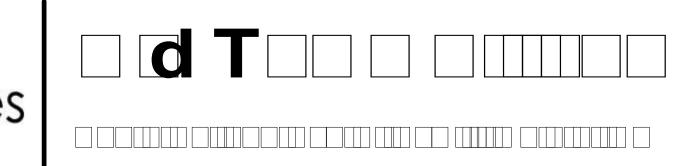


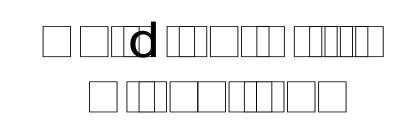








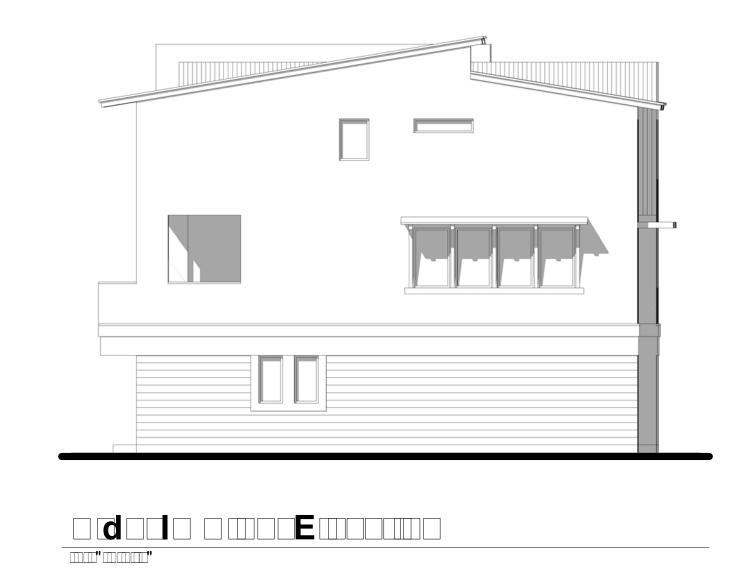


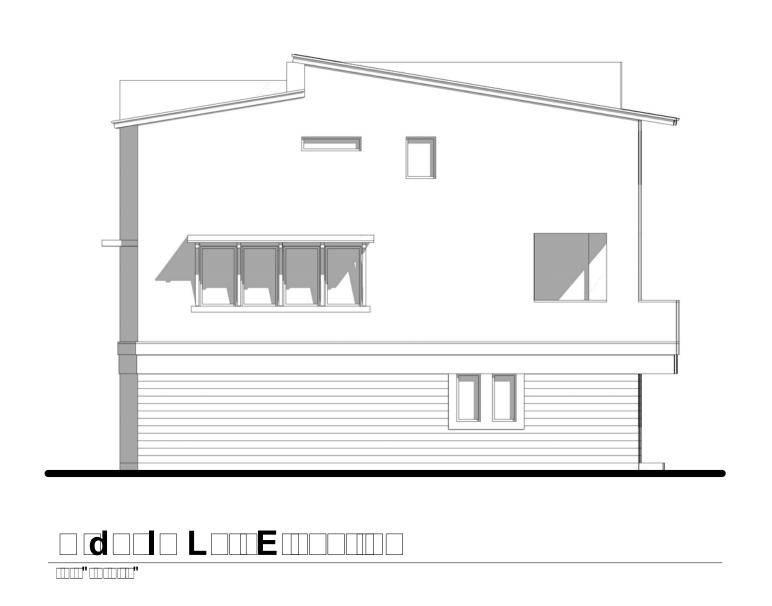


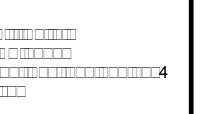
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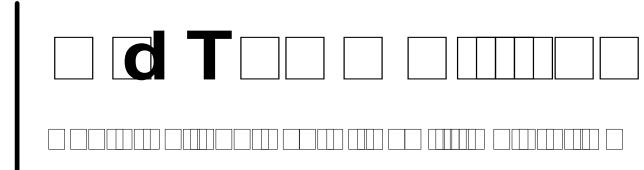


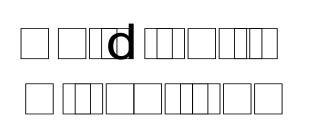




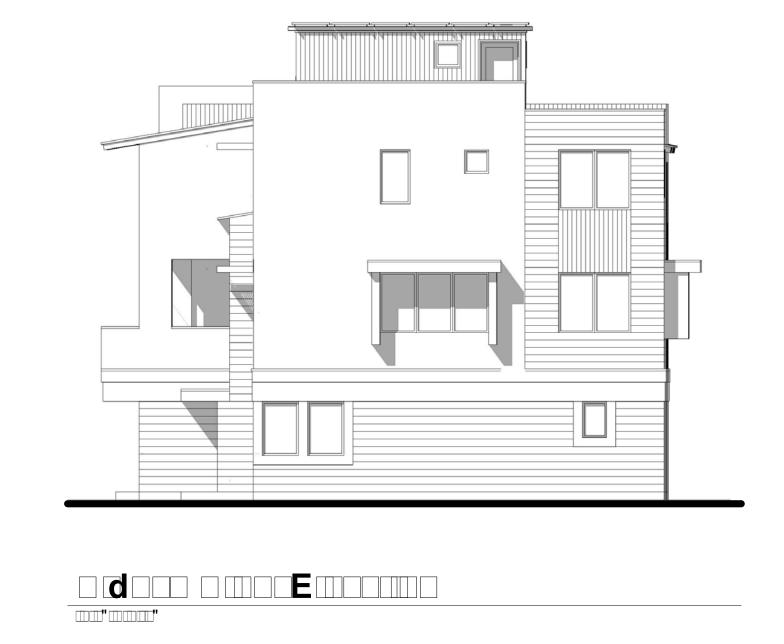




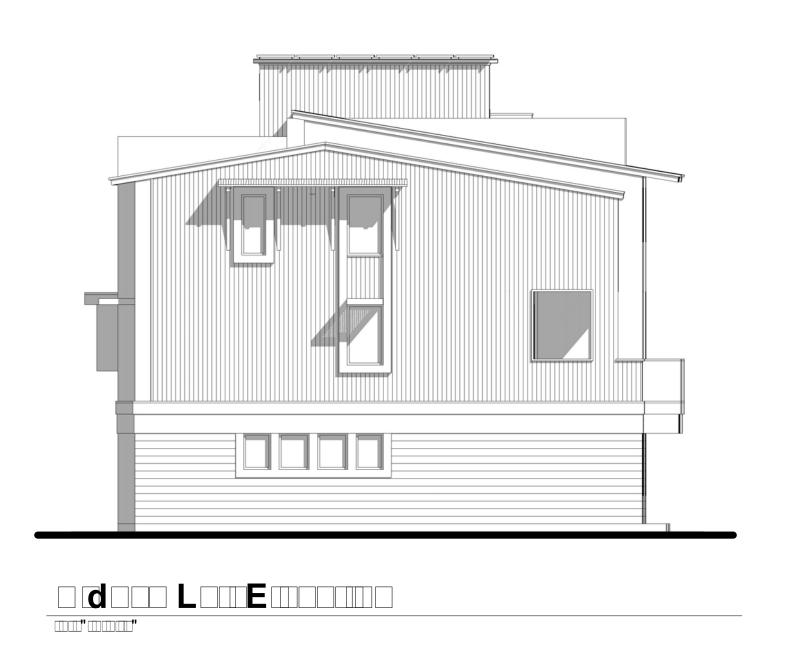


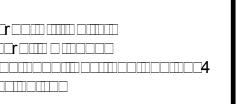




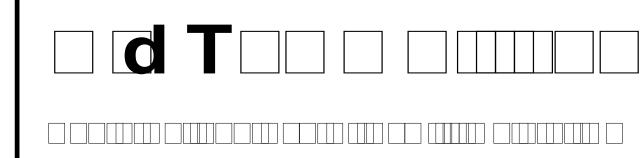


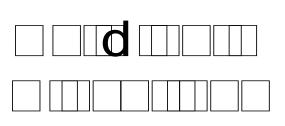




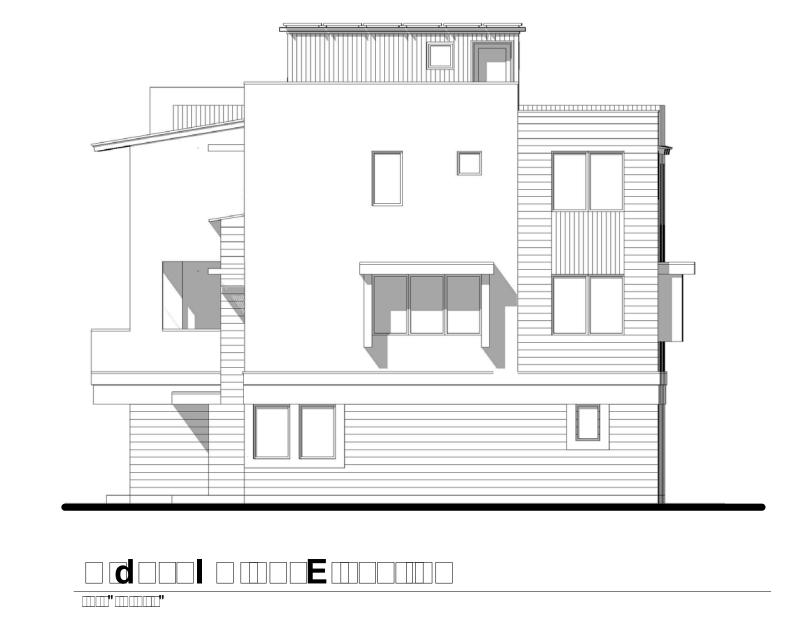




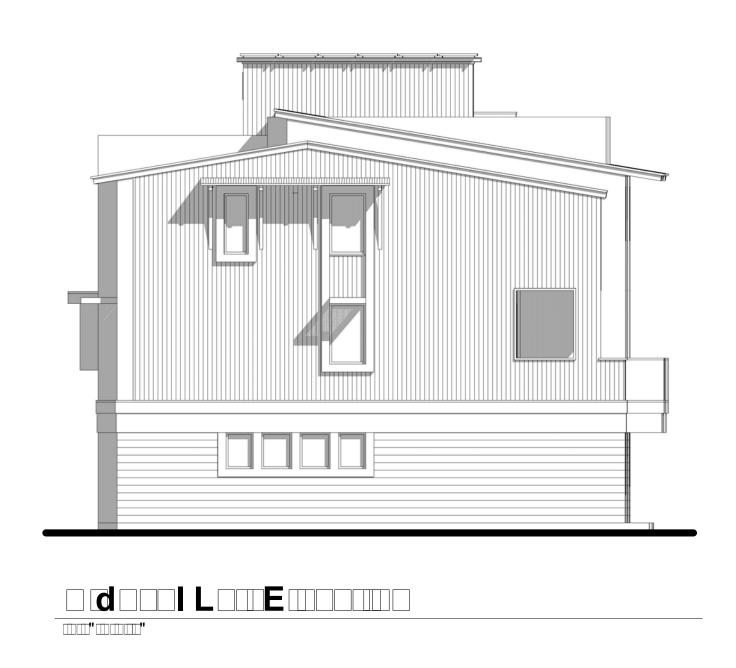




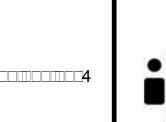




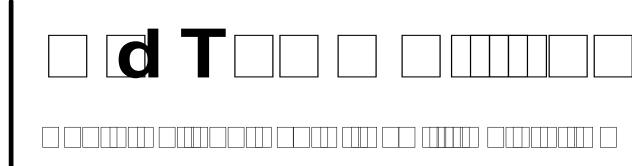


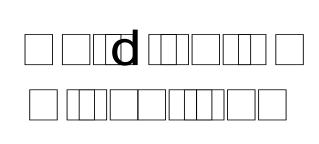








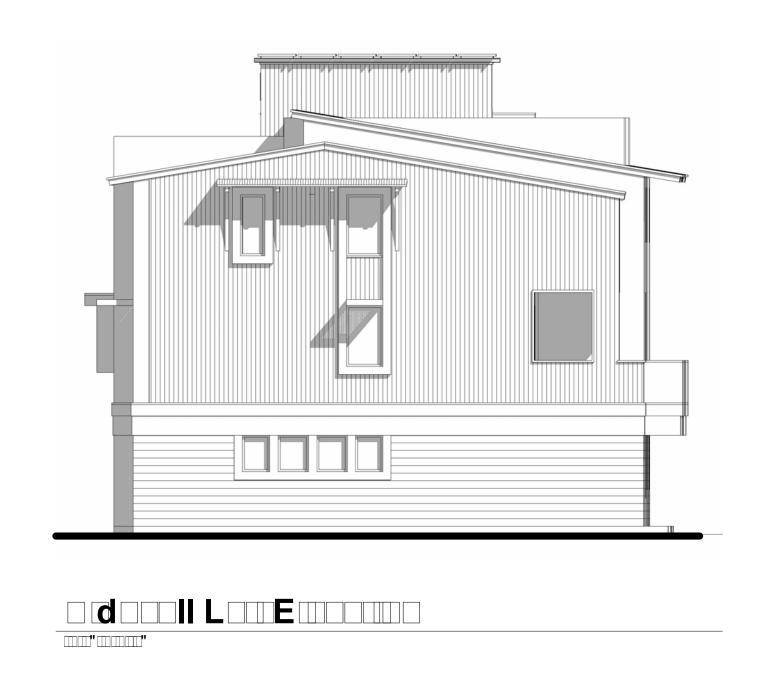




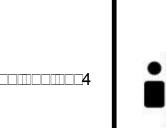




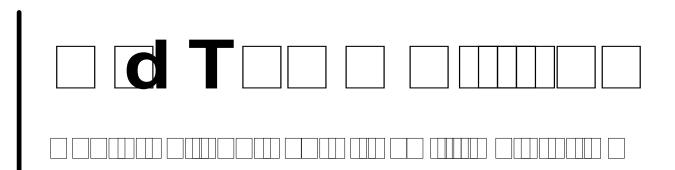


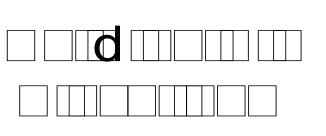


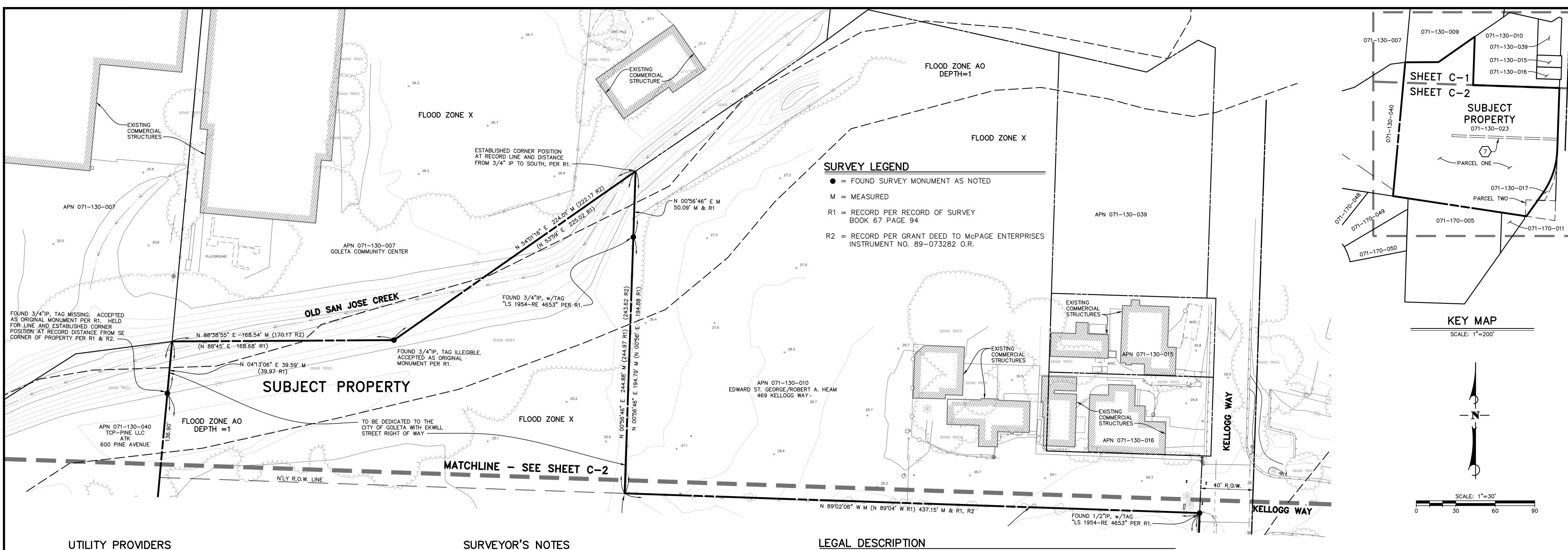












SOUTHERN CALIFORNIA EDISON 333 LOVE PLACE, GOLETA, CA 93117 TELEPHONE: (805) 683-5252 SOUTHERN CALIFORNIA GAS COMPANY 630 EAST MONTECITO STREET SANTA BARBARA, CA 93103-3251 TELEPHONE: (805) 681-7945

TELEPHONE: P.O. BOX 339 SANTA BARBARA, CA 93102-0339

TELEPHONE: (805) 966-0339 COX COMMUNICATIONS 22 SOUTH FAIRVIEW

TELEPHONE: (805) 681-3841 GOLETA WATER DISTRICT 4699 HOLLISTER AVENUE GOLETA, CA 93110 TELEPHONE: (805) 964-6761

GOLETA, CA 93117

TELEPHONE: (805) 967-4519

GOLETA SANITARY DISTRICT ONE WILLIAM MOFFETT PLACE GOLETA, CA 93117

#### OWNERS CERTIFICATE

HEREBY APPLY FOR THE APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAT AND CERTIFY THAT I AM THE LEGAL OWNER OR THE AUTHORIZED AGENT REPRESENTING SAID OWNERS AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CITY VENTURES HOME BUILDING, LLC 1900 QUAIL STREET NEWPORT BEACH, CA 92660

BILL McREYNOLDS, VICE PRESIDENT OF DEVELOPMENT TELEPHONE: (562) 230-9874

#### **LEGEND**

	LOT LINE
	TRACT BOUNDARY
	RIGHT OF WAY
	STREET CENTERLINE
	FEMA FLOOD ZONE BOUNDARY
<del></del> 195 <del></del>	MAJOR CONTOUR
	MINOR CONTOUR
X	FENCING
	RETAINING OR SCREEN WALL
<u>dı dı dı dı dı</u>	EDGE OF PAVEMENT
	FLOWLINE
— s	SEWER PIPE
	WATER PIPE

— G — — — GAS PIPE

— SD — — — STORM DRAIN PIPE

#### Penfield & Smith Engineering • Surveying • Planning Construction Management 111 East Victoria Street, Santa Barbara, CA 9310 Phone: (805) 963-9532 Fax: (805) 966-9801

TOPOGRAPHIC MAPPING WAS COMPILED AT A SCALE OF 1"=20', WITH A ONE FOOT CONTOUR INTERVAL USING STANDARD PHOTOGRAMMETRIC METHODS AND PROCEDURES BY VERTICAL MAPPING RESOURCES INC. FROM AERIAL PHOTOGRAPHY SEPTEMBER 17, 2013.

THE AERIAL PHOTOGRAPHY USED AS THE BACKGROUND FOR THIS MAP WAS OBTAINED ON SEPTEMBER 17 2013 BY VERTICAL MAPPING RESOURCES INC. . THE PHOTOGRAPHY HAS BEEN CONVERTED INTO A DIGITAL FORMAT AND CORRECTED FOR HORIZONTAL AND VERTICAL DISTORTION USING STANDARD PHOTOGRAMMETRIC

#### 2. BOUNDARY AND EASEMENT INFORMATION

THIS MAP WAS PREPARED IN CONJUNCTION WITH A PRELIMINARY REPORT OF TITLE ISSUED BY FIDELITY NATIONAL TITLE COMPANY AS ORDER NO. 12-420108703-C-TD, DATED FEBRUARY 13, 2013. SAID REPORT IS PRESUMED TO BE COMPLETE AND ACCURATE. PENFIELD & SMITH DOES NOT WARRANT THE COMPLETENESS OR ACCURACY OF SAID REPORT.

#### 3. BASIS OF BEARINGS AND COORDINATES

BEARINGS SHOWN ON THIS MAP ARE REFERENCED TO THE CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5 GRID (EPOCH 1991.35), DEFINED LOCALLY BY CONTINUOUSLY OPERATING REFERENCE STATIONS OPERATED BY THE CALIFORNIA SPATIAL REFERENCE CENTER. THIS SURVEY TIED TO STATIONS COPR, AND UCSB. THIS SURVEY HELD FIXED THE COORDINATE VALUES PUBLISHED ON RECORD OF SURVEY FILED IN BOOK 171 PAGES 24-25 OF MAPS. ALL DISTANCES AND COORDINATES ARE REFERENCED TO CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5 GRID (EPOCH 1991.35) AND ARE EXPRESSED IN US SURVEY FOOT UNITS.

ELEVATIONS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET AND ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), DEFINED LOCALLY BY LEVEL TIES TO BENCHMARK "C64" PER RECORD OF SURVEY FILED IN BOOK 170, PAGE 1 OF MAPS. ELEVATION=35.35 FEET.

### **EASEMENTS**

AN EASEMENT FOR POLE LINES AND INCIDENTAL PURPOSES AS GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY IN THE DOCUMENT RECORDED NOVEMBER 10, 1954 AS INSTRUMENT NO. 19635, BOOK 1272, PAGE 608 OF OFFICIAL RECORDS. (ITEM 7)

THE FACT THAT THE HEREIN DESCRIBED LAND HAS NO RIGHTS OF INGRESS AND EGRESS TO THE ADJOINING STATE FREEWAY, EXCEPT ACROSS THAT PORTION OF THE BOUNDARY LINE HEREINAFTER SET FORTH IN DOCUMENT RECORDED MARCH 13, 1964 AS INSTRUMENT NO. 10988 IN BOOK 2040, PAGE 242 OF OFFICIAL

EASEMENT FOR ACCESS TO ADJACENT EASEMENT AND RIGHTS INCIDENTAL THERETO AS RESERVED IN DOCUMENT RECORDED MARCH 13, 1964 AS INSTRUMENT NO. 10988 IN BOOK 2040, PAGE 242 OF OFFICIAL

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "WATER SERVICE AGREEMENT" IN THE DOCUMENT RECORDED JUNE 26, 1998 AS INSTRUMENT NO. 98-047899 OF OFFICIAL RECORDS. (ITEM 10)

#### **GENERAL**

ZONING:

ARCHITECT/PLANNER/AGENT: CIVIL ENGINEER/LAND SURVEYOR: PAGE FAMILY ENTERPRISES LLC, A PEIKERT + RRM DESIGN GROUP PENFIELD & SMITH CALIFORNIA LIMITED LIABILITY 10 E. FIGUEROA STREET, SUITE 1 111 E. VICTORIA STREET SANTA BARBARA, CA 93101 SANTA BARBARA, CA 93101 ATTN: DAVID RUNDLE, RCE, 48,540 ATTN: LISA PLOWMAN (805) 963-9532 (805) 963-8283

GEOTECHNICAL ENGINEER: DEVELOPER/APPLICANT/SUBDIVIDER: CITY VENTURES HOMEBUILDING, LLC A DELEWARE LIMITED LIABILITY COMPANY 3595 OLD CONEJO ROAD THOUSAND OAKS, CA 91320 1900 QUAIL STREET ATTN: SHERYL SHATZ, GE, 2288 NEWPORT BEACH, CA 92660 ATTN: BILL McREYNOLDS (805) 375-9262 (562) 230-9874

#### PROJECT INFORMATION

071-130-023 GROSS LOT AREA: 12.31 ACRES (536,189 SF) NET LOT AREA: 9.84 ACRES (428,544 SF) (EXCLUDES EKWILL R.O.W. AND UNDEVELOPED PORTION) GP DESIGNATION: VISITOR COMMERCIAL (C-V)

RESORT VISITOR SERVING COMMERCIAL (C-V)

PROPOSED GP DESIGNATION: OLD TOWN COMMERCIAL (C-OT) OLD TOWN RESIDENTIAL/GENERAL COMMERCIAL (OT-R/C-G) PROPOSED ZONING:

EXISTING USE: **AGRICULTURAL** PREVIOUS USE: AGRICULTURAL THAT PORTION OF LA GOLETA RANCH, IN THE CITY OF GOLETA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

BEGINNING AT A POINT ON THE EAST LINE OF THE "16.10 ACRE" TRACT OF LAND AS SHOWN ON THE MAP BY F. F. FLOURNOY, FILED IN BOOK 18, PAGE 100 OF RECORD OF SURVEYS, RECORDS OF SAID COUNTY, DISTANT ALONG SAID EAST LINE NORTH 0°56' EAST, 100 FEET FROM THE SOUTHEAST CORNER OF SAID TRACT;

THENCE 1ST, ALONG THE EAST LINE OF SAID "16.10 ACRE" TRACT AND THE WEST LINE OF A 40 FOOT ROAD US SHOWN ON SAID MAP, NORTH 0°56' EAST, 572.09 FEET TO A POINT FROM WHICH THE NORTHEAST CORNER OF SAID "16.10 ACRE" TRACT BEARS NORTH 0°56' EAST, 353.78 FEET;

THENCE 2ND, LEAVING SAID EAST LINE AND SAID 40 FOOT ROAD, NORTH 89°04' WEST, 437.15 FEET;

THENCE 3RD, NORTH 0°56' EAST, 243.62 FEET TO A POINT ON THE NORTHERLY LINE OF SAID "16.10 ACRE" TRACT IN SAN

THENCE 4TH, ALONG SAID NORTHERLY LINE AND ALONG THE GENERAL CENTER OF SAN JOSE CREEK, SOUTH 53°59' WEST, 222.17 FEET TO AN ANGLE POINT THEREIN AS SHOWN ON SAID MAP; THENCE 5TH, SOUTH 88°45' WEST, 170.17 FEET TO THE NORTHWEST CORNER OF SAID "16.10 ACRE" TRACT;

THENCE 6TH, ALONG THE WEST LINE OF SAID TRACT SOUTH 4"15' WEST, 680.90 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE 7TH ALONG THE SOUTH LINE OF SAID TRACT AND THE NORTHERLY LINE OF A 25 FOOT ROADWAY, SOUTH 82°22' EAST, 678.34 FEET TO A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID TRACT BEARS SOUTH 82°22' EAST, 151.03

THENCE 8TH, PARALLEL WITH THE EAST LINE OF SAID TRACT AND DISTANT 150 FEET THEREFROM MEASURED AT RIGHT ANGLES THERETO, NORTH 0°56' EAST 82.38 FEET;

THENCE 9TH, SOUTH 89°04' EAST, 150.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THE COUNTY OF SANTA BARBARA AND THE SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED JULY 24, 1961 AS INSTRUMENT NO. 25747 IN BOOK 1860 PAGE 768 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE RANCHO LA GOLETA IN SAID COUNTY OF SANTA BARBARA DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEASTERLY CORNER OF THE PARCEL OF LAND CONVEYED TO JOHN BEGG, ET UX., BY DEED RECORDED MARCH 31, 1953, IN BOOK 1141, PAGE 179 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY;

THENCE ALONG THE NORTHERLY LINE AT SAID JOHN BEGG PARCEL, NORTH 88°03'06" WEST, 56.22 FEET TO THE TRUE POINT OF BEGINNING OF THE DESCRIPTION; THENCE CONTINUING NORTHERLY ALONG THE NORTHERLY LINE OF SAID JOHN BEGG PARCEL, NORTH 88°03'06" WEST, 33.83

THENCE NORTH 35°20'06" EAST, 43.84 FEET;

THENCE ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 400.00 FEET THROUGH AN ANGLE OF 33°23'12" AN ARC LENGTH OF 233.08 FEET; THENCE SOUTH 01°56'54" WEST, 52.23 FEET;

THENCE ALONG A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 400.00 FEET THROUGH AN ANGLE OF 30°44'41" AN ARC LENGTH OF 214.64 FEET THE TRIM POINT OF BEGINNING.

THAT PART OF THE PORTION OF RANCHO LA GOLETA IN THE CITY OF GOLETA, COUNTY OF SANTA BARBARA, CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED NOVEMBER 2, 1960 IN VOLUME 1795, PAGE 7 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL, 82.59 FEET TO AN INTERSECTION WITH THE SOUTHERLY

THENCE NORTH 35°20'11" EAST, 99.63 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF SAID PARCEL; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 59.98 FEET TO THE POINT OF BEGINNING.

BEGINNING AT THE NORTHWESTERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN SAID DEED;

#### FLOOD HAZARD

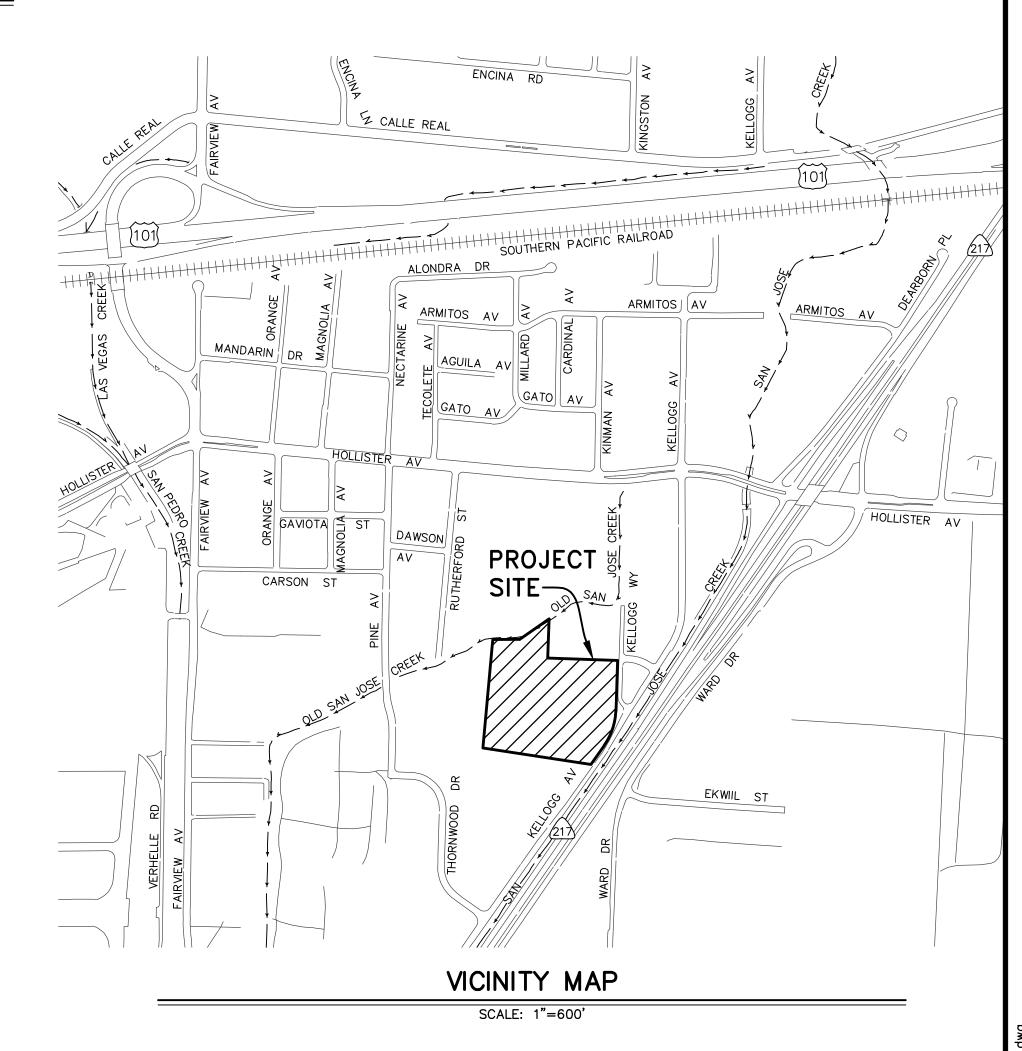
THE SUBJECT PROPERTY SHOWN HEREON LIES PARTIALLY WITHIN FLOOD ZONE AE (BASE FLOOD ELEVATIONS DETERMINED) AND PARTIALLY WITHIN ZONE X ACCORDING TO THE FLOOD INSURANCE RATE MAP (F.I.R.M.) FOR THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, COMMUNITY PANEL NO. 06083C1362G, REVISED TO REFLÉCT LOMR DATED JANUARY 15,

PROJECT IS EXPECTED TO BE REMOVED FROM ANY FLOOD ZONES AFTER THE COMPLETION OF THE ADJACENT SAN JOSE CREEK FLOOD CONTROL IMPROVEMENTS.

### SHEET INDEX

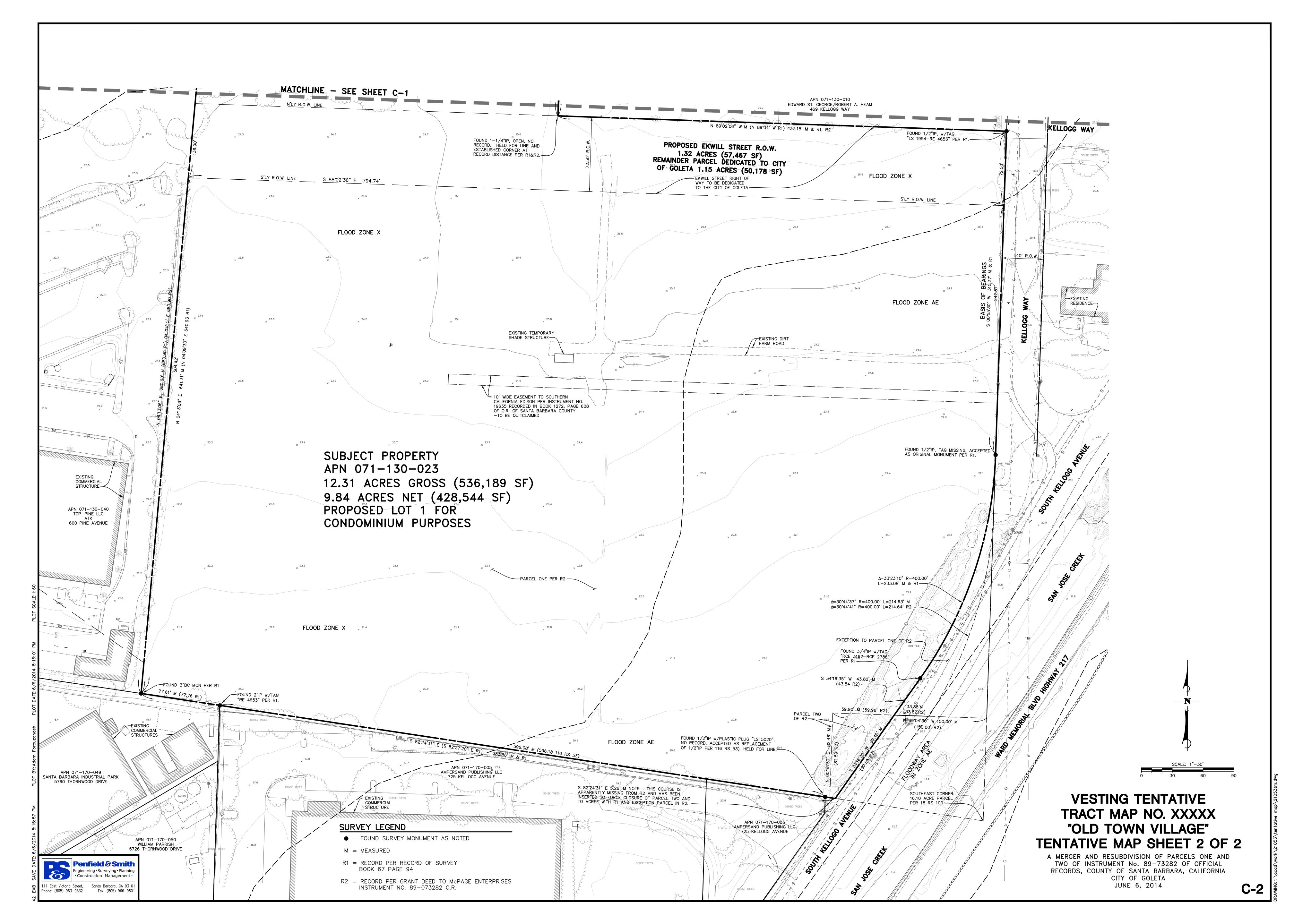
TENTATIVE MAP SHEET 1 OF 2 TENTATIVE MAP SHEET 2 OF 2

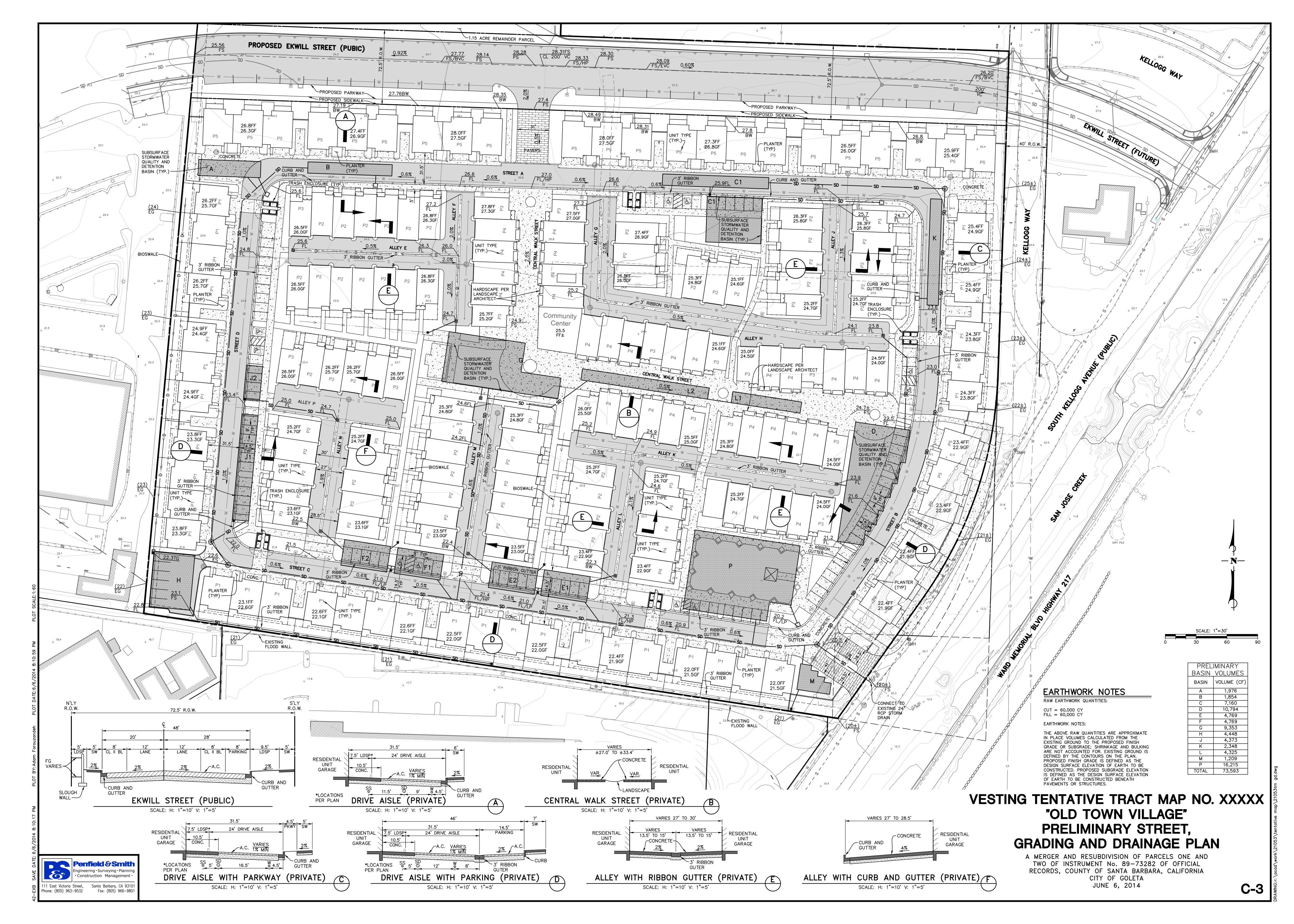
PRELIMINARY STREET, GRADING AND DRAINAGE PLAN PRELIMINARY WATER AND SEWER PLAN

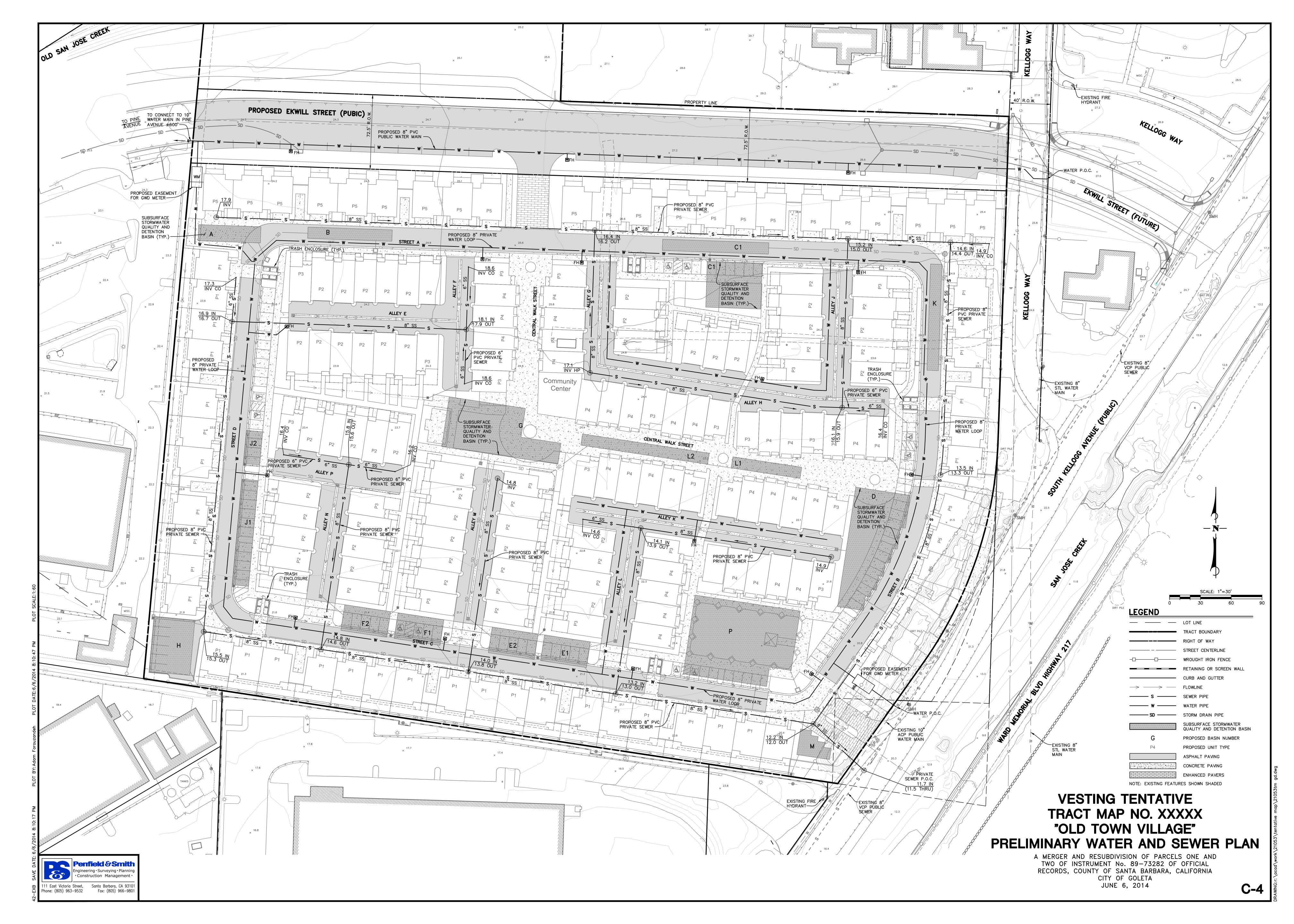


## **VESTING TENTATIVE TRACT MAP NO. XXXXXX** "OLD TOWN VILLAGE" **TENTATIVE MAP SHEET 1 OF 2**

A MERGER AND RESUBDIVISION OF PARCELS ONE AND TWO OF INSTRUMENT No. 89-73282 OF OFFICIAL RECORDS, COUNTY OF SANTA BARBARA, CALIFORNIA CITY OF GOLETA JUNE 6, 2014

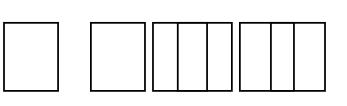






























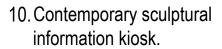


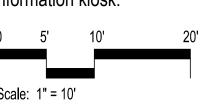


Schematic Open Space Enlargement Plan

- Central open space with lawn.
   Decorative fountain feature.
- Shade structure with fireplace and seating.
   Built in BBQ units with preparation counter.
   Decorative paving in radial pattern with planter

- 6. Colored concrete paving with medium top-cast
- 7. Precast concrete pavers with flat-top finish, color
- 8. Pre-cast concrete & wood bench seating and
- dining tables.
- 9. Palm trees at plaza spine, per Planting Plan





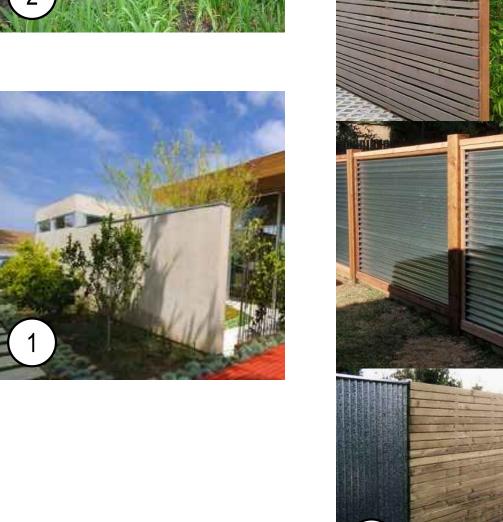


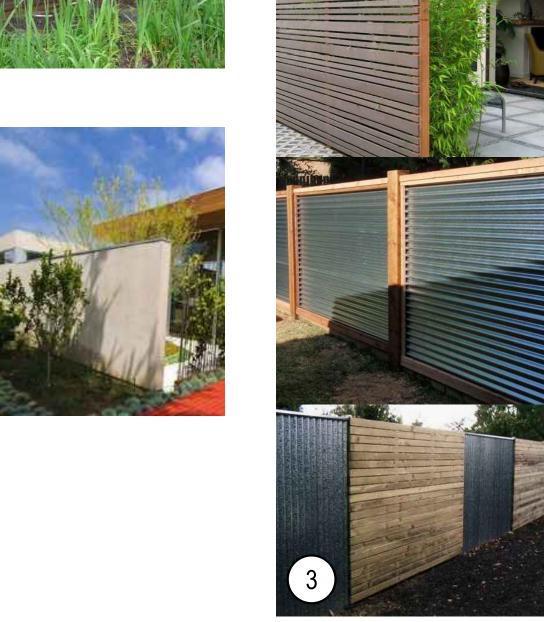












# **WALL LEGEND**

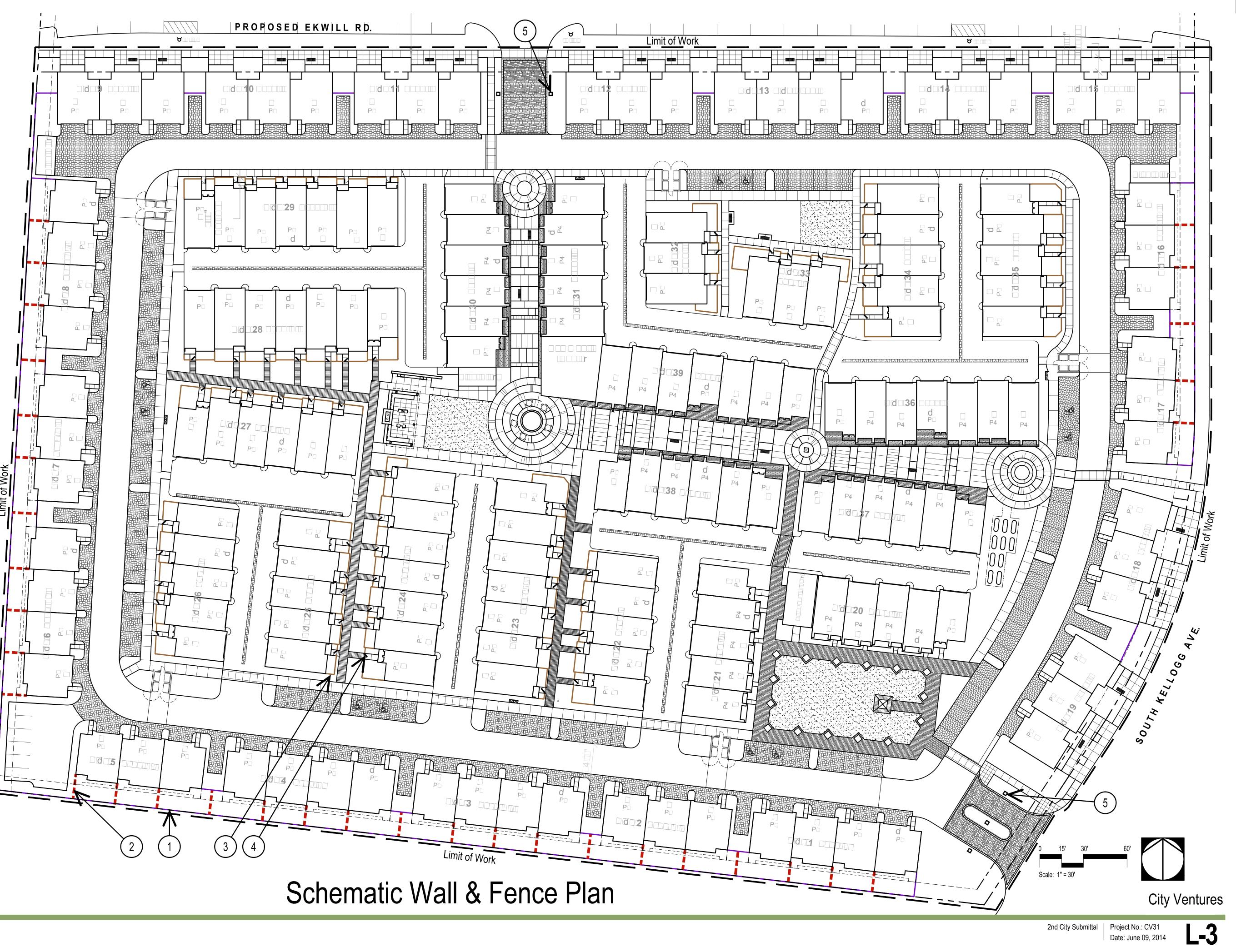
6' High stucco over block wall, w/ flat stucco cap.

**\_\_\_\_ \_\_ \_\_ \_\_** 5'-6" High wood fence.

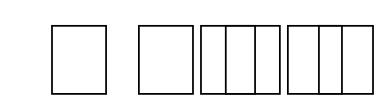
- 3'-6" High corrugated steel and wood frame patio fence.

3' High patio gate.

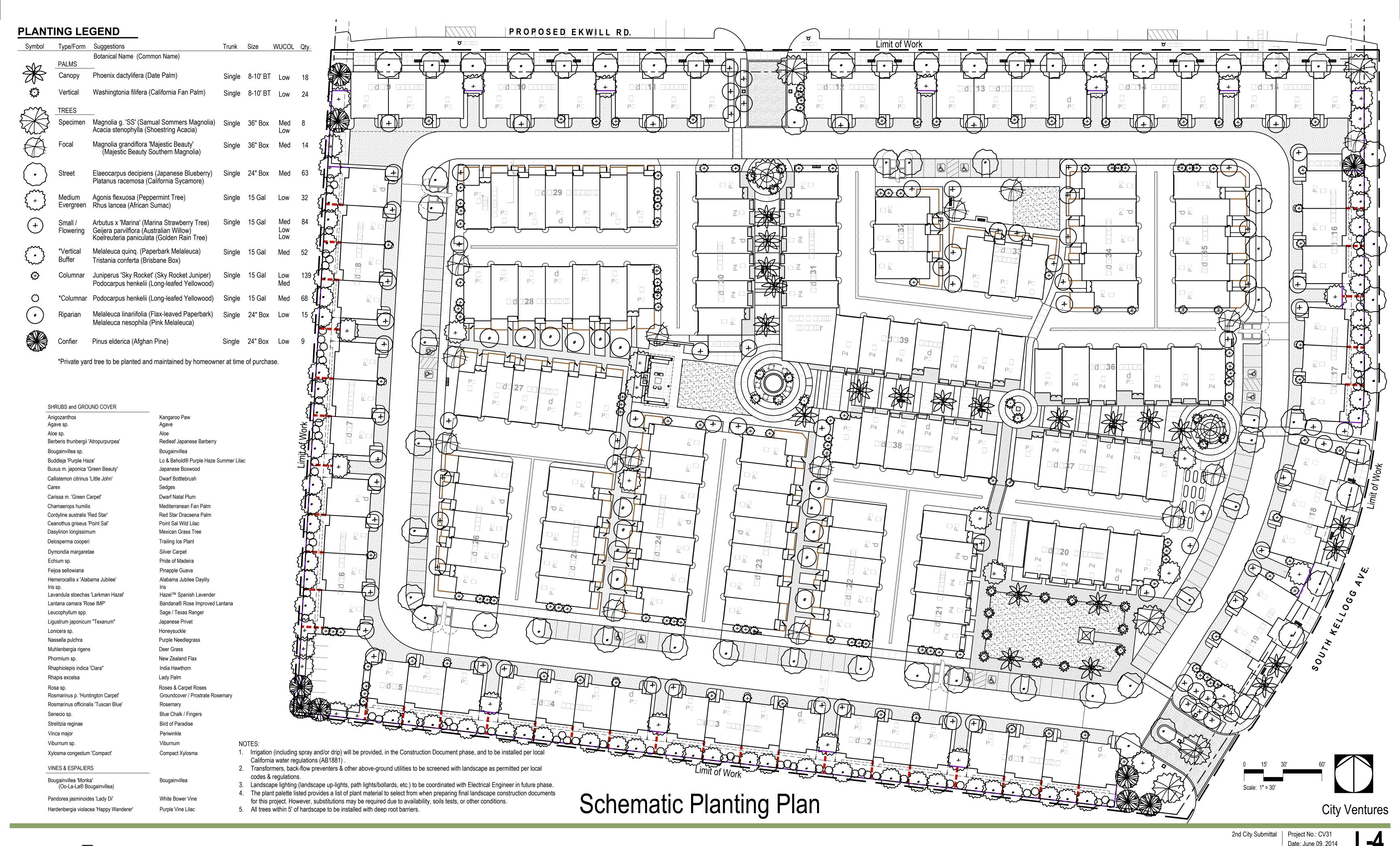
■ 6'-0" High PIP concrete entry column with offset IPE wood slats spaced to show lighting behind.



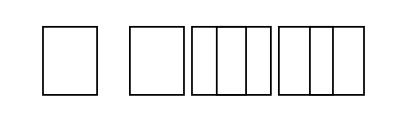






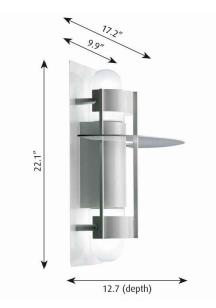








12-15 ft. high pole light (120V) Kipp post by Louis Poulsen Color: natural aluminum



Wall/column sconce light (12V) Saturn Maxi by Louis Poulsen Color: natural aluminum



LED strip light (12V) by Kichler Lighting Color: dark bronze



LED arbor/trellis down-light (12V) by Kichler Lighting Color: dark bronze

### LIGHTING LEGEND

- ☐ 12 15 FT High Pole Light (120v)
- → Wall/Column Sconce Light (12v)
- -- LED Strip Light (12v)

- Fountain Underwater Light (12v)
- Palm Well-light (12v) \*Light Fixtures to have Modern / Contemporary Design





LED tree up-light (12V) by Kichler Lighting Color: dark bronze



LED fountain underwater light (12V) by Kichler Lighting Color: dark bronze



LED palm well-light (12V) by Kichler Lighting Color: dark bronze





