



**TO:** Mayor and Councilmembers

**FROM:** Dan Singer, City Manager

**CONTACT:** Steve Chase, Director, Planning and Environmental Services  
Patricia S. Miller, Manager, Current Planning

**SUBJECT:** Case No. 05-140-OA, -TM, -DP; Rancho Mobile Home Park  
Condominium Conversion Project; 7465 Hollister Avenue; APN 079-210-058

**RECOMMENDATION:**

- A. Conduct the second reading (by title only) and waive further reading of City Council Ordinance 09-\_\_ entitled "An Ordinance of the City Council of the City of Goleta, California Approving a Development Agreement between the City of Goleta and Goleta Mobile Home Park, LP, a California Limited Partnership for the Condominium Conversion of the Rancho Mobile Home Park". (Attachment 1)
- B. Adopt City Council Resolution 09-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Tract Map for Condominium Purposes and a Development Plan for the Rancho Mobile Home Condominium Conversion Project; 7465 Hollister Avenue; APN 079-210-058; Case No. 05-140-OA, -TM, -DP". (Attachment 2)

Refer back to staff if the City Council decides to take action other than the recommended action.

**BACKGROUND:**

The proposed project is described in the staff report for the February 17, 2009, City Council hearing and includes a Development Agreement, Tentative Tract Map, and Development Plan for a one-lot subdivision of an existing 17.84 acre parcel to create 150 mobile home condominium spaces and associated common area located at 7465 Hollister Avenue. Portions of the property lay both within the Inland and Coastal Zone areas of the City. At the February 17, 2009 hearing, the City Council adopted the project CEQA Resolution and conducted the first reading of the Ordinance for the Development Agreement. The Council also conceptually approved the resolution for the associated Tentative Tract Map and Development Plan.

**DISCUSSION:**

The item appears on Council's March 3, 2009 agenda for the purpose of conducting the second reading on the Ordinance for the Development Agreement and to adopt the Resolution approving the Tentative Tract Map and Development Plan that would allow the existing mobile home park to be converted to a condominium ownership mobile home park.

**ALTERNATIVES:**

None are recommended.

**LEGAL REVIEW:**

This staff report has been reviewed by the City Attorney.

**FISCAL IMPACTS:**

The processing costs associated with the Rancho Mobile Home Park Condominium Conversion Project are paid by the applicant.

Submitted By:

Reviewed by:

Approved By:

\_\_\_\_\_  
Steve Chase, Director  
Planning and Environmental  
Services

\_\_\_\_\_  
Michelle Greene, Director  
Administrative Services

\_\_\_\_\_  
Daniel Singer  
City Manager

**ATTACHMENTS:**

1. City Council Ordinance 09-\_\_; Ordinance 09-\_\_ entitled "An Ordinance of the City Council of the City of Goleta, California Approving a Development Agreement between the City of Goleta and Goleta Mobile Home Park, LP, a California Limited Partnership for the Condominium Conversion of the Rancho Mobile Home Park".
2. City Council Resolution 09-\_\_; entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Tract Map for Condominium Purposes and a Development Plan for the Rancho Mobile Home Condominium Conversion Project; 7465 Hollister Avenue; APN 079-210-058; Case No. 05-140-OA, -TM, -DP".

**ATTACHMENT 1**  
**City Council Ordinance 09-\_\_; Ordinance for Rancho Mobile Home  
Park Condominium Conversion Development Agreement**

**ORDINANCE NO. 09-\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA APPROVING CASE NO. 05-140-OA, A DEVELOPMENT AGREEMENT BETWEEN GOLETA MOBILE HOME PARK LP AND THE CITY OF GOLETA FOR THE RANCHO MOBILE HOME PARK CONDOMINIUM CONVERSION PROJECT; 7465 HOLLISTER AVENUE; ASSESSOR PARCEL NUMBER 079-210-058**

**WHEREAS**, the City of Goleta was incorporated on February 1, 2002; and

**WHEREAS**, on February 1, 2002, the City Council adopted Ordinance 02-01 entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting by Reference the Santa Barbara County Code and Other Relevant Non-Codified Santa Barbara County Ordinances as City Ordinances," which code and ordinances remain in effect except as expressly repealed or amended by the City; and

**WHEREAS**, an application was submitted by the Daniel & Susan Guggenheim Trust on September 2, 2005 requesting approval of an Ordinance for a Development Agreement between the City and Goleta Mobile Home Park LP for the proposed one-lot subdivision for condominium purposes of the 150 space Rancho Mobile Home Park to convert the existing park from a rental park to a resident-owned park without any increase in the number of mobile home spaces (APN 079-210-058); and

**WHEREAS**, the project application was deemed complete on June 29, 2006; and

**WHEREAS**, on January 12, 2009 the City of Goleta Planning Commission held a duly noticed public hearing to consider the proposed Ordinance and Development Agreement and various related matters, at which times all interested persons were given an opportunity to be heard; and

**WHEREAS**, on January 12, 2009 the City of Goleta Planning Commission adopted Resolution 09-01, recommending that the City Council approve the proposed Ordinance and Development Agreement with findings pursuant to the California Government Code Section 65867.5.; and

**WHEREAS**, on February 17, 2009 the City Council held a duly noticed public hearing to consider the proposed Ordinance and Development Agreement and various related matters, at which time all interested persons were given an opportunity to be heard; and as considered the entire administrative record, including the application materials, staff reports, the CEQA exemption, and oral and written testimony from interested persons; and

**WHEREAS**, the City Council has considered the entire administrative record, including the staff reports, resolutions, and exhibits, the CEQA Notice of Exemption, the Planning Commission recommendation, and oral and written testimony from interested persons.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLETA FOLLOWS:**

**SECTION 1. Recitals**

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

**SECTION 2. Ordinance and Development Agreement**

The City Council hereby adopts the proposed Ordinance and Development Agreement between the City and Goleta Mobile Home Park LP as set forth in Exhibit 1 to this Ordinance.

**SECTION 3. Administrative Findings**

The following findings are adopted pursuant to California Government Code Section 65867.5. Ordinance Amendment/Development Agreement: An ordinance amendment for approval of a development agreement between the City and a project applicant shall only be approved if the legislative body makes the following findings:

- a) The proposed development agreement between the City of Goleta and the Goleta Mobile Home Park LP would be approved by Ordinance 09-\_\_\_ and would be subject to referendum.
- b) The proposed Development Agreement is consistent with the applicable General Plan/Coastal Land Use Plan policies including Policies HE 8.2, HE 8.3, HE 8.4, HE 8.5, HE 8.6, and HE 8.7, as well as Housing Element Implementation Programs IP 8C and IP 8G, and Government Code Section 66498.1 and Section 66474.2 authorizing the City to impose conditions on any project approval to protect the health, safety, and welfare of the residents of the City as well as to ensure compliance with State and Federal law. The Development Agreement furthers the goals of the General Plan/Coastal Land Use Plan (as applicable) and is in the interest of the general community welfare in that the Agreement will result in protections on the affordability of mobile homes within the park occupied by current park residents that go well beyond affordability provisions provided for under State statute. As such, the proposed Development Agreement

provides for an important tool to protect the City's existing affordable housing supply for the long term.

- c) The Tentative Tract Map for the project complies with Section 664737.7 of the Government Code because the developer already has provided for securing an adequate water supply for the project pursuant to Section 667437.7 and the Development Agreement includes provisions addressing Department of Real Estate (DRE) requirements for preparation of a Reserve Fund Study to identify funding requirements for future repair and maintenance of park infrastructure.

**SECTION 4.            Effective Date**

This ordinance shall take effect on the 31st day following the date of its final adoption.

**SECTION 5.            Publication**

The City Clerk shall certify to the passage of this Ordinance and cause the same to be published and posted in the manner prescribed by California law.

**INTRODUCED ON the 17th day of February, 2009.**

**PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.**

\_\_\_\_\_  
ROGER S. ACEVES, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

\_\_\_\_\_  
TIM W. GILES  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA    )     ss.  
CITY OF GOLETA                 )

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California,  
DO HEREBY CERTIFY that the foregoing Ordinance No. 09-\_\_ was duly  
adopted by the City Council of the City of Goleta at a meeting held on the \_\_  
day of \_\_\_\_\_, 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

**ATTACHMENT 2**  
**City Council Resolution 09-\_\_;** Tentative Tract Map and Development  
Plan for the Rancho Mobile Home Park Condominium Conversion  
Project



**RESOLUTION NO. 09-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA  
APPROVING A TENTATIVE TRACT MAP (TM 32,030) AND A  
DEVELOPMENT PLAN (05-140-DP) FOR A ONE-LOT SUBDIVISION OF AN  
EXISTING 17.84 ACRE PARCEL TO CREATE 150 MOBILE HOME  
CONDOMINIUM SPACES AND ASSOCIATED COMMON AREA; 7465  
HOLLISTER AVENUE; ASSESSOR PARCEL NUMBER 079-210-058**

**WHEREAS**, an application was submitted by the Daniel & Susan Guggenheim Trust on September 2, 2005 requesting approval of Tentative Tract Map (TM 32,030) and a Development Plan (05-140-DP) for the proposed one-lot subdivision for condominium purposes of the 150 space Rancho Mobile Home Park to convert the existing park from a rental park to a resident-owned park without any increase in the number of mobile home spaces (APN 079-210-058); and

**WHEREAS**, the project application was deemed complete on June 29, 2006; and

**WHEREAS**, on January 12, 2009 the City of Goleta Planning Commission held a duly noticed public hearing to consider the proposed Tentative Tract Map and Development Plan and various related matters, at which times all interested persons were given an opportunity to be heard; and

**WHEREAS**, on January 12, 2009 the City of Goleta Planning Commission adopted Resolution 09-01, recommending that the City Council approve the proposed Tentative Tract Map and Development Plan with findings pursuant to the California Government Code Section 66474 of the State Subdivision Map Act and Chapter 21 (Subdivision Regulations) of the Goleta Municipal Code as well as Section 35-174 et. seq., Article II and Section 35-317 et. seq., Article III, Chapter 35 of the Municipal Code (Coastal and Inland Zoning Ordinances); and

**WHEREAS**, on February 17, 2009 the City Council held a duly noticed public hearing to consider the proposed Tentative Tract Map and various related matters, at which time all interested persons were given an opportunity to be heard; and as considered the entire administrative record, including the application materials, staff reports, the CEQA exemption, and oral and written testimony from interested persons; and

**WHEREAS**, the City Council has considered the entire administrative record, including the staff reports, resolutions, and exhibits, the CEQA Notice of Exemption, the Planning Commission recommendation, and oral and written testimony from interested persons; and

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA FOLLOWS:**

**SECTION 1.            Recitals**

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

**SECTION 2.            Tentative Tract Map TM 32,030**

The City Council adopts the findings set forth in Exhibit 1 of this resolution pursuant to Section 66474 of the State Subdivision Map Act and Section 21-8, Chapter 21, of the Goleta Municipal Code:

**SECTION 3.            Development Plan 05-140-DP**

The City Council adopts the findings set forth in Exhibit 1 of this resolution pursuant to Section 35-174.7, Article II and Section 35-317.7, Article III, Chapter 35 of the Goleta Municipal Code:

**SECTION 4.            Documents**

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

**SECTION 5.            Certification**

The City Clerk shall certify to the adoption of this resolution.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
ROGER S. ACEVES, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

\_\_\_\_\_  
TIM W. GILES  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA    )     ss.  
CITY OF GOLETA                 )

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California,  
DO HEREBY CERTIFY that the foregoing Ordinance No. 09-\_\_ was duly  
adopted by the City Council of the City of Goleta at a meeting held on the \_\_  
day of \_\_\_\_\_, 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

**EXHIBIT 1  
FINDINGS**

**RANCHO MOBILE HOME PARK CONDOMINIUM CONVERSION PROJECT  
TENTATIVE TRACT MAP TM 32,030 AND DEVELOPMENT PLAN 05-140-DP;  
ASSESSOR PARCEL NUMBER 079-210-058**

ADMINISTRATIVE FINDINGS

1.0 *Tentative Tract Map (TM 32,030): Pursuant to Section 66474 of the State Subdivision Map Act and Chapter 21, Subdivision Regulations, of the Goleta Municipal Code, a Tentative Tract Map shall be approved only if all of the following findings can be made:*

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

With execution and implementation of the proposed Development Agreement, the condominium conversion of the Rancho Mobile Home Park is fully consistent with the City's General Plan/Coastal Land Use Plan Housing Element policies for the preservation and protection of existing neighborhoods and the City's affordable housing supply. There is no specific plan that applies to the subject property.

1.2 *That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The proposed condominium conversion of the Rancho Mobile Home Park, as subject to the proposed Development Agreement, would ensure that the existing park is maintained as a mobile home park consistent with the City's General Plan/Coastal Land Use Plan land use designation of Mobile Home Park for the subject property. In addition, execution and implementation of the proposed Development Agreement would ensure that the proposed condominium conversion would be consistent with General Plan/Coastal Land Use Plan policies regarding the provision of adequate infrastructure and public facilities/services to serve such development as well as to protect the health, safety, and welfare of park residents as part of a DRE required Reserve Fund Study.

1.3 *That the site is physically suitable for the type of development.*

The project site is already designed and constructed to accommodate the 150 condominiumized mobile home spaces that are proposed. Public facilities and services are already available to serve the park future funding for needed repairs and upgrades would be addressed through preparation of the DRE required Reserve Fund Study.

- 1.4 *That the site is physically suitable for the proposed density of development.*

The project site already accommodates the proposed 150 condominimized mobile home spaces and no new or additional spaces would be created as part of this subdivision.

- 1.5 *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.*

No new mobile home spaces would be added to the park through this subdivision process. Any future infrastructure upgrades or repairs would be subject to regulatory permit requirements and imposition of standard conditions of approval to avoid exposure of nearby sensitive receptors to excessive noise, generation of fugitive dust, protection against erosion and sedimentation, and implementation of Best Management Practices (BMPs) to protect water quality.

- 1.6 *That the design of the subdivision or type of improvements are not likely to cause serious public health problems.*

Any needed future repair or upgrades of park infrastructure would be conducted under regulator issued permits subject to standard mitigation measures intended to avoid exposure of nearby sensitive receptors to excessive noise, generation of fugitive dust, protection against erosion and sedimentation, and implementation of Best Management Practices (BMPs) to protect water quality.

- 1.7 *That 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 infrastructure upgrades and repairs would be done within the already developed limits of the park and would be consistent with existing utility easements.

- 2.0 *Development Plan 05-140-DP: Pursuant to Section 35-317, Article II (Coastal Zoning Ordinance), and Section 35-174, Article III (Inland Zoning Ordinance), Chapter 35 of the Goleta Municipal Code, Development Plans shall be approved only if all of the following findings can be made:*

- 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.*

The project site already accommodates all of the 150 mobile home spaces to be converted to condominium spaces by the proposed subdivision and no new or additional spaces would be added to the park pursuant to this subdivision application.

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

With execution and implementation of the proposed Development Agreement, potentially significant impacts associated with the economic displacement of existing City residents and the corresponding need to construct replacement housing either somewhere else in the City or its nearby environs would be avoided to the maximum extent feasible. Because needed infrastructure upgrades and repairs would be subject to standard City requirements to address noise, dust, erosion, sedimentation, and water quality impacts, adverse project generated impacts involving sensitive environmental resources would be mitigated to the maximum extent feasible.

2.3 *That streets and highways are adequate and properly designed.*

Adequate access to the park from Hollister Avenue is already available. The internal street system already provides for adequate vehicular and emergency vehicle access throughout the park, including that necessary to accommodate fire fighting vehicles.

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 park would continue to be served by the Santa Barbara County Fire Department, the Goleta Water District, the Goleta West Sanitary District, and the City of Goleta Police Department. These agencies and districts have adequate personnel and capacity to continue serving the park. Pursuant to the recommended Tract Map conditions of approval, existing deficiencies in the park's fire fighting water supply would be remedied as part of the subdivision approval process as required by the Santa Barbara County Fire Department.

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 proposed condominium conversion of the Rancho Mobile Home Park 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 because it will not add any new mobile home spaces,

and where needed, existing park infrastructure will be upgraded and/or repaired to ensure that it is adequate to serve all park residents pursuant to the DRE required Reserve Fund Study.

- 2.6 *That the project is in conformance with 1) the General Plan and 2) the applicable provisions of these Articles.*

With execution and implementation of the proposed Development Agreement, the project is in conformance with the applicable Housing Element policies of the City's General Plan/Coastal Land Use Plan which are intended to preserve and protect the City's existing supply of affordable housing, especially mobile home parks. With exception for land use type and density, parking (number of spaces only), perimeter walls/fences, and signage along any public street, State statute preempts the City's zoning ordinances as it applies to mobile home parks (either rental or resident owned). The condominium converted park conforms to the land use type and intensity of the MHP (Mobile Home Park) zoning designation as well as City requirements for the number of parking spaces, frontage walls/fences, and signage.

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

The proposed condominium conversion of the Rancho Mobile Home Park does not conflict with any easements required for public access through, or public use of a portion of the property.



**EXHIBIT 2  
CONDITIONS OF APPROVAL**

**RANCHO MOBILE HOME PARK PROJECT TENTATIVE TRACT MAP AND  
DEVELOPMENT PLAN; CASE NO. 05-140-OA -TM, -DP  
7465 HOLLISTER AVENUE (APN 079-210-058)**

1. Authorization: This Ordinance Amendment, Tentative Tract Map (TM 32,030), Development Plan, and the conditions set forth below authorize development proposed in Case No. 05-140-OA, -TM, -DP marked "Officially Accepted, \_\_\_\_\_, 2009, City Council Hearing Exhibits 1-3." Any deviations from the exhibits, project description, or conditions must be submitted to the City of Goleta for its review and approval. Deviations without the above-described approval will constitute a violation of the permit approval. The exhibits associated with this permit include:
  - 1) 05-140-TM: Tract Map 32,030 for Condominium Purposes dated November, 2006
  - 2) 05-140-DP: Development Plan for the Rancho Mobile Home Park dated November, 2006
  - 3) 05-140-OA: Development Agreement By and Between the City of Goleta and Goleta Mobile Home Park, LP, a California Limited Partnership dated March 3, 2009.
  
2. Authorized Development: The proposed project involves the subdivision of the existing Rancho Mobile Home Park, comprised of 17.84 acres (gross), into a one-lot subdivision of 150 residential condominium units with utilities, accessways, drainageways, amenities, and open space to be held in common ownership by a lot-owner's association. No additional mobile homes or mobile home sites would be created by the proposed subdivision. No physical alterations to the project site or any new signage are proposed as part of the subdivision application beyond that required under a Development Agreement between the park owner and the City. All of the proposed mobile home spaces would be offered for sale to the current mobile home owners pursuant to the Development Agreement. Non-purchasing residents would be allowed to continue to rent their space pursuant to the terms of the Development Agreement.
  
3. The Final Map shall not be recorded unless or until a Coastal Development Permit (CDP) has been approved by the California Coastal Commission and the CDP has been issued to the applicant. Approval of a Land Use Permit by the City of Goleta is required and the City shall have evidence of issuance of the CDP prior to approval of a Land Use Permit for recordation of the Final Map.

4. Prior to recordation of the final map(s) and subject to City approval as to form and content, the applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet to be recorded with the final map(s). All applicable conditions and mitigation measures for the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible. For any subsequent development on any parcels created by the project, each set of plans accompanying a Land Use Permit shall contain these conditions.
5. Prior to recordation of the final map, and subject to City approval as to form and content, the applicant shall record the fully executed Development Agreement between the City of Goleta and the Goleta Mobile Home Park LP dated March 3, 2009 and deliver a certified copy of the recorded Development Agreement to the City.
6. If the proposed final map(s) are substantially revised from the approved tentative map, or if substantial changes to conditions are sought, approval shall be in the same manner as for the originally approved tentative map. Non-substantial changes may be approved by the Director of Planning & Environmental Services.
7. Five (5) copies of the final tract map to implement the approved tentative map(s) and required review fees in effect at the time shall be submitted to Planning & Environmental Services for compliance review of conditions before Planning & Environmental Services will issue map clearance to the Santa Barbara County Surveyor. The map shall show statistics for net lot area (gross area less any public road right of way).
8. Title to the common open space shall be held by a non-profit association of Rancho Mobile Home Park lot-owners. The common open space shall not be conveyed to any other group than the lot-owners association unless conveyed to the City of Goleta.
9. Prior to recordation of the final map, the applicant shall submit a copy of proposed Covenants, Conditions & Restrictions (CC&Rs) for review of condition compliance by the City of Goleta. The CC&Rs shall at minimum provide for shared maintenance of common areas, including but not limited to, private roads, drainage facilities, fences, trails, street lighting, signage, all park infrastructure including water lines, electrical systems, and sewer lines, and landscaping. The CC&Rs shall also include by reference the responsibility for all lot owners to maintain the property in compliance with all conditions of approval for the project.
10. Prior to recordation of the final map, public utility easements shall be provided at the locations and of widths required by the serving utilities.

The subdivider shall submit to the City a set of prints of the final map accompanied by a letter from each utility and water and sewer district serving the property stating that the easements shown thereon are acceptable pursuant to Section 21-30, Chapter 21 of the Goleta Municipal Code.

11. The Tentative Map shall expire three (3) years after approval or conditional approval by the California Coastal Commission of a Coastal Development Permit for the proposed subdivision unless otherwise provided in the Subdivision Map Act, Government Code Section 66452.6.
12. Prior to final map recordation for the project, the owner shall sign and record an agreement to comply with the project description and all conditions of approval.
13. The applicant shall comply with the Santa Barbara County Fire Department Conditions of Approval letter dated February 11, 2009 prior to recordation of the final map.
14. The final map shall be prepared by a licensed land surveyor or registered civil engineer in conformance with current Subdivision Map Act requirements and in conformance with the requirements of City of Goleta Subdivision Regulations.
15. No permits for development, including grading, shall be issued except in conformance with the approved Development Plan. The size, shape, arrangement, use, and location of buildings, walkways, parking areas, drainage facilities, and common amenities such as the Community Center/recreation facilities, roadways, and landscaped areas shall be maintained in substantial conformity with the approved Development Plan marked City Council Hearing Exhibit 3, dated \_\_\_\_\_, 2009. Substantial conformity shall be determined by the Director of Planning & Environmental Services.
16. The Development Plan approval runs with the land and the rights and obligations thereof, including responsibility to comply with conditions of approval and shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.
17. On the date a subsequent Preliminary or Final Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.
18. Revised plans incorporating all conditions of approval for this project shall be coordinated and submitted to Planning & Environmental Services as one package in accordance with plan check requirements. All plans,

- including site, grading, landscape, irrigation, mechanical, and street improvement plans shall be reviewed for condition compliance prior to issuance of any permits such as grading, building, or encroachment permits. Any change to the size, colors, construction materials, design or location of any structure onsite, or other site or landscape improvements, except to the extent such changes are deemed in substantial conformity, shall not be made without prior City approval.
19. All plans submitted for approval of any Land Use, building, and/or grading permit shall include all applicable conditions of project approval.
  20. Prior to approval of the final map for recordation the applicant shall pay all applicable City of Goleta permit processing fees in full.
  21. When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail.
  22. The applicant shall pay all applicable development impact fees prior to recordation.
  23. No new signs are authorized with this permit. All signs require separate permits and shall comply with, Article I, Chapter 35 of the City of Goleta Municipal Code (Sign Regulations) and with setbacks specified in Articles II and III, Chapter 35 of the Municipal Code (Coastal and Inland Zoning Ordinances).
  24. The applicant shall be responsible for the completeness and accuracy of all forms and supporting materials submitted in connection with any application. Any errors or discrepancies found therein may constitute grounds for the revocation of any approvals.
  25. The developer agrees, as a condition of this approval, at the developer's own expense, to indemnify, defend, and hold harmless the City and its agents, officers, and employees from and against any claim, action, or proceeding to attack, review, set aside, void or annul, in whole or in part, the City's approval of the vesting tentative map and development plan or any condition attached thereto or any proceedings, acts, or determinations taken, done or made prior to the approval that were part of the approval process.
  26. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project

shall be reviewed by the City and no approval shall be issued unless substitute feasible mitigation measures are imposed.

\* \* \* \* \*