ZONING ADMINISTRATOR Staff Report



DATE: December 16, 2019

TO: Peter T. Imhof, Zoning Administrator

FROM: Joe Pearson II, Associate Planner

SUBJECT: Hollister Business Park (HBP/GetGo) Vesting Tentative Parcel Map &

As-Built Development Plans with Modifications Case Nos. 18-032-TPM-DP, 18-039-DP, 18-040-DP

7414, 7416, and 7418 Hollister Avenue; APN 079-210-065

REQUEST SUMMARY:

The applicant proposes to subdivide the existing lot (079-210-065) in to three (3) new lots. The applicant is also requesting a new as-built development plans for each of the newly created lots. Due to the existing development and the location of the proposed property lines, the applicant is requesting some modifications to allow for parking within setbacks. No additional building square footage is proposed. The applicant's request includes: (1) approval of an Vesting Tentative Parcel Map ("TPM") under Goleta Municipal Code ("GMC") Title 16 Subdivisions; (2) Approval of Three (3) As-Built Development Plans ("DP") with Modifications under GMC Section 35-317; and (3) acceptance of a categorical exemption pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000 et seq., "CEQA Guidelines"), Sections 15301 and 15315.

RECOMMENDATION

If the Zoning Administrator finds the request is consistent with the City's General Plan, and zoning regulations, the Zoning Administrator should take the following actions:

- Accept the CEQA Notice of Exemption in Attachment A;
- 2. Adopt the Parcel Map Findings, Development Plan Findings, and CEQA Findings for the TPM and As-built DPs provided as Attachment B; and.
- 3. Approve the TPM and As-Built DPs (Case Nos. 18-032-DP,18-039-DP, and 18-040-DP), subject to the conditions of approval included in Attachment C and D.

If the Zoning Administrator takes other than the recommended action, refer the matter back to staff.

APPLICANT

Jennifer Siemens Siemens Planning 5210 Carpinteria Avenue #103 Carpinteria, CA 93013

PROPERTY OWNER

John Hintzen GETGO, Inc. 7414 Hollister Ave Goleta, CA 93117

JURISDICTION

The Vesting Tentative Parcel Map and As-Built Development Plans are being considered by the Zoning Administrator pursuant to the provisions of the City of Goleta Municipal Code, Title 16 Subdivisions and Chapter 35, Article III, §35-317.2.2 (Development Plans).

LOCATION AND SITE PLAN

The Project site is located at 7414, 7416, and 7418 Hollister Avenue. The parcel is located on the north side of Hollister Avenue between Pebble Beach Drive and Ellwood Station Road in the City of Goleta (City). The project site is also identified as Assessor's Parcel No. (APN) 079-210-065.



BACKGROUND

The project site was constructed as part of the Hollister Business Park (HBP) located in western Goleta on the north side of Hollister Avenue. The HBP is located in the Inland Area of the City, has a Business Industrial Park (I-BP) General Plan designation and Industrial Research Park (M-RP) zoning. The GetGo site encompasses 12.868 gross acres portion of the overall 24.427 gross acres of the HBP. The site contains a known Monarch Butterfly habitat. The 12.868 gross acre GetGo parcel contains 424 parking

spaces (including the 80 parking spaces are located on 7412 Hollister which is discussed below) and the three (3) buildings totaling 167,325 square feet. The square footage of each building by address and proposed parcel number is shown in the below table:

Table 1

	Proposed Parcel 1	Proposed Parcel 2	Proposed Parcel 3
Building Address	7418 Hollister	7416 Hollister	7414 Hollister
Building Size	82,719 square foot	39,114 square foot	45,492 square foot
Building Use	light industrial	light industrial	light industrial

The 1.74-acre sized property at 7412 Hollister Avenue is currently zoned Design Residential (12.3) and has a land use designation of Planned Residential (R-P) but was approved with 80 parking spaces to serve both the residential development to the west and HBP to the east.

The HBP was constructed in its current configuration pursuant to Final Development Plans 82-DP-11 (approved July 1982), 83-DP-03 (approved September 1983), and 83-DP-46 (approved December 1983) as granted by the County of Santa Barbara. A number of Amendments and Substantial Conformity Determinations were subsequently granted for minor additions and modifications to the Final Development Plans (83-DP-03, 83-DP-46, 84-M-47, 83-DP-46 SC01, 83-DP-003 SC01, 83-DP-003 SC02, 06-021-SCD, 07-170-SCD, 10-031-DPAM, and 16-018-SCD) over the years by both the County and the City. These changes included minor additions to the buildings as well as minor changes to landscaping and parking onsite.

PROJECT DESCRIPTION

The applicant is requesting approval of the following cases:

- 1) 18-032-TPM Parcel Map to subdivide the existing parcel (APN: 079-210-065) into three separate parcels.
- 2) 18-032-DP As- Built development plan for the existing development located on proposed Parcel 1 (7418 Hollister Avenue) pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance.
- 3) 18-039-DP As- Built development plan for the existing development located on proposed Parcel 2 (7416 Hollister Avenue) pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance.
- 4) 18-040-DP As- Built development plan for the existing development located on proposed Parcel 2 (7414 Hollister Avenue) pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance.

<u>Table 2</u> <u>Development Plan Site Statistics</u>

	18-032-DP	18-039-DP	18-040-DP				
Building Address	7418 Hollister	7416 Hollister	7414 Hollister				
Proposed Parcel	1	2	3				
<u>No.</u>							
Parcel Size	6.366 acres	2.818 acres	3.681 acres				
Building Coverage	82,719sq. ft.	39,114sq. ft.	45,492sq. ft.				
	(29.7%)	(31.9%)	(28.4%)				
<u>Landscaping</u>	83,188sq. ft.	45,789sq. ft.	75,043sq. ft.				
	(30%)	(37.3%)	(46.8%)				
<u>Hardscape</u>	40.3%	30.8%	24.8%				
<u>Parking</u>	243 Spaces	111 Spaces*	70 Spaces				
Bike Parking	30 Spaces	29 Spaces	45 Spaces				

^{*}Includes portion of parking on 7412 Hollister Avenue dedicated to HBP.

The applicant is requesting approval of a Vesting Tentative Parcel Map to allow for each building to be on a separate lot and three (3) As-Built DPs so that each lot is in compliance with the current requirements for a Development Plan, pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance. Approval of the Project will memorialize the existing development on each of the newly created parcels.

The site is currently legal non-conforming as to setbacks due to parking located in the setbacks and landscaping requirements. As the exterior property lines are not changing the parking will continue to encroach into the setback. Due to the proposed location of the eastern property line of proposed parcel 3, one additional modification is required to allow for the parking to encroach into the side setback. Also, due to the residential designation of 7412 Hollister, a five-foot landscaped buffer and six-foot masonry wall is required along the side setbacks for proposed parcels 1 and 2. However, due to the previously approved use of that parcel as parking for the HBP the buffer and wall was not provided under the prior approval and is not proposed currently. As a result, the applicant is requesting four modifications to allow for the previously developed site to be brought into conformance. The four requested modifications are as follows:

- 1. 10' encroachment along the western side yard property line of Parcel #2 for the existing parking area.
- 2. 8' encroachment along the eastern side yard property line of Parcel 3 for the existing parking area.
- 3. A masonry wall of less than six feet along the western property line (Parcel 1).
- 4. A 0-foot landscape buffer (5 -feet is required) and no masonry wall along the western property line (Parcel 2).

ANALYSIS

General Plan Consistency

The Land Use Element in the General Plan/Coastal Land Use Plan (GP/CLUP) designates the primary parcel as Business Park (I-BP). The business park use is consistent with the uses allowed under the GP/CLUP Table 2-2. The proposed subdivision will not alter the project consistency with the General Plan, as the building locations and use will remain the same. The GP/CLUP identifies the property identified as 7412 Hollister Avenue as Planned Residential. The portion of the site previously approved as parking for the HBP will continue to serve as the required parking for proposed parcel 2 within the HBP, therefore it will remain legal non-conforming. Adequate parking and landscaping will continue to be provided throughout the project site. Reciprocal access will be required for the newly created parcels to allow for efficient circulation throughout the site and adequate ingress and egress. Each new parcel within the HBP will continue to implement Transportation Demand Management (TDM) updated strategies to continue to reduce the number of vehicle trips in compliance with GP/CLUP Transportation Element policy TE 2, as conditioned. The property currently conforms with the GP/CLUP policies, and the proposed subdivision and as built development plans do not adversely change the property's conformance with the General Plan, as no new structural development or increase in the intensity of the legal non-conforming uses on site.

Zoning Regulations Consistency

The Inland Zoning Ordinance designates the site (APN: 079-210-065) as Industrial Research Park (M-RP) (GMC Section 35-233) in the Inland area of the city. With the approval of the modifications to the setbacks, the proposed project will be consistent with the applicable development standards. The four of the modifications are required due to the existing site development which was previously approved in the current location and configuration by the County of Santa Barbara as part of the HBP approvals. A shared parking agreement across all three proposed parcels and a portion of 7412 Hollister Avenue will be provided and required as a condition of approval. As such, the total parking provided (424 spaces) will exceed the required 396 parking spaces, bringing the site into compliance parking regulations. As shown in Table 2 below, the newly created parcels will meet or exceed the development standards for the M-RP district. Therefore, the project can be found consistent with all applicable Zoning Ordinance standards as conditioned, if the modifications are granted.

<u>Table 3</u> <u>Development Standards Consistency</u>

ZONING DISTRICT STANDARD	REQUIRED	PROPOSED PARCEL 1	PROPOSED PARCEL 2	PROPOSED PARCEL 3	CONSISTENT
Front Yard Setback	50 feet from the property line of any street and	N/A	115 feet from the property line of any	70 feet from the property line of any	Yes

ZONING DISTRICT STANDARD	REQUIRED	PROPOSED PARCEL 1	PROPOSED PARCEL 2	PROPOSED PARCEL 3	CONSISTENT
	80 feet from the centerline		street and 163 feet from the centerline	street and 120 feet from the centerline	
Side Yard Setback	10 feet	N/A	West Side: Oft East Side: 63ft	West Side: 38ft East Side: 3ft	Yes, with approved modification
Rear Yard Setback	10 feet	N/A	37 feet	43 feet	Yes
Interior Lot Setbacks	10 feet from each property line	South Side: 58ft North Side: 15ft West Side: 232ft East Side: 202ft	N/A	N/A	Yes
Building Coverage	Not to exceed 35% of net acreage covered by buildings or structures	29.7%	31.9%	28.4%	Yes
Landscape Coverage	30% minimum	30%	37.3%	46.8%	Yes
Landscape Setback	When abutting a lot in a residential district first five (5) feet of the side setback shall be landscaped and a 6ft masonry wall	10 feet of landscaping and 6ft chain- link fence	0 feet of landscaping and no wall (shared parking lot)	N/A	Yes, with approved modification
Building Height	No building or structure shall	33ft peak height	22.5ft peak height	22.5ft peak height	Yes

ZONING DISTRICT STANDARD	REQUIRED	PROPOSED PARCEL 1	PROPOSED PARCEL 2	PROPOSED PARCEL 3	CONSISTENT
	exceed a height of 35 feet				
Minimum Lot Size	One (1) acre	6.366 acres	2.818 acres	3.681 acres	Yes
Parking Spaces	Research and Development One space for every 1.5 employees but no less than one space per 500 gross square feet.	Required Based on Square Footage: 166 parking spaces Provided: 243 parking spaces onsite	Required Based on 188 Employees: 126 parking spaces Provided: 111 parking spaces onsite*	Required Based on 155 Employees: 104 parking spaces Provided: 70 parking spaces onsite	Yes, with shared parking agreement (Total Provided is 424 spaces with 396 spaces required).

^{*}Includes portion of parking on 7412 Hollister Avenue dedicated to HBP.

Findings

Vesting Tentative Parcel Map

The Vesting Tentative Parcel Map will subdivision will subdivide the existing property into three new lots each containing one of each of the existing buildings. Each of the proposed lots are of adequate size, shape, and dimensions to accommodate the existing development. In addition, each lot has appropriate access and utilities to serve the development. Drainage and storm water will continue to be handled via the existing infrastructure onsite. Attachment B provides project consistency for findings required for approval of a Vesting Tentative Parcel Map.

Development Plan

The As-Built Development Plans with modifications for the newly created parcels and associated buildings is consistent with the findings of Sections 35-317.7 of the Inland Zoning Ordinance as the project site continues to be adequate in size, shape, and location to accommodate the density and intensity of the project and potential adverse impacts are mitigated to the maximum extent feasible. No new square footage is proposed, and the newly created parcels will comply with the minimum size standards. Therefore, the project sites will be adequate in size, shape, location, and physical characteristics to

accommodate the existing and proposed project. Attachment B provides project consistency for findings required for approval of the As-Built DPs.

Environmental Review

This project is exempt from further review under the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.; "CEQA") and CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.). Specifically, the project is categorically exempt from environmental review pursuant to CEQA Guidelines § 15301 (Existing Facilities) and §15315 (Minor Land Divisions). As indicated above, the proposal will include the subdivision of the existing lot into three new lots and the creation of three new development plans for each lot. The site is currently development as a business park and no new construction is proposed. The changes will not result in the removal of healthy, scenic, or mature trees.

Further, the existing development is located within an urbanized area with industrial land use and zoning designations. The proposed tentative parcel map would subdivide the property into three parcels, is in conformance with the City's General Plan and zoning regulations and will not require any variances or exceptions requiring environmental review. The proposed As-Built DPs will memorialize the existing development on each of the proposed lots. No new structural development or floor area is proposed. Access to each parcel will be via a shared driveway off of Hollister Avenue. Existing utilities (water, sewer, electricity, communications) will continue to serve all buildings. Reciprocal access and parking will be provided between the three new parcel and the lot identified as APN 079-210-063.

Further, the project would not alter any biological resources, cultural resources, geologic features, drainage, or have impacts to visual resources. Therefore, given that there will be no expansion of the existing buildings and or changes to the uses onsite, the project will not result in a significant effect on the environment.

APPEALS PROCEDURE

The action of the Director may be appealed to the City Council within 10 calendar days following final action. However, due to the holiday closure period the deadline for appeal will be extended to the end of business day on January 2, 2019.

ATTACHMENTS

- A. CEQA Notice of Exemption
- B. Findings
- C. Vesting Tentative Parcel Map Conditions of Approval (18-032-TPM)
- D. As-Built Development Plan Conditions of Approval (18-032-DP, 18-039-DP, 18-040-DP)
- E. Project Plans

NOTICE OF EXEMPTION (NOE)

To: Office of Planning and Research From: City of Goleta P.O. Box 3044, 1400 Tenth St. Rm. 212 Sacramento, CA 95812-3044 Clerk of the Board of Supervisors

105 E. Anapamu Street, Room 407

Goleta, CA 93117

130 Cremona Drive, Suite B

Subject: Filing of Notice of Exemption

County of Santa Barbara

Santa Barbara, CA 93101

Project Title: Hollister Business Park (HBP/GetGo) Vesting Tentative Parcel Map & As-Built Development Plans with Modifications; Case Nos. 18-032-TPM-DP, 18-039-DP, 18-040-DP

Project Applicant: Jennifer Siemens of Siemens Planning on behalf of GETGO, Inc.

Project Location (Address and APN): 7414, 7416, and 7418 Hollister Avenue, Goleta, Ca 93117, County of Santa Barbara; APN 079-210-065

Description of Nature, Purpose and Beneficiaries of Project: The applicant is requesting a three-lot subdivision and a new as-built development plans for each of the newly created lots. The Project will memorialize the existing development on each of the newly created lots. No additional building area is proposed.

The site is currently legal non-conforming due to the placement of parking within the setbacks and landscaping requirements. As the exterior property lines are not changing the parking will continue to encroach into the setback. Due to the proposed location of the eastern property line of proposed parcel 3, one additional modification is required to allow for the parking to encroach into the side setback. Also, due to the residential designation of 7412 Hollister, a five-foot landscaped buffer and six-foot masonry wall is required along the side setbacks for proposed parcels 1 and 2. However, due to the previously approved use of that parcel as parking for the HBP, the landscape buffer and wall was not provided under the prior approval and is not proposed currently. As a result, the applicant is requesting four modifications to allow for the previously developed site to be brought into conformance. The four requested modifications are as follows:

- 1. 10' encroachment along the western side yard property line of Parcel #2 for the existing parking area ...
- 2. 8' encroachment along the eastern side yard property line of Parcel 3 for the existing parking area.
- 3. A masonry wall of less than six feet along the western property line (Parcel 1).
- 4. A 0 foot landscape buffer (5 -feet is required) and no masonry wall along the western property line (Parcel 2).

The beneficiaries of the projects will be GETGO, Inc (property owner) and building tenants.

Name of Public Agency Approving the Project: City of Goleta

Name of Person or Agency Carrying Out the Project: Jennifer Siemens of Siemens Planning

Exemp	ot Status: (check one)
	Ministerial (Sec. 15268)
	Declared Emergency (Sec. 15269 (a))
	Emergency Project (Sec. 15269 (b) (c))
	Categorical Exemption: (Sections 15301 and 15315)
	Other Statutory Exemption: (Insert Type(s) and Section Number(s))

Reason(s) why the project is exempt: This project is exempt from further review under the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.; "CEQA") and CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.). Specifically, the project is categorically exempt from environmental review pursuant to CEQA Guidelines §15301 (Existing Facilities) and §15315 (Minor Land Divisions). As indicated above, the proposal will include the subdivision of the existing lot into three new lots and the creation of three new as built development plans for each lot. The site is currently developed as a business park and no new construction is proposed. The changes will not result in the removal of healthy, scenic, or mature trees.

Further, the existing development is located within an urbanized area with industrial land use and zoning designations. The proposed tentative parcel map would subdivide the property into three parcels, is in conformance with the City's General Plan and zoning regulations and will not require any variances or exceptions requiring environmental review. The proposed As-Built DPs will memorialize the existing development on each of the proposed lots. No new structural development or floor area is proposed. Access to each parcel will be via an existing shared driveway off of Hollister Avenue. Existing utilities (water, sewer, electricity, communications) will continue to serve all buildings. Reciprocal access and parking will be provided between the three parcels.

Further, the project would not alter any biological resources, cultural resources, geologic features, drainage, or have impacts to visual resources. Therefore, given that there will be no expansion of the existing buildings and or changes to the uses onsite, the project will not result in a significant effect on the environment.

City of Goleta Contact Pers	son and Telephone Number:	
Signature	Title	Date
	ment of exemption finding nption been filed by the public agency approving th □No	e
Date received for filing at OF	PR:	

Note: Authority cited: Sections 21083 and 211110, Public Resources Code Reference: Sections 21108, 21152.1, Public Resources Code

ATTACHMENT B FINDINGS

Hollister Business Park (GetGo) Vesting Tentative Parcel Map & As-Built Development Plans with Modifications 7414, 7416, and 7418 Hollister Avenue; APN 079-210-065 Case No. 18-032-TPM- DP, 18-039-DP, 18-040-DP

1.0 Subdivision Findings

The Zoning Administrator finds that the findings set forth in GMC § 16.04.010 et seq. and Government Code, §§ 66473.1, 66473.5, 66474 and 66474.6 can be made for approval based on the following reasons:

1.1 A Tentative Map shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The three proposed parcels are already fully developed; however, the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The proposed lot lines reflect the existing site development pattern. Future passive or natural heating or cooling opportunities for the existing building on the parcels will not be affected by the subdivision of the property into three lots.

1.2 No local agency shall approve a tentative map, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan and any specific plan. A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in such a plan.

The proposed map is consistent with applicable General Plan. There is no specific plan applicable to the project site. The General Plan land use designation of the project site is Business Park. The existing development's operations are consistent with the Business Park designation. The subdivision layout and design will also accommodate the existing and future business park use on each of the proposed parcels as they comply with lot size requirements. The subdivision's creation of a separate lots for each building would not affect the lots compatibility with the Business Park designation.

1.3 The proposed map is consistent with applicable general and specific plans.

There is no specific plan applicable to the project site. The proposed subdivision map is consistent with the General Plan. As set forth in section 2.0 below and in the staff report, incorporated herein by reference, this project meets the goals and objectives of the General Plan.

1.4 The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

There is no specific plan applicable to the project site. The subdivision design is consistent with the General Plan. As set forth in section 2.0 below and in the staff report, incorporated herein by reference, this project meets the goals and objectives of the General Plan.

1.5 The site is physically suitable for the type of development proposed.

The site is physically suited to accommodate both the existing development on each of the proposed parcels given the size, shape, orientation, and access provided. The property is already developed, and the parcel map creates standalone lots for each building. The site is located in the western portion of the City of Goleta. The property is generally level with existing utilities serving the existing buildings onsite. The site has direct access onto Hollister Avenue and a reciprocal access agreement between each of the parcels is required to be recorded either at the time of Final Map recordation or before recordation. Adequate access, parking and other physical attributes of the property will continue to suitably accommodate this existing development. The subdivision does not grant any new development entitlements.

1.6 The site is physically suited for the proposed density of development.

The site is physically suited for the existing development and any allowable future development density given its size, shape, land use designations, provision of utilities, and orientation. The subdivision will not change the allowed density of development onsite, as the subdivision will not change the permitted uses or intensity of uses allowed by the General Plan land use designation of Business Park or City's zoning regulations of Industrial Research Park (M-RP). The subdivision does not address or specifically permit any new structural development. The subdivision is subject to Conditions of Approval included in Attachments C and D of this Staff Report, incorporated herein by reference.

1.7 The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision is will not to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat as the site is currently developed and no changes are proposed to increase the area of onsite development. Further, the proposed project site is located in an urbanized area adjacent to a major arterial (Hollister Avenue) and the Union Pacific Railroad tracks. While, a portion of the site contains Environmentally Sensitive Habitat Areas (ESHA), there are no physical changes or changes to the use of the site proposed that would affect the ESHA; therefore, there is no potential for impacts

to rare, threatened, endangered or otherwise sensitive habitats or plant or animal species. As discussed in section 3.0 below, the subdivision and as-built developments plans are unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat. Therefore, the design of the subdivision and the proposed improvements, with incorporation of the Conditions of Approval in <u>Attachments C and D</u> of this Staff Report are incorporated herein by reference, is unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat.

1.8 The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the subdivision or type of improvements is unlikely to cause serious public health problems. The subdivision and development will continue to be served by municipal water and sewer services and the project conditions require the layout, access design and water suppression details to be reviewed and approved by the Santa Barbara County Fire Department to ensure compliance with Fire Department safety standards. The Conditions of Approval in Attachments C and D, incorporated herein by reference, also include requirements to provide continued public water and sewer service to the project. Therefore, the design of the subdivision or type of improvements is unlikely to cause serious public health problems.

1.9 The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. While proposed parcel 1 does exceed that 3:1 due to the size of the property and its contiguous relationship within the existing business park the size and shape of the parcel is adequate for development. There are no public easements through or on the subject property. Public sidewalks are provided along Hollister Avenue. Therefore, the subdivision will not conflict with any known easements located at or near the property.

1.10 The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.

Discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board (RWQCB) pursuant to Division 7 (commencing with §13000) of the Water Code. As under the existing conditions

wastewater will be collected and treated by the Goleta West Sanitary District (GWSD). The District currently treats wastewater from the existing development before the wastewater enters the sewer system. The proposed subdivision and will not increase the amount of wastewater produced on site. The discharge of waste from the subdivision will not be in violation of existing requirements prescribed by the RWQCB.

2.0 As-Built Development Plan Findings

Pursuant to Goleta Inland Zoning Ordinance ("Zoning Ordinance") Sections 35-317.7 for Development Plan Findings, the Zoning Administrator finds the following for each of the As-Built Development Plans:

2.1 That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.

Each proposed parcel is already developed and there will be no expansion to the existing uses or buildings onsite. The configuration, square footage and uses associated with the existing habitable buildings and non-habitable building will remain the same. With the approval of the modifications to the setbacks, the site will be consistent with the applicable development standards. The modifications are required as a result of the placement of the existing building, parking areas, and newly created interior lot lines. The existing development on each parcel and use of each parcel will remain the same. Therefore, the project site continues to be adequate in size, shape, location, and physical characteristics to accommodate the existing and proposed changes.

2.2 That adverse impacts are mitigated to the maximum extent feasible.

The proposed As-Built DPs, which is exempt from environmental review pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15315 (Minor Land Divisions). The existing development is located within an urbanized area with industrial land use and zoning designations. The proposed As-Built Development plans will memorialize the existing development on each proposed parcel. There are no changes to or expansion of the existing uses occurring on any of the propose parcels. The property will continue to be served by existing streets and services and will not adversely impact the level of service as a result of the changes. Further, the project would not alter any biological resources, cultural resources, geologic, drainage, or visual resources. Therefore, given that no new development is proposed and the site is currently developed, the project will not have a significant effect on the environment.

2.3 That streets and highways are adequate and properly designed.

The subject property is accessed through a shared private driveway off of Hollister Avenue. As there is no proposed change to the existing uses or proposed increase in building square footage, the project will not increase the demand on nearby streets and highways. No changes are proposed to the existing accessway. A reciprocal access agreement will be required for each of the proposed parcels and the adjacent lot (APN: 079-210-063) to ensure adequate access is maintained.

2.4 That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.

The site is currently served by adequate public services, including the Santa Barbara County Fire Department, Goleta Water District, Goleta West Sanitary District, Southern California Edison, and Santa Barbara County Sherriff. The As-Built development plans would not have an effect on the adequacy of these services. The project plans have also been reviewed and approved by the Santa Barbara County Fire Department. As such, the project is consistent with this finding.

2.5 That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.

The project is not detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. There are no proposed changes to the site and landscaping, and therefore the project will not alter the site's overall compatibility with the surrounding development. Also, there are no proposed changes to or expansion of the existing uses onsite. Therefore, the project and site design are compatible with the commercial character of the neighborhood.

2.6 That the project is in conformance with 1) the General Plan and 2) the applicable provisions of this Article and/or the project falls with the limited exception allowed under Section 35-306.7.

The project meets the General Plan consistency, and zoning ordinance requirements, with approval of proposed modifications, as identified in the staff report. Such policies include protection of environmentally sensitive resources, community aesthetics and visual quality, mitigation of noise impacts, and provision of adequate parking, vehicular circulation, infrastructure and services to serve the proposed project. The project will remain in compliance with city policies requiring the implementation of Transportation Demand Management. As conditioned, the project will support the reduction of single occupancy vehicle trips through the provision of incentives and support for alternative modes of transit as well as flexible work schedules. Each current and future tenant/employer on the site will be subject to the requirements of the transportation demand management plan

requirements. The reference to Section 35-306.7 (Limited Exception Determination Findings) is not applicable to the project as the project is not an industrial, public works, or energy-related project.

2.7 That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.

The project is not in a designated rural area.

2.8 That the project will not conflict with any easements required for public access through, or public use of a portion of the property.

There are no easements for public access on the property.

2.9 That the modifications to the general setback requirements are justified.

The three modifications requested are a result the existing approved development as approved by the County of Santa Barbara in the early 1980s. As a result, the three modifications are requested to address the existing legal non-conforming status of the development. One new modification is requested due to the newly created parcel lines. As the exterior property lines are not changing, the parking will continue to encroach into the setback. Due to the proposed location of the eastern property line of proposed parcel 3, one additional modification is required to allow for the parking to encroach into the side setback. This space however is adjacent to a larger landscaped open space area on the adjacent property, and thus will not impact the adjacent use.

Also, due to the residential designation of 7412 Hollister, a five-foot landscaped buffer and six-foot masonry wall is required along the side setbacks for proposed parcels 1 and 2. However, due to the previously approved use of that parcel as parking for the Hollister Business Park, the buffer and wall was not provided under the prior approval and is not proposed currently in order to facilitate circulation between the parcels. The parking that encroached into the side yard abuts parking that encroaches into the side setback on the adjacent parcel and functions with the adjacent parcel as a single parking lot. Additionally, multiple rows landscape islands containing large trees are provided throughout the shared parking lot exceeding the required five-foot-wide landscape buffer. As a result, there is sufficient landscaping and trees to effectively screen the business park from the residential development. As a result, the applicant is requesting four modifications to allow for the previously developed site to be brought into conformance. Therefore, the modifications to the setback and landscape requirements are justified.

3.0 CEQA Findings

This project is exempt from further review under the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.; "CEQA") and CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.). Specifically, the project is categorically exempt from environmental review pursuant to CEQA Guidelines § 15301 (Existing Facilities) and §15315 (Minor Land Divisions). As indicated above, the proposal will include the subdivision of the existing lot into three new lots and the creation of three new development plans for each lot. The site is currently developed as a business park and no new construction is proposed. The changes will not result in the removal of healthy, scenic, or mature trees.

Further, the existing development is located within an urbanized area with industrial land use and zoning designations. The proposed tentative parcel map would subdivide the property into three parcels, is in conformance with the City's General Plan and zoning regulations and will not require any variances or exceptions requiring environmental review. The proposed As-Built DPs will memorialize the existing development on each of the proposed lots. No new structural development or floor area is proposed. Access to each parcel will be via a shared existing driveway off of Hollister Avenue. Existing utilities (water, sewer, electricity, communications) will continue to serve all buildings. Reciprocal access and parking will be provided between the three parcels.

Further, the project would not alter any biological resources, cultural resources, geologic features, drainage, or have impacts to visual resources. Therefore, given that there will be no expansion of the existing buildings and or changes to the uses onsite, the project will not result in a significant effect on the environment.

ATTACHMENT C CONDITIONS OF APPROVAL

Hollister Business Park (GetGo) Vesting Tentative Parcel Map 7414, 7416, and 7418 Hollister Avenue; APN 079-210-065
Case No. 18-032-TPM (Map No. 32,060)

In addition to all applicable provisions of the Goleta Municipal Code ("GMC"), GETGO, Inc ("Applicant/Permittee" or "Permittee") agrees to the following conditions for the City's approval of Case No. 18-032-TPM ("Project Conditions"). (Applicant/Permittee also means Owner.)

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.

AUTHORIZATION

 This Tentative Parcel Map Case No. 18-032-TPM, authorizes implementation of the Project Plans stamped "APPROVED", dated December 16, 2019, and attached/subject to these Conditions of Approval set forth below, including mitigation measures and specified plan sheets and agreements included by reference, as well as all applicable City rules and regulations

The project description is as follows: The Vesting Tentative Parcel Map divides the current developed lot (APN: 079-210-065) into three lots. The three industrial buildings on site will be divided among the newly created lots. The statistics for each lot are provided below in Table 1. All development onsite will be controlled by the development plans for each new lot (Refer to Attachment D for applicable Development Plan conditions).

Table 1
Parcels Site Statistics

	Parcel 1 (7418 Hollister)	Parcel 2 (7416 Hollister)	Parcel 3 (7414 Hollister)
Parcel Size	6.366 acres	2.818 acres	3.681 acres
Building Coverage	82,719sq. ft.	39,114sq. ft.	45,492sq. ft.
	(29.7%)	(31.9%)	(28.4%)
<u>Landscaping</u>	83,188sq. ft.	45,789sq. ft.	75,043sq. ft.
	(30%)	(37.3%)	(46.8%)
<u>Hardscape</u>	40.3%	30.8%	24.8%
<u>Parking</u>	243 Spaces	111 Spaces	70 Spaces
Bike Parking	30 Spaces	29 Spaces	45 Spaces

- 2. 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/Permittee 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.
- 3. This Vesting Tentative Parcel 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 Applicant/Permittee. The decision maker with jurisdiction over the project may, upon good cause shown, grant a time extension as permitted by law. If the Applicant/Permittee requests a time extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Any new fees imposed, and the rates of existing fees will be those in effect at the time of the extension request.
- 4. 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 attached to the Zoning Administrator Staff Report Dated December 16, 2019" and herein incorporated by reference.
- 5. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions must prevail.
- 6. Applicant/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 Parcel Map, Applicant/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.
- 7. The effectiveness of this Vesting Tentative Parcel Map will be suspended/tolled 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 Parcel Map.

- 8. Prior to recordation of the tentative map and subject to the Directors of Public Works and Planning and Environmental Review or their designees' approval, the Applicant/Permittee shall include all of the mitigation measures, conditions, agreements or specific plans associated with or required by the project approval on a separate informational sheet(s) to be recorded with the (Parcel Map). All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
- 9. Any lot created by the recordation of this Tentative Parcel Map is subject to the conditions of this Tentative Parcel Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain he conditions of this Tentative Map.
- 10. Prior to Recordation, any obstruction within a utility easement which would interfere with the intended use of the easement, shall be removed by the Applicant/Permittee at the Applicant/Permittee expense.
- 11. If the Vesting Tentative Parcel Map is unrecorded and proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Vesting Tentative Parcel Map.

AGENCY REQUIREMENTS

- 12. Santa Barbara County Fire Department (SBCFD): Comply with all conditions and requirements outlined in the Santa Barbara County Fire Department Letter dated November 1, 2018 to the satisfaction of the SBCFD as applicable to facilitate recordation of a Vesting Final Parcel Map.
- 13. **Goleta Water District (GWD).** Comply with the requirements of the GWD to the satisfaction of the GWD as applicable to facilitate recordation of a Vesting Final Parcel Map, including but not limited to the following:
 - i. Submittal of application for water system improvements.
 - ii. Provision of isolated and separately metered landscape systems.
 - iii. Provision of detailed recycled water irrigation plans for each of the proposed parcels and adjacent parcel (APN 079-210-063).
 - iv. A recycled water user agreement for each parcel.
 - v. Approval and inspection by the GWD and State of California Division of Drinking Water (DDW).
 - vi. Cross connection testing for all existing potable service lines and new recycled services.
 - vii. Installation of new recycled water meters for each parcel.
 - viii. Sufficient private easements will be required to access each of the parcels from the new meters located in the Hollister Avenue right of way.

14. **Goleta Sanitary District (GSD).** Comply with all of the requirements to the satisfaction of the GWSD as applicable to facilitate recordation of a Vesting Final Parcel Map.

CITY DEPARTMENT CONDITIONS

Public Works Department

Prior to Recordation

- 15. Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The Applicant/Permittee must submit to the Public Works Director or designee a set of prints of the Vesting Tentative Parcel Map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.
- 16. The Applicant/Permittee must record Code Covenants and Restrictions (CC&Rs) which provide for the shared maintenance responsibilities by all owners for the:
 - Parking lots
 - Access roads
 - Landscaping
 - Utilities
 - Storm drainage facilities
 - Shared structures
 - Public ROW Access

The CCRs must be approved by the Planning and Environmental Review Director and the City Attorney or designee prior to recordation. All costs associated with the preparation, review and recordation are the sole responsibility of the Applicant/Permittee.

- 17. Prior to the recordation of the Parcel Map, the Applicant/Permittee shall secure approval of a Parcel Map prepared by a licensed land surveyor or Registered City Engineer to the satisfaction of the Public Works Director or designee. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable State Land Division requirements, as well as applicable project components required as part of recorded project conditions.
- 18. An electronic title report with active hyperlinks will be required at the time of Final Map Review.
- 19. The need for easements will be assessed during Final Map Review and to the satisfaction of the Public Works Director.

20. Shared maintenance is required for all shared facilities including walkways, parking lots, storm drainage facilities, roadways, and Public ROW access. The applicant shall address this issue to the satisfaction of the Public Works Director.

Planning and Environmental Review Department

Prior to Recordation

- 19. The Applicant/Permittee must provide a reciprocal shared parking and access easements across all three proposed parcels and the portion of APN: 079-210-063 used for the business park in perpetuity to satisfy the zoning ordinance requirements regarding the provision of parking spaces and access. The language of the easement shall be subject to the approval of the Directors of Planning and Environmental Review and Public Works and the City Attorney or their designees, and once approved must be recorded with the County Recorder's office prior to recordation of the final map. All costs associated with the preparation, review, and recordation of the agreement/easement are the sole responsibility of the Applicant/Permittee.
- 20. The Applicant/Permittee must comply with all conditions of approval required under the approval of the Hollister Business Park (GetGo) As-Built Development Plans with Modifications project (Case Nos. 18-032-DP, 18-039-DP, 18-040-DP) prior to the recordation of the final map provided in Attachment D of the Zoning Administrator staff report dated December 16, 2019.

General Conditions

- 21. Any modifications to the approved plans, including but not limited to site plan, floor plans, elevations, landscaping, colors and materials, cannot be executed without the Planning and Environmental Review Director's approval.
- 22. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, demolition, enlarging or rebuilding of any building structure, or improvement, the Applicant/Permittee must obtain a grading and/or building permit from the Planning and Environmental Review Director.
- 23. All plans submitted for permit issuance (e.g., grading, building permit, etc.) must include all applicable conditions of project approval.
- 24. All work within the public right-of-way, including without limitation, utilities and grading, must be explicitly noted on the building plans. The Applicant/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.
- 25. The Applicant/Permittee is responsible for informing all contractors, subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with these conditions including, without

Conditions of Approval Case No. 18-032-TPM December 16, 2019

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.

By signing this document, Anthony Bishop, acting as agent on behalf of GETGO, Inc, certifies that he read, understands, and agrees to the Project Conditions listed in this document.

John Hintzen, Senior Manager, Real Estate and Facilities Operations

- End of Conditions -

ATTACHMENT D CONDITIONS OF APPROVAL

Hollister Business Park (GetGo) As-Built Development Plans with Modifications 7414, 7416, and 7418 Hollister Avenue; APN 079-210-065 Case Nos. 18-032-DP, 18-039-DP, 18-040-DP

In addition to all applicable provisions of the Goleta Municipal Code ("GMC"), GETGO, Inc. ("Applicant/Permittee") agrees to the following conditions for the City's approval of Case Nos. 18-032-DP, 18-039-DP, and 18-040-DP ("Project Conditions"). (Applicant/Permittee also means Owner.)

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.

AUTHORIZATION

These As-Built Development Plans (DPs), Case No. 18-032-DP, 18-039-DP, and 18-040-DP, authorizes implementation of plans stamped "APPROVED", dated December 16, 2019 and attached/subject to these Conditions of Approval set forth below, including specified plan sheets and agreements included by reference, as well as all applicable City rules and regulations.

The project description is as follows:

- 1) 18-032-DP As Built development plan for the existing development located on Parcel 1 (7418 Hollister Avenue) pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance.
- 2) 18-039-DP As Built development plan for the existing development located on Parcel 2 (7416 Hollister Avenue) pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance.
- 3) 18-040-DP As Built development plan for the existing development located on Parcel 3 (7414 Hollister Avenue) pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance.

Development Plan Site Statistics

	18-032-DP	18-039-DP	18-040-DP
Parcel Size	6.366 acres	2.818 acres	3.681 acres
Building Coverage	82,719sq. ft.	39,114sq. ft.	45,492sq. ft.
	(29.7%)	(31.9%)	(28.4%)
<u>Landscaping</u>	83,188sq. ft.	45,789sq. ft.	75,043sq. ft.
	(30%)	(37.3%)	(46.8%)
<u>Hardscape</u>	40.3%	30.8%	24.8%
<u>Parking</u>	243 Spaces	111 Spaces	70 Spaces

Bike Parking 30 Spaces	29 Spaces	45 Spaces
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The Tentative Parcel Map will allow for each building to be on a separate lot (Refer to Attachment C for the Tentative Parcel Map conditions of approval). The three (3) As-Built DPs will result in each lot being in compliance with the current requirements for a Development Plan, pursuant to Sec. 35-225.2 of the Inland Zoning Ordinance. Approval of the Project will memorialize the existing development on each of the newly created parcels.

The project includes the approval of four modifications as follows:

- 1. Allow for the parking along the western side yard property line to encroach into the side setback of Parcel 2.
- 2. Allow for the parking along the eastern side yard property line to encroach into the side setback of Parcel 3.
- 3. Allow for a masonry wall of less than six feet along the western property line (Parcel 1).
- 4. Allow for less than a 5-foot landscape buffer and no masonry wall along the western property line (Parcel 2).
- 2. All construction, improvements, implementation, and/or any other actions taken pursuant to this permit shall be in substantial conformance with the project. Any deviations from the project must be reviewed and approved by the City of Goleta (City). The City shall determine whether any deviation substantially conforms to the project. Any deviation determined to not be in substantial conformance with the project requires the Applicant/Permittee to seek additional approval, permits, or other action by the City. Any deviation from the project made without the above-described review and approval of the City is a violation of this permit.
- 3. Approval of the As-Built Development Plans will expire five (5) years after approval, unless before the expiration, the Vesting Tentative Parcel Map associated with Case No. 18-032-TPM has been recorded and Land Use Permits are issued to effectuate each of the development plans, or a time extension has been applied for by the Permittee. The decision-maker with jurisdiction over the project may, upon good cause shown, grant a time extension as specified by City regulations. If the Applicant/Permittee requests a Time Extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Any new fees imposed, and existing fees will be those in effect at the time of the extension request.
- 4. Effective Date Inland Area. This As-Built Development Plan shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of

the planning permit.

- 5. This permit runs with the land and the rights and obligations thereof, including the responsibility to comply with the As-Built Development Plan, are binding upon successors in interest. The As-Built Development Plan may be modified, terminated, or abandoned in accordance with applicable law including, without limitation, the GMC.
- 6. On the date that a subsequent Development Plan is approved for this site, any previously approved but unbuilt plans must become null and void.
- 7. 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 As-Built 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.
- 8. Any proposed deviations from the exhibit, project description, or Project Conditions must be submitted to the Planning and Environmental Review Director for review and approval by the appropriate decision maker. Any unapproved deviations from the project approval will constitute a violation of the permit approval.
- 9. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions must prevail. If/when the Project Conditions and Mitigation Measures are in conflict, the written Mitigation Measures must prevail.
- 10. The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.
- 11. No signs of any type are approved with this action unless otherwise specified. All future signage must be reviewed and permitted in compliance with the City's zoning code.
- 12. This approval does not confer legal status on any existing structures or uses on the property unless specifically reviewed and authorized within the project description of the As-Built Development Plans.
- 13. Applicant/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 project components including any modifications except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same is groundless or not, arising out of the City's approval of the Project, Applicant/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.
- 14. In the event that any conditions imposing a fee, exaction, dedication or other mitigation measure is challenged by the Applicant/Permittee in action filed in a court of competent jurisdiction or threatened to be filed, this approval must be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any Project Condition is invalidated by a court of competent jurisdiction, the Project must be reviewed by the City and substitute conditions may be imposed to validate the Development Plan.

AGENCY REQUIREMENTS

Santa Barbara County Fire Department (SBCFD): Comply with all conditions and requirements outlined in the letter dated November 1, 2018 from the Santa Barbara County Fire Department to the satisfaction of the SBCFD.

Planning and Environmental Review Department

General Conditions

- 19. All of the following conditions of approval associated with Case No. 83-DP-46 for the Hollister Business Park Development Plan (remain in effect unless updated):
 - a) Uncovered parking areas of more than 3,600 square feet shall be planted with trees spaced at suitable intervals in each direction in order to break up the continuity of paved areas.
 - b) Compliance with Departmental letters:
 - i. Flood Control
 - ii. Environmental Health Services dated November 4, 1983
 - iii. Roads Division dated May 12, 1982; August 9, 1983; Board Minute Order September 6, 1983
 - c) All exterior lighting shall be shielded from shining on all adjacent residential developments and shall not constitute a hazard to traffic using adjacent streets.
 - d) The design of the garbage pickup areas shall be architecturally compatible with the overall architecture of the project
 - e) Planter islands shall be designed to protect landscaping from pedestrian or vehicular damage.
 - f) Utilize dust control methods on any dust-producing conditions.

- g) All truck operations shall be restricted to daylight hours to reduce nocturnal noise impacts on adjacent residential communities.
- h) Applicant shall install the most water efficient non-mechanically assisted plumbing devices. Said specification shall be indicated on the building plans submitted at the time of zoning clearance for any building.
- i) The site shall be hydroseeded after grading to reduce erosion; the berm on the front of the property shall be planted in permanent ground cover.
- 20. The Applicant/Permittee shall implement a Transportation Demand Management Plan Hollister Business Park "APN: 079-210-065" (Park), which shall include the following requirements to the satisfaction of the City of Goleta and Traffic Solutions:
 - a) A transportation coordinator to manage transportation programs for each proposed parcel shall be designated. The name of said coordinator shall be forwarded to the Traffic Solutions (a division of the Santa Barbara Association of Governments (SBCAG)), and the City of Goleta Planning and Environmental Review (PER) Department. The Applicant/Permittee shall be responsible for notifying Traffic Solutions and the PER Department of the name of the transportation coordinator. The said coordinator shall be available during normal working hours. The transportation coordinator's duties shall include responsibility for planning and promoting alternative transit, carpooling and van-pooling programs with the property tenant(s). More specifically, the Transportation Coordinator shall:
 - i. Coordinate the collection of employee data necessary to formulate carpools and vanpools for Park employees;
 - ii. Actively advertise the carpool and vanpool programs;
 - iii. Inform the City of Goleta PER Department and Traffic Solutions of any new tenants/employers on the property and coordinate the preparation of alternative transportation program for the new tenant/employer within 90 days of occupancy.
 - iv. Oversee the formation of a transportation committee made up of the other transportation coordinators of each property and representatives from each tenant/employer of the Park that shall be responsible for information exchange in order to coordinate a car and vanpool ridesharing program between tenants/employers and to make transit information available to all employees of the Park.
 - v. Provide annual reports for each property showing compliance with the requirements of the Transportation Demand Management Plan.
 - b) The Applicant/Permittee shall include as a part of the lease agreement with each tenant, that said tenant shall designate one employee as a member of the

Park-wide transportation committee. In addition, a statement regarding the requirements and goals and objectives of said committee shall be included in the lease agreement. Each new tenant/employer shall be required to provide the transportation coordinator with necessary information to perform a locational study on Park employees interested in alternative transit. This information shall be utilized to plot local and long-distance van pool routes.

- c) Each tenant/employer shall make a special effort to assist employees arranging carpooling or public transit by actively advertising carpool programs, continuing to provide a program for employees for staggered work hours, flex-scheduling and telecommuting and part-time employment. Each tenant shall provide a daily per-diem cash benefit incentive of at least two (2) dollars per day for employee use of alternative transportation, including walking and cycling, public transit (Buses), rail, vanpooling, and ridesharing. A copy of said program shall be submitted to the City of Goleta Planning and Environmental Review Department and Traffic Solutions.
- d) Preferential parking for participants of the ridesharing program shall be reserved and designated in close proximity to building entrances.
- e) Active advertising of the ridesharing program shall be posted by each tenant in locations available to all employees.
- f) Maps showing bicycle routes and bus route/schedule information shall be posted in each building in a location available to all employees of that building.
- g) Secure bicycle storage areas shall be provided in prominent location and adequate changing facilities shall be provided in appropriate locations in all buildings to act as an incentive to use bicycles.
- h) The tenant of 7414 Hollister Avenue shall continue to operate an onsite cafeteria for employees of 7414, 7416, and 7418 Hollister Avenue. The cafeteria shall continue to provide breakfast, lunch, and snacks. If cafeteria service is discontinued for any or all of the employees of 7414, 7416, or 7418 Hollister Avenue, then the property owner of each building is responsible for implementing a lunch time shuttle for employees onsite, specifically shuttle service shall be provided to major commercial centers in the Goleta area (e.g., Fairview/Calle Real, Hollister/Storke, Fairview/ Hollister, University Shopping Center); an alternative option may be used to reduce lunch time traffic, subject to approval by the City of Goleta PER Department and Traffic Solutions.
- i) Each building shall be designed with interior lunchtime areas for use by all employees of the building. Applicant shall provide an exterior lunchtime eating area in a park-like setting for use by all Park employees. The interior areas shall be equipped with food preparation facilities for both hot and cold foods. Food vending machines or other methods for the sale of food on-site shall also be provided.

<u>Plan Requirements and Timing:</u> Prior to Land Use Permit Issuance, the Applicant/Permittee shall record a Notice To Property Owner notifying future property owners of the requirements of this condition. Prior to Land Use Permit Issuance, the Applicant/Permittee shall provide a transportation demand management program for the current property tenant(s).

- 21. Any modifications to the approved plans, including but not limited to site plan, floor plans, elevations, landscaping, colors and materials, cannot be executed without the Planning and Environmental Review Director's approval.
- 22. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, demolition, enlarging or rebuilding of any building structure, or improvement, the Applicant/Permittee must obtain a grading and/or building permit from the Planning and Environmental Review Director.
- 23. All plans submitted for permit issuance (e.g., grading, building permit, etc.) must include all applicable conditions of project approval.
- 24. All work within the public right-of-way, including without limitation, utilities and grading, must be explicitly noted on the building plans. The Applicant/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.
- 25. The Applicant/Permittee is responsible for informing all contractors, subcontractors, 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.
- 26. The Applicant/Permittee, including all contractors and subcontractors, shall limit construction activity and equipment maintenance is limited to the hours between 8 AM and 5 PM, Monday through Friday. Exceptions to these restrictions may be made for good cause at the sole discretion of the Planning and Environmental Review Director, for onsite work. Exceptions to these restrictions may be made for good cause at the sole discretion of the Public Works Director or designee, for work in the City Right-of-Way only. Any subsequent amendment to the General Plan noise standard upon which these construction hours are based shall supersede the hours stated herein. No construction can occur on State holidays (e.g. Thanksgiving, Labor Day). Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels), are not subject to these restrictions.
- 27. Prior to the issuance of the Land Use Permit the Applicant/Permittee must provide a signed copy of these approved conditions of approval for the As-Built Development Plans.

- 28. The Applicant/Permittee shall maintain all landscaping, per the approved plan, for the life of the project. All landscape changes are subject to DRB review and approval of landscaping and irrigation plans.
- 29. Any changes to the irrigation plan must:
 - a) Demonstrate compliance with the City's Water Conservation regulations and Guidelines for Water Conservation in Landscaping. Use reclaimed water to irrigate landscaped areas if the recycled waterline is extended to serve the site. If that occurs, then dual water connections must be installed to allow for landscaping to be irrigated by reclaimed water, if feasible.
 - b) Utilize efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach plant roots (e.g., drip irrigation, automatic sprinklers equipped with moisture sensors, etc.)
 - c) Utilize automatic sprinkler systems that must be set to irrigate landscaping during early morning hours or during the evening to reduce water losses from evaporation. Sprinklers must also be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscaping irrigation.
- 30. The project must minimize <u>outdoor</u> water use through the following:
 - a) Use of native and/or drought tolerant species in the final landscaping;
 - b) Installation of drip irrigation or other water-conserving irrigation;
 - c) Grouping of plant material water needs;
 - d) Limiting turf to less than 20% of the total landscaped area if proposed under the final landscape plan or use of artificial turf in place of living grass (this may exceed the 20% maximum);
 - e) No turf is allowed on slope of over 4%;
 - f) Use of extensive mulching (2" minimum) in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction;
 - g) Installation of soil moisture sensing devices to prevent unnecessary irrigation;
 - h) Use of only recycled water for landscape irrigation if the Project site is connected to a recycled water line;
 - i) Use of plant materials that can withstand high salinity levels, if recycled water is used for irrigation; and
 - j) Use of plant materials that are compatible with the Goleta climate pursuant to Sunset Western Garden Book's Zone 24, published by Sunset Books, Inc.,

Conditions of Approval Case No. 18-032-DP, 18-039-DP, and 18-040-DP December 16, 2019

Revised and Updated 2001 edition.

31. In the event than any conditions imposing a fee, exaction, dedication or other mitigation measure is challenged by the Applicant/Permittee in action filed in a court of competent jurisdiction or threatened to be filed, this approval must be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any Project Condition is invalidated by a court of competent jurisdiction, the Project must be reviewed by the City and substitute conditions may be imposed to validate the Development Plan.

By signing this document, John Hintzen, on behalf of GETGO, Inc, certifies that they read, understands, and agrees to the Project Conditions listed in this document.

John Hintzen, Senior Manager, Real Estate and Facilities Operations

- End of Conditions -















