

**ATTACHMENT 3  
 CONDITIONS OF APPROVAL  
 Tentative Parcel Map (TPM) Conditions of Approval  
 Parcel Map No. 32,065  
 110, 130, 150 Castilian Drive  
 APN 073-330-016**

**Case No. 22-0001-SUB**

In addition to all applicable provisions of the Goleta Municipal Code (“GMC”), Majestic Industrial Park Castilian, LLC, owner/applicant (hereinafter referred to as “Permittees”) agrees to the following conditions for the City’s approval of Case No. 22-0001-SUB (“Project Conditions”).

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

**AUTHORIZATION**

1. This TPM, Case No. 22-0001-SUB, authorizes implementation of “July 18, 2024, Zoning Administrator Attachment 3, Exhibit #1” (attached to these Conditions of Approval), subject to these Conditions of Approval (project). The Tentative Parcel Map subdivides the 4.07-acre site into 3 parcels with one existing building and associated parking and landscaping on each lot. The three lots will retain the 40,895 square feet of existing R and D space along with 207 parking spaces as shown in Table 1 below:

**Table 1  
 Parameters of Proposed Tentative Parcel Map**

Proposed New Parcel No.	Area in Acres (gross)	Building Size (existing)	Parking Spaces
1	1.67	13,087 SF	98
2	1.34	13,560 SF	53
3	1.06	14,248 SF	56
Total	4.97 acre		207aces

2. All construction, improvements, implementation and/or any other actions taken pursuant to this approval 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 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. This Tentative Parcel Map will expire twenty-four (24) months after approval, unless before the expiration, a final map has been recorded or a time extension has been applied for by the Permittees. The decision-maker with jurisdiction over the project may, upon good cause shown, grant a time extension as permitted by law. If the Permittees request 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 an appropriate decision-maker. Any unapproved deviations from the project approval will constitute a violation of the permit approval. The exhibits associated with this permit include the plans labeled "Exhibit 1" and herein incorporated by reference.
5. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions must prevail.
6. Permittees agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including without limitation, attorney's fees), injuries, or liability, arising from the City's approval of the Vesting Tentative Map except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of the Vesting Tentative Map, Permittees 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. 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.
7. 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 TPM 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 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.

8. The effectiveness of this 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.

### **AGENCY CONDITIONS**

All letters mentioned below are attached hereto as Exhibit 2 and incorporated by reference:

9. **Santa Barbara County Fire Department (SBCFD):** Permittees must comply with all conditions and requirements outlined in the letter dated August 10, 2023 Santa Barbara County Fire Department letter or as amended to the satisfaction of the SBCFD as applicable to facilitate recordation of a Final Parcel Map. An agreement or easement will need to be prepared and recorded to allow for current access and fire protection utility requirements for the current buildings to be maintained with the creation of the three new lots.
10. **Goleta Water District (GWD).** Permittees must comply with the conditions and requirements outlined in the letters dated December 22, 2023 and March 5, 2024 or as amended to the satisfaction of the GWD as applicable to facilitate recordation of a Final Parcel Map.
11. **Goleta West Sanitary District (GWSD).** Permittees must comply with all the conditions and requirements outlined in the dated December 11, 2023 Goleta West Sanitary District letter or as amended to the satisfaction of the GWSD as applicable to facilitate recordation of a Final Parcel Map. The Final Map must show the new sewer lateral easements for each building. Prior to construction of the new sewer laterals, a sewer service permit must be secured from GWDS along with all necessary City building permits.

## **CITY OF GOLETA DEPARTMENT - PUBLIC WORKS**

12. Prior to or concurrent with the recordation of a Parcel Map:
- A. Permittees shall submit a draft Final Parcel Map for review and approval by the Public Works Director that conforms to the State Subdivision Map Act and the City's Municipal Code beginning with Chapter 16 "Subdivisions". The Applicant/Permittee shall secure approval of a Parcel Map prepared by a licensed land surveyor or Registered City Engineer from 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. The map shall show the following:
    - i. Show and dedicate on the Parcel Map all easements as shown on the approved Tentative Parcel Map. Each easement shall be identified as being a public or private easement and state which parcel benefits from said easement, where applicable.
    - ii. Show and dedicate on the Final Parcel Map, all public utility easements to be provided in the locations and widths required by the serving utilities or as otherwise directed by serving utilities. The Applicant/Permittee must submit to the Public Works Director or designee a set of prints of the 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.
    - iii. Identify existing public easements to remain as well as existing public easements to be abandoned.
      - a. For any public easement to be abandoned, the applicant shall provide proof of "notice to abandon" to any affected public agency and utility provider.
      - b. For any public right of way easement to be abandoned, the applicant shall show on the Parcel Map the locations of utility easement reservations if requested by the utility providers.
    - iv. Show or note Reciprocal Easements on the Final Map as required in Condition No. 14 below.
13. At the time of submittal of the Final Map for Public Works Director review, the Permittee shall provide an electronic title report with active hyperlinks or copies of property documents.

14. At the time the Final Parcel Map records, the Applicant/Permittee must record Reciprocal Access and Parking Easement Agreement (REA) or Conditions, Covenants and Restrictions (CC&Rs) in addition to providing for the shared maintenance responsibilities by all owners for the infrastructure used in common including but not limited to:
  - i. Parking lots
  - ii. Access roads
  - iii. Landscaping
  - iv. Utilities
  - v. Storm drainage facilities
  - vi. Shared structures
  - vii. Fire Access Easement
  - viii. Public ROW Access
15. The REA or CCRs must be approved by the Planning and Environmental Review Director, Public Works Director and the City Attorney or designee prior to recordation. All costs associated with the preparation, City review and recordation are the sole responsibility of the Applicant/Permittee.
16. Set all survey monuments as shown on the Parcel Map in accordance with the City's Municipal Code Section 16.05.010 and in compliance with Section 8772 of the California Business and Professions Code. The location, size and type of all monuments shall be subject to the inspection and approval of the City Surveyor before approval of the map.
17. If the Public Works Director allows the Final Map to be recorded before the monuments are set, then the Permittee shall furnish to the City a cash deposit prior to map recordation, in an amount approved by the City Surveyor, guaranteeing the payment of the cost of setting such monuments.

**CITY DEPARTMENT CONDITIONS - PLANNING AND ENVIRONMENTAL REVIEW**

18. Prior to submittal of the Map Clearance application to effectuate the approved TPM, the authorized signatures of all owners of record as determined by the Public Works Department and the City Attorney shall be included on the TPM plans.
19. Prior to approval of the Map Clearance to effectuate the TPM, the Permittee shall pay any outstanding entitlement permit processing fees in full.

**GENERAL CONDITIONS**

20. If in the future the Permittee proposed any changes to the existing building, the Permittee shall obtain from the City's Planning and Environmental

Review Department all Building Permits required by Title 15 and Title 17 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 and Title 17 of the Goleta Municipal Code. Any addition to the existing buildings will be required to comply with the standards in effect at the time including setbacks, heights, and the parcels brought into compliance with any landscaping standards etc. The owners and successors of Lot 1 are hereby advised that any future additions/modifications to the building currently addressed as 130 Castilian Drive will be required to address the landscaping deficiency at that time.

21. These Conditions of Approval shall be printed in their entirety on all plans submitted for approval of any Zoning Permit or Building Permit for a future development on either parcel.
22. This TPM approval 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 and the Final TPM is not recorded timely pursuant to Condition of Approval #3 or is expressly abandoned in writing by the Permittee or his/her heirs/assignees.
23. This TPM is approved for the properties/parcels of record on which the project is located and shall not be transferred.
24. 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 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.
25. The Permittee shall be responsible for the completeness and accuracy of all plans, forms and supporting materials submitted in connection with the approved TPM. Any error or discrepancy found therein is a violation of this permit.
26. 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 applicant to seek additional approval, permits, or other action by the City. Failure of the applicant to obtain the above-described review and approval of the City is a violation of this TPM approval.

27. Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map and DP Case No. 86-DP-64. 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 the conditions of this Tentative Map. The Conditions of Approval associated with DP Case No. 86-DP-64 remain in full effect and force applicable to the ongoing use and development of Lots 1-3.
  
28. The Applicant/Permittee is responsible for ascertaining and paying all City Development Impact fees required for Map Recordation, as required by the GMC. This condition also serves as notice pursuant to Government Code Section 66020(d) that the City of Goleta is imposing development impact fees ("DIFs") and the applicant has 90 days after the imposition of the fees to protest fees.

By signing this document, Russell Williams, property owner for Majestic Industrial Park Castilian, LLC, certify that they have read, understand, and agree to the TPM Conditions of Approval in this document.

\_\_\_\_\_  
Russell Williams

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Date

- End of Conditions -