

AUTHORITY AND CONDITIONS

SPECIFIC PLAN NO. 4 - RANCHO ARROYO

I. Authority

Specific Plan No. 4 is approved in accordance with the City of Santa Barbara Municipal Code Section 28.08.

II. Boundary of Specific Plan No. 4

The City Council of the City of Santa Barbara hereby establishes Specific Plan No. 4, applicable to the areas shown on the map (Attachment 1) as Area "A", Area "B", and Area "C" and that area described in the attached legal description (Attachment 2). The site of Specific Plan No. 4 is within the Hitchcock Neighborhood of the City and is comprised of two parcels of land totalling approximately 28.6 acres.

III. Intent and Purpose

The General Plan of the City of Santa Barbara outlines goals and policies which directly affect the development of the property described herein. There are also additional controls in the form of various applicable sections of the City's Zoning Ordinance which also apply. The purpose of Specific Plan No. 4 is to allow for a more precise level of planning for the property in question than is ordinarily possible, while at the same time, ensuring that orderly development be a guiding criterion. Specific Plan No. 4 is also intended to provide a sufficient level of land use controls to ensure consistency with Charter Section 1507, which states that it is the policy of the City that its land development shall not exceed its public services and physical and natural resources.

IV. Procedures

Any and all future development of the property shall conform to the provisions of Specific Plan No. 4. No further development shall be permitted without the following:

1. Environmental assessment of any development plan as required by the California Environmental Quality Act and the City's Environmental Review Guidelines.
2. All relevant discretionary reviews as required in the City of Santa Barbara Municipal Code, including but not limited to Architectural Board of Review and Planning Commission approvals.

V. Specific Plan Provisions

Specific Plan No. 4 proposes land uses for three distinct areas within a the Specific Plan Area (see Attachment 1). The Plan itself contains the following items:

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Within each of these areas the Specific Plan delineates appropriate guidelines and regulations which govern development, its nature, intensity and timing.

VI. Permitted Uses

1. Area A -

Low Intensity Planned Development (PD) consisting of the following:

- o Automobile Dealerships; and
- o Ancillary facilities which are part of the automobile dealerships; except
- o Spray paint booths shall be permitted only after a determination by the APCD or other subsequent air quality regulating agency that the proposed design would not emit vapors or fumes that could travel beyond the boundary of Area A, and upon approval of the Planning Commission making the findings required for a Conditional Use Permit.

2. Areas B and C -

Residential Uses and Planned Development (PD) as provided for below, consistent with the provision of the Housing Plan section of the Specific Plan and Exhibit A.

- o Area B(1) shall be developed with one of the following:
 - (i) Fifty dwelling units of owner-occupied or rental housing all of which are "affordable" as set forth in Section VII(G) of this Plan,
 - or
 - (ii) Seventy-nine (79) units of owner-occupied or rental housing, all of which are "affordable" as set forth in Section VII(G) of this Plan and restricted to occupancy by persons over the age of 62.
- o Area B(2) - Within the first five (5) years from the date of approval of the Specific Plan, there may be the development of automobile dealership uses including showrooms, lot storage and ancillary facilities part of these specified uses but prohibiting spray paint booths, service, or assembling facilities.

If this area is not developed or is only partially developed for such uses within the specified period of time, the remaining area shall be developed with one of the following:

 - (i) owner-occupied or rental housing at a density of 11.56 du/acre, all of which are "affordable" as set forth in Section VII(G) of this Plan,
 - or
 - (ii) owner-occupied or rental housing at a density of 17.92 du/acre, all of which are "affordable" as set forth in Section VII(G) of this Plan and restricted to occupancy by persons over the age of 62.
- o Area C - Up to fifty (50) dwelling units; and
- o Recreation/Open Space/Parking ancillary to the residential uses.

VII. Development Regulations

A. Circulation Improvement Plan

The Specific Plan No. 4 incorporates a portion of the City Draft Circulation Element with respect to addressing the need for adequate circulation in the area. Due to the strategic location of the property in question, coupled with the variety

of land uses and capital improvements needed to carry out the Draft Circulation Element of the City's General Plan, phasing and timing of the key project elements is important. In order to develop this circulation system in a timely and systematic method, the Specific Plan sets forth the following Circulation Improvement Plan.

1. Land Dedications for Public Street Purposes

a. Specific Dedications:

1. Hope Avenue north of La Rada shall have a seventy-two foot right-of-way. An offer to dedicate all of the right-of-way shall be completed pursuant to the land dedication phasing outlined below.
2. Hope Avenue south of La Rada shall have a seventy-six-foot right-of-way, however, eighty-eight feet of right-of-way shall be provided for a distance of 250 feet north of Calle Real. An offer to dedicate sufficient right-of-way to accomplish the above shall be completed pursuant to the land dedication phasing outlined below.
3. Hitchcock Way shall have a sixty-foot right-of-way, however, sufficient additional right-of-way shall be provided immediately north of La Rada to accomplish necessary street transition as required by the Public Works Department. An offer to dedicate all necessary right-of-way shall be completed pursuant to the land dedication phasing outlined below.
4. La Rada shall have a fifty-six foot right-of-way. An offer to dedicate right-of-way sufficient to accomplish the above shall be completed pursuant to the land dedication phasing outlined below.
5. Right-of-way sufficient to accommodate freeway on and off ramps shall be dedicated along Calle Real as it fronts the property. The exact amount of dedicated right-of-way shall be determined by the Public Works Director generally consistent with the conceptual hook-ramp alignment depicted in Attachment 3. An offer to dedicate all necessary right-of-way shall be completed pursuant to the land dedication phasing outlined below.

b. Land Dedication Phasing:

Dedication of all public street right-of-way, as described above, shall be completed prior to the earliest of the following events:

1. Recordation of any Final Map for the property.
2. Issuance of a building permit for any building on the property.
3. Two years from the date of approval of the Specific Plan.

2. Street Improvements

a. The applicant shall construct the following street improvements to the satisfaction of the Public Works Director including, but not limited to, curbs, gutters, sidewalks, asphalt concrete pavement on aggregate base, underground utilities, street lights with underground wiring, appropriate directional and regulatory traffic control signs, sewer system, water system and adequate positive drainage:

1. Hope Avenue, between Calle Real and Arroyo Burro Creek, shall be constructed as a four lane, sixty-foot public street with sidewalks.
2. Hitchcock Way shall be constructed, through the site, as a two-lane, forty-foot public street with sidewalks. Additional construction in excess of the forty feet shall be required immediately north of La Rada to accomplish the necessary street transition.
3. La Rada, between Hope Avenue and Hitchcock Way, shall be constructed as a two-lane, forty-foot public street with sidewalks.
4. Calle Real shall be constructed, along the site, as shown on Attachment 3. The applicant shall be financially responsible for the construction of the northerly half-street and sidewalk.

b. In addition to the above street improvements, the applicant shall pay to the City the designated percentage of the construction cost for the following improvements:

1. Signalization of the Calle Real at Hope Avenue

intersection in the amount of 25 percent of the total cost.

2. Signalization of the Calle Real at Hitchcock Way intersection in the amount of 25 percent of the total cost.
3. Construction of a four-lane seventy-two-foot wide bridge on Hope Avenue across Arroyo Burro Creek in an amount equal to the percentage of Specific Plan generated traffic relative to the average daily traffic estimated to use the bridge as determined by the Public Works Department.

c. Traffic Mitigation Fees

The applicant agrees to pay all Overpass Improvement and SD 2 fees based upon the total trip generation for Specific Plan Areas A, B and C.

d. Street Improvement Agreement

To insure that necessary street improvements are completed in a timely fashion, the applicant shall execute within 120 days of approval of this Specific Plan, or extension thereof by the City Council, an agreement to construct the required street improvements, which shall provide that:

1. All required street improvements shall be constructed by the applicant within two year of approval of the Specific Plan and prior to the issuance of the first Certificate of Occupancy for any structure on Areas A, B or C;
2. In the event the applicant does not construct the required improvements within two years, the City may construct those improvements and the applicant has agreed to reimburse the City for costs expended in such construction; and
3. The applicant has agreed to pay to the City the fees specified in paragraphs 2.b. and 2.c. above prior to issuance of the first building permit for a structure on the property.

B. Public Facilities Plan

1. Water Service:

Domestic and emergency water service to all land uses within the Specific Plan area is to be provided through the City Public Works Department, Water Resources Division.

All existing on site wells shall be dedicated to the City. This dedication shall be accomplished in one of the following manners, subject to whichever occurs first:

- a. Prior to recordation of any Final Map for the property; or
- b. Prior to issuance of building permits for any development plan on the property; or
- c. Within two years from the date of approval of the Specific Plan.

2. Water Allocation and Conservation:

Development pursuant to the Specific Plan shall be allocated a total of 65 acre-feet-per-year. A water consumption analysis/conservation plan shall be provided by the developer at the time of Development Plan Review for each area to ensure compliance with the overall water allocation and that adequate allocation remains for the development of other areas of the Plan. The water consumption analysis shall be based upon standards approved by the Public Works Department. The water conservation plan shall include but not be limited to the use of the following:

- o Low-flush toilets
- o Low-flush urinals
- o Flow-restricted faucets and shower heads
- o Drought tolerant landscaping
- o Automatic systems and drip irrigation for landscape watering, to be used during early morning or evening hours.

3. Wastewater Treatment:

Wastewater treatment of all project-related sewage flows shall be provided by the City of Santa Barbara.

4. Parks and Recreation:

The City's General Plan Map indicates a Park Symbol on the Specific Plan property. Any development shall be reviewed by the Parks and Recreation Commission for the generation of additional recreational demand and the

provision of adequate on site recreational opportunities. Developments must be found to satisfy any new demands on site. In addition, the following shall be accomplished:

Area A

A 25-foot pedestrian and equestrian trail easement shall be dedicated along the easterly bank of Arroyo Burro Creek prior to recordation of any Final Map or prior to issuance of building permits. Within this easement, a pedestrian and equestrian trail shall be constructed by the developer of Area A concurrent with the development of uses on Area A. However, equestrian use of the trail shall only be allowed when and if adjacent segments are completed and available for use. In addition, private recreational facilities may also be constructed for employee use. Such facilities shall be limited to employee picnic/lunch areas and/or passive recreational areas.

Areas B and C

Any commercial uses on Area B may construct private recreational facilities for employee uses. Such facilities shall be limited to employee picnic/lunch areas and/or passive recreational areas.

Residential developments shall provide open space for passive and active recreation. Such facilities may include, but shall not be limited to:

- o Grassy open areas;
- o Lawn bowling or shuffleboard;
- o "Tot lots;"
- o Tennis court(s);
- o Swimming pool(s); and
- o Passive recreation areas.

5. Fire, Security and Safety Protection

Development of all land uses within the planning area shall be subject to the provision of adequate fire, security and safety protection guidelines as outlined below and in the Zoning Ordinance of the City of Santa Barbara:

- a. Adequate fire flow pressure as required by the Fire Chief shall be demonstrated prior to issuance of Certificate of Occupancy.

- b. Building materials shall be fire resistant and designed to minimize fire hazards due to earthquakes or other natural causes.
- c. The following additional requirements shall be conditions of the issuance of occupancy permits for development within the various areas of the Specific Plan:
 - o Smoke detectors in all commercial areas, work spaces and residential units.
 - o Fire alarm system that is tested and reliable during all adverse circumstances.
 - o Sprinkler systems where determined to be necessary.
 - o Posted safety procedures and evacuation routes throughout all commercial developments.

C. Transportation Management Plan

In an attempt to minimize single occupant vehicle trips, the following alternative transportation incentives shall be provided with the Planned Development uses proposed for Areas A and/or B:

- o Shuttle bus service shall be provided for service customers.
- o Secure, covered bicycle parking shall be provided for employee use.
- o Showers and locker facilities shall be provided for use by employees.
- o Employees shall be made aware of the Ride Sharing Program, administered by the Area Planning Council.

D. Energy Conservation Plan

As part of the submittal of development plans for Areas A, B or C, the applicant shall submit a detailed energy conservation plan(s) which shall include, but not be limited to, the following:

1. - Electrical and Lighting:

- o Minimize use of unnecessary lighting with use of timers and automatic shutoff switches.
- o Establish lighting needs and priorities for different periods of day and night.
- o Develop a plan to minimize peak power demand.
- o Use of alternative lighting types with the most effective energy savings.

- o Maximize use of natural lighting.
- o Survey effective passive cooling and ventilation features, including structure design to take advantage of sun shading and wind-induced cross-ventilation.
- o The developer shall prepare a program to encourage employees to conserve energy.

2. Natural Gas Conservation:

All development plans shall provide for natural gas conservation. This effort shall include:

- o Insulation of walls, floors and ceilings.
- o Use of building materials that store daytime heat.
- o Controlled penetration of sun through south-facing windows (i.e., awnings, special blinds, double glazed windows, overhangs).
- o Provision of solar water heaters, if feasible.

E. Resource Recovery Plan

As part of the submittal of development plans for Area A, B or C, the applicant shall submit a detailed resource recovery plan which addresses such items as the appropriateness and feasibility of recycling glass, aluminum and newsprint.

F. Site Design Features

1. Development plans pursuant to the Specific Plan shall be reviewed by the Architectural Board of Review and the Planning Commission in regard to the following:
 - a. Hope Avenue will serve as a major entrance to the Northside of the City. All commercial development abutting Hope Avenue shall be designed in a manner which enhances this City entrance and provides a park-like setting.
 - b. Commercial developments shall provide generous landscaped buffers along property lines, especially for street frontages.
 - c. Commercial developments shall follow the Planned Development (PD) development standards.
 - d. Where on or offsite residential uses are located adjacent to commercial uses, generous landscaped setbacks shall be provided to buffer the residential dwelling units.
 - e. All loading docks, trash areas, and service areas shall be screened from the view of adjacent streets of properties with structural enclosures and/or dense landscaping.

2. Signs and Lighting Regulations

- a. All signs shall be subject to review and approval, disapproval, or conditional approval by the Sign Committee.
- b. Signs shall be minimal, clear and unobtrusive.
- c. All exterior lighting shall be low intensity and the "white" light color spectrum, except that necessary for recreational purposes.
- d. Lighting standards shall not exceed 20 feet in height, excepting public street lights along the street right-of-way or that necessary for recreational activities and shall be oriented away from any residential areas.

3. Utilities

All utilities within the Specific Plan shall be underground.

4. Noise

External loudspeaker systems shall not be allowed on Area A or Area B, except as provided by the Planning Commission upon Development Review.

5. Parking

- a. Development shall provide parking in accordance with the SD-2 Ordinance and Municipal Code requirements. However, parking needs for individual development may be evaluated on a site/use-specific basis. New development may be required to provide parking in excess of the minimum ordinance requirements, based upon site-use-specific considerations.
- b. The developer shall waive the right to protest the formation of a parking district prior to the recordation of any Final Map for the property or prior to issuance of building permits for any development plan, whichever occurs first.

6. Oak Trees

- a. The grove of Coast live oak trees in the northeast portion of the property shall be preserved.
- b. During construction, the oaks shall be appropriately fenced.

G. Housing Plan

1. Density Affordability

a. Total Number of Dwelling Units, Density

There may be a total of up to 191 residential dwelling units developed on Areas B and C as provided for and described in Section VI, which is consistent with the density provisions of the City's General Plan, as amended.

b. Affordability

All units developed within Area B shall be affordable to low or moderate income households.

The units shall be maintained as affordable units for such households for as long a time period as is feasible as determined by the Community Development Director. Affordability shall be determined with reference to criteria in use by the Community Development Department at the time of the initial sale or the resale of the unit(s). The Community Development Director is authorized to approve the implementation of this condition by means of a recorded covenant or any other mechanism reasonably designed to assure its fulfillment. Prior to the issuance of the Certificate of Occupancy, the initial sale price of any purchase units and the selection process or marketing plan shall be approved by the Director of the Community Development Department.

2. Housing Agreement

The affordable housing required by this Specific Plan shall be constructed and receive a Certificate of Occupancy prior to issuance of the first Certificate of Occupancy for a structure on Area A. In the alternative, the applicant may execute, within 120 days of approval of this Specific Plan or extension thereof as approved by the City Council, an agreement conveying an option to purchase or lease Area B to the Housing Authority for the City of Santa Barbara, or another agency or entity approved by the City, for the purpose of constructing affordable housing. The agreement shall provide that:

a. The option shall be void if within five (5) years of adoption of the Specific Plan affordable housing is constructed on Area B in accordance with this Plan and to the density authorized herein;

b. The optionee may freely assign the agreement without the optionor's consent;

- c. The option is subject to any election by the applicant to utilize a portion of Area B for commercial uses authorized by this Specific Plan.

H. Geologic Hazards

At the time of development review for projects on Areas A, B or C, the applicant shall submit a geotechnical report. This report shall relate specifically to the submitted plan and address at a minimum:

- a. The recommended design earthquake magnitude, the engineering characteristics of this earthquake (i.e., maximum ground acceleration, duration of strong shaking, etc.), including the effects of side conditions and its likelihood of occurrence. Site effects may include changes in near surface conditions that will occur as a part of grading.
- b. The fault zone and fault setback zones associated with the Mission Ridge Fault. (These zones shall be shown on all development plans).
- c. Measures to be implemented to reduce the potential for any identified liquefaction beneath the proposed structures to a level that is consistent with hazard reduction policies of the City.
- d. Measures to be implemented to reduce settlement to amounts that can be accommodated by the proposed site improvements (i.e., structures, drainage devices, etc.).

This report shall be reviewed by the City to ensure that the measures proposed meet the intent of City policies regarding hazard reduction. The design earthquake characteristics as developed in this report shall be taken into account by the structural engineer in the design of the proposed site improvements. No habitable structures shall be constructed within the fault setback zone.

I. Flood Hazards

Development plans for Area A shall provide for the elevation of all structures two feet above the 100-year flood elevation (168 ft. MSL). Other standard conditions of the Santa Barbara Flood Control and Water Conservation District shall be adhered to. The City Public Works Department and County Flood Control shall develop standards for building setbacks from the creek, flood control easement, onsite drainage and offsite drainage.

Any required Flood Control or drainage easements shall be dedicated prior to recordation of any Final Map for the property or prior to issuance of building permits for any development plan on the property, whichever occurs first.

VIII. Administration of Specific Plan No. 4

All references herein to ordinances are to ordinances as currently written unless expressly provided to the contrary. To the extent legally permitted, in the event of any conflict between the Specific Plan or these conditions, the General Plan and ordinances or policies of the City of Santa Barbara, the Specific Plan or conditions shall prevail. In the event any condition or term herein set forth is declared illegal or unenforceable, the other terms and conditions shall remain in full force and effect to the full extent permitted by law. The administration of the Plan involves the following three components:

A. Rezoning and Required Agreements

The City Council will consider the necessary ordinances implementing zoning changes on the property to carry out the provisions of the Specific Plan at such time as the required Street Improvement Agreement and Housing Agreement (if appropriate) are presented for approval. Such ordinances and agreements shall be submitted to the Council no later than 120 days from the date of approval of the Specific Plan, or extension thereof as approved.

B. Development Applications

The City shall consider and process in good faith any applications for development pursuant to the Specific Plan as adopted. Applications required by the Municipal Code for development within the Specific Plan shall be submitted to the Planning Commission within 150 days from the date that they are determined to be complete, consistent with the Specific Plan, and having completed environmental clearance pursuant to CEQA.

C. Amendments

Amendments to the Specific Plan shall be as provided for in the City's Municipal Code Section 28.08.