

ATTACHMENT C
CONDITIONS OF APPROVAL
Powell Rear Yard Addition and Modification
261 Iris Avenue; APN 077-254-008
Case No. 20-0001-DRB-MOD-LUP

In addition to all applicable provisions of Title 17 within the Goleta Municipal Code (“GMC”), SHARI POWELL (“Applicant/Permittee”) agrees to the following conditions for the City’s approval of Case No. 20-0001-DRB-MOD-LUP (“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 Title 17. For purposes of these Project Conditions, unless otherwise specified the term “Director” refers to the Planning and Environmental Review Director.

AUTHORIZATION

1. This Land Use Permit and associated Modification, and Design Review, Case No. 20-0001-DRB-MOD-LUP, authorizes implementation of plans stamped “APPROVED”, dated November 20, 2020, and attached/subject to these Conditions of Approval. All construction, improvements, implementation, and/or any other actions taken pursuant to this permit must 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 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.

The project includes the following:

- I. A LUP to construct a 242-square foot rear yard addition along the southwestern portion of the residence; and
 - II. A MOD to allow 17-square feet of the proposed rear yard addition to encroach into the rear yard setback.
 - III. Final design review approval of the addition, as recommended for approval by the DRB.
2. This permit shall expire 24 months after the approval date, unless within such period substantial physical construction of the project has been completed, and/or the beginning of the authorized use has commenced, or a time extension has been applied for by the permittee.

3. This permit runs with the land and the rights and obligations thereof, including the responsibility to comply with these Conditions of Approval and shall be binding upon successors in interest unless or until this permit expires pursuant to Condition of Approval #2 or is expressly abandoned in writing by the permittee.
4. This permit is granted for the property/parcel(s) of record on which the project is located and shall not be transferred.
5. The permittee shall obtain from the City's Planning and Environmental Review Department all Building Permits required by Title 15 of the Goleta Municipal Code prior to the construction, erection, moving, alteration, enlarging, rebuilding of any building, structure, or improvement, or any other action(s) requiring a Building Permit pursuant to Title 15 of the Goleta Municipal Code.
6. These Conditions of Approval shall be printed in their entirety on all plans submitted for issuance of any LUP or Building Permit for the project.
7. Prior to Land Use Permit issuance, the permittee shall pay all applicable permit processing fees in full.
8. Permittee shall provide for dust control at all times during site preparation and project construction.
9. Site preparation and construction activity shall be limited to the hours between 8:00 am and 5:00 pm, Monday through Friday. No construction shall occur on State observed holidays. Maintenance of construction equipment shall be limited to the same hours. Construction activities that do not generate noise, such as interior painting, are not subject to these restrictions.
10. All exterior lighting shall be hooded and not directed towards any property zoned residential.
11. The permittee shall remove the unpermitted accessory structure at the northwest corner of lot before issuance of building permits.
12. All work must conform to the approved plans on file in the Planning and Environmental Review Department, as well as conform to the plans that received conceptual/preliminary approval by the Design Review Board on August 25, 2020.
13. Violation of any of these Conditions of Approval is unlawful, prohibited and a violation of the Goleta Municipal Code. The City reserves the right to initiate civil, criminal and/or administrative enforcement, or after notice and a public hearing, to revoke this permit or modify these Conditions of Approval if it is found that there is a violation of these Conditions of Approval or the Goleta Municipal Code or that the project operates as or causes a public nuisance. This Condition of Approval is not intended

to, nor does it limit in any manner whatsoever the ability of the City to take appropriate enforcement actions.

14. The permittee shall be responsible for the completeness and accuracy of all plans, forms and supporting materials submitted in connection with the project. Any error or discrepancies found therein are a violation of this permit.
15. Any new, expanded, or changed use on the project site shall be subject to City review and approval. The City shall determine whether the new, expanded, or changed use on the project site requires the permittee to seek additional approval, permits, or other action by the City. Failure of the permittee to obtain the above-described review and approval of the City is a violation of this permit.
16. The permittee shall, at permittee's expense, defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, review, set aside, void, or annul, in whole or in part, the City approval of this permit or any condition attached hereto or any proceedings, acts, or determinations taken, done, or made prior to the approval of this permit that were part of the approval process.
17. In the event that any Condition of Approval imposing a fee, exaction, dedication or other mitigation measure is challenged by the permittee in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this permit 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 of Approval is invalidated by a court of law, the project shall be reviewed by the City and substitute Conditions of Approval may be imposed.
18. Prior to the issuance of the Land Use Permit, the Applicant/Permittee must provide a signed copy of these approved conditions of approval.

By signing this document, _____, (Shari Powell), the owner, certifies that they read, understand, and agree to the Project Conditions listed in this document.

Name, Title

- End of Conditions -