

## **ATTACHMENT 1: FINDINGS**

### **1.0 CEQA FINDINGS**

#### **1.1 FINDING THAT A PREVIOUS ENVIRONMENTAL DOCUMENT CAN BE USED (PER CEQA SECTION 15162)**

##### **CONSIDERATION OF THE ADDENDUM AND FULL DISCLOSURE**

The Board of Supervisors has considered the Addendum dated February 14, 2018 (Attachment 3) together with the previously adopted Mitigated Negative Declaration, 14NGD-00000-00007, for the revisions to the approved Golden Inn & Village Development Plans (12DVP-00000-00014, 13DVP-00000-00005 and 13DVP-00000-00006). The Addendum reflects the independent judgment of the Board of Supervisors and has been completed in compliance with CEQA. The Addendum, together with the Golden Inn & Village Mitigated Negative Declaration (14NGD-00000-00007), is adequate for this proposal. On the basis of the whole record, including the Addendum and the Golden Inn & Village Mitigated Negative Declaration (14NGD-00000-00007), and any public comments received, the Board of Supervisors finds that the project changes described in the Addendum are only minor technical changes or additions. As discussed in the Addendum to the Mitigated Negative Declaration dated February 14, 2018, incorporated herein by reference, no subsequent environmental review shall be prepared according to CEQA Guidelines Section 15162 since there are no substantial changes proposed in the project which will require major revisions to the EIR; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance.

#### **1.2 LOCATION OF DOCUMENTS**

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

#### **1.3 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM**

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) requires the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

#### **1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS**

The Addendum prepared for the project, dated February 14, 2018, addresses the following issue areas: Aesthetics/Visual Resources, Air Quality, Agricultural Resources, Biological Resources, Cultural Resources, Energy, Fire Protection, Geologic Processes, Hazardous Materials/Risk of Upset, Historical Resources, Land Use, Noise, Public Facilities, Recreation, Transportation/Circulation and Water Resources/Flooding. The Addendum dated February 14, 2018, incorporated herein by reference, finds that the Golden Inn & Village Mitigated Negative

Declaration (14NGD-00000-00007), as amended, may be used to fulfill the environmental review requirements of the current project. Since none of the following have occurred, no subsequent environmental review shall be prepared according to CEQA Guidelines Section 15162 and 15164: there are no substantial changes proposed in the project which will require major revisions to the Mitigated Negative Declaration; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance.

## **2.0 ADMINISTRATIVE FINDINGS**

### **2.1 DEVELOPMENT PLAN FINDINGS**

**A. Findings required for all Preliminary or Final Development Plans.** In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan, the review authority shall first make all of the following findings:

#### **2.1.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.**

The proposed revision permits as-built changes to the approved project's lighting, drainage, grading quantities, building heights and overall square footage. No changes to the density of residents and employees living and working at the project site will occur as a result of the proposed revisions. The project includes a revision to the project description to reflect an additional 7,050 sq. ft. of as-built exterior deck areas (porches and balconies) to the overall square footage of the buildings housing the senior independent living apartments and community center, and the employee family apartments as well as 255 sq. ft. of area which was added to these buildings overall during the building plan check process. No additional rooms or living spaces will be added to the project as a result of this additional square footage.

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated August 10, 2017, incorporated herein by reference, the exterior design of the project is in character with the rural/western feel of Santa Ynez. The Central Board of Architectural Review has reviewed and approved Phase 1 of the project, including the project's exterior lighting. The design of the parking lot lights are in conformance with the scale and character of the existing community and are consistent with the height and design of the parking lot lighting on adjacent surrounding parcels. For example, the Channel Islands YMCA, Santa Ynez High School and the Santa Ynez Valley Christian Academy located adjacent to the project site all contain parking lot lights of approximately 20 feet in height. The site is adequate in terms of location, physical characteristics, shape, and size to continue to accommodate the density and intensity of development. Therefore, this finding can be made.

**2.1.2 Adverse impacts will be mitigated to the maximum extent feasible.**

As discussed in the Addendum to the Mitigated Negative Declaration (14NGD-00000-00007) prepared for the Golden Inn & Village project dated February 14, 2018, incorporated herein by reference, the proposed revisions to the Development Plans will not result in new potentially significant impacts or an increase in the severity of impacts identified in 14NGD-00000-00007. All potentially significant impacts identified in 14NGD-00000-00007 will continue to be mitigated to less than significant with the incorporation of mitigation measures as conditions of approval for the project. Therefore, the project is consistent with this finding.

**2.1.3 Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.**

As discussed in the Addendum to the Mitigated Negative Declaration (MND) 14NGD-00000-00007 dated February 14, 2018, incorporated herein by reference, the as-built revisions to the approved Development Plans will not cause additional impacts to traffic/circulation than those that were identified in the MND. No changes to the density or intensity of the approved project will occur as a result of the proposed revisions to the project description. The MND analyzed the traffic impacts of the project considering County thresholds of significance and concluded that project-generated traffic will not cause a significant impact. In addition, project generated traffic was analyzed for consistency with County traffic policies and found to be consistent. Thus, the streets and highways in the project area are adequate to continue to carry the type and quantity of traffic generated by the project. No improvements to streets and highways in the area will be required at this time. Therefore, this finding can be made.

**2.1.4 There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.**

As discussed in Section 6.2 of the Planning Commission staff report dated August 10, 2017, incorporated herein by reference, no additional public or private services are required for the project, and existing services will continue to be adequate. Water will continue to be provided by the Santa Ynez River Water Conservation District – Improvement District #1, which draws its water from the Santa Ynez Uplands Groundwater Basin. Access to the site will continue to be provided by two existing driveways accessed from Refugio Road. Fire protection services will continue to be provided by the Santa Barbara County Fire Dept. Station 32 located at 906 Airport Road in Santa Ynez. Police protection will be provided by the County Sheriff. The Santa Ynez Community Services District will continue to provide wastewater treatment and disposal service for the project. Therefore, the project is consistent with this policy.

**2.1.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.**

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated August 10, 2017, incorporated herein by reference, the revisions to the approved Development Plans will not be detrimental to the comfort, convenience, general welfare, health and safety of the neighborhood and are compatible with the surrounding area. The exterior design of the approved project is in character with the rural/western feel of Santa Ynez, and no changes to the existing project's design are proposed as a part of the revision. The Central Board of Architectural Review has reviewed and approved Phase 1 of the project, including the 20 ft. tall parking lot lights. The lights are in conformance with the scale and character of the existing community and are consistent with the height and design of the parking lot lighting on adjacent surrounding parcels. For example, the Channel Islands YMCA, Santa Ynez High School and the Santa Ynez Valley Christian Academy located to the north, northwest, and west of the project site all contain parking lot lights of approximately 20 feet in height.

The revised project's lighting plan is conditioned with the following provisions: 1) limitations to the intensity of lighting output of the parking lot lights between the hours of dusk and 9:00 p.m.; 2) replacement of the light beacon heads on the 20 ft. tall light poles located adjacent to the senior apartment buildings to a design which further minimizes light reflection off the building; 3) the installation of cut-off visors on the porte-cochere lights; and 4) turning off the lights located on the second-story northern and eastern facing common use balconies on the senior apartments building at 9:00 p.m. The exterior lighting on the project site is fully shielded (full cut-off) and in compliance with LUDC Section 35.30.120.C.6 (Outdoor Lighting General Requirements).

To provide additional screening of the project from adjacent properties, the applicant modified the approved landscaping plan through a Substantial Conformity Determination to replace the trees in the parking island in the southern parking lot from deciduous to evergreen (36" box Coast Live Oak trees), and pepper trees were planted along the southern property line. The fencing along the southern and eastern boundary of the property adjacent to the existing residences was changed from 3'6" high post-and-rail fencing to a 6 ft. high wooden privacy fence.

As discussed in the Addendum to the Mitigated Negative Declaration, dated February 14, 2018, incorporated herein by reference, the revisions to the project description addressing overall gross square footage, building height, site drainage, and bio-retention do not substantially alter the scale or character of the approved project which was found to be consistent with the Comprehensive Plan (Board of Supervisors Action Letter dated June 24, 2014, incorporated herein by reference). No additional rooms or living spaces will be added to the project as a result of the revision.

The project has been designed in accordance with the requirements of the Santa Barbara County Project Clean Water and Flood Control & Water Conservation District. The

proposed project meets the requirements of LUDC Section 35.30.180 (Storm Water Runoff Requirements) which requires project-appropriate controls to be in place to prevent or minimize water quality impacts. On January 25, 2018, the Water Board confirmed that the project meets the Performance Requirements of Resolution No. R3-2013-0332, including water quality treatment. Phase 2 of the project is required to comply with the Project Clean Water requirements included in their condition letter dated August 17, 2017. Structural designs, project siting, and appropriate conditions have been incorporated into the project in order to avoid any detrimental effect to the neighborhood, and incompatibility with the surrounding areas. Therefore, the project is consistent with this finding.

**2.1.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.**

As discussed in Section 6.3 of the Planning Commission staff report dated August 10, 2017, and the Board of Supervisors Action Letter dated June 24, 2014, incorporated herein by reference, the project complies with the requirements of the Land Use and Development Code (LUDC). As discussed in Section 6.2 of the Planning Commission staff report dated August 10, 2017, and the Board of Supervisors Action Letter dated June 24, 2014, incorporated herein by reference, the approved project and proposed revisions, as conditioned, are consistent with the applicable policies and development standards of the Comprehensive Plan, including the Santa Ynez Valley Community Plan. Therefore this finding can be made.

**2.1.7 Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.**

The project site is located in the Santa Ynez Valley Community Plan urban township area. Therefore, this finding does not apply to the project.

**2.1.8 The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.**

There are no existing public easements on the subject parcel. Therefore, the project is consistent with this finding.

**B. Additional finding required for Final Development Plans. In compliance with Subsection 35.82.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Final Development Plan the review authority shall first find that the plan is in substantial conformity with any previously approved Preliminary Development Plan except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan. In this case, the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan.**

The project consists of a revision to the Final Development Plans, and does not involve a previously approved Preliminary Development Plan. The Board of Supervisors may consider the Final Development Plans as both a Preliminary and Final Development Plans. Therefore, this finding can be made.

**C. Additional finding required for a 5 foot reduction in the required 15 foot rear yard setback requirement on proposed parcel 1. At the time the Preliminary or Final Development Plan is approved, or subsequent amendments or revisions are approved, the review authority may modify the distance between structures, landscaping, parking except as provided within Subsection H.1.a below, screening requirements, setbacks, structure coverage, structure height limit, or yard areas specified in the applicable zone and Chapter 35.36 (Parking and Loading Standards) when the review authority finds that the modification is justified.**

Allowing the previously approved reduction in the side yard setback from 15 ft. to 10 ft. is justified as it will allow the proposed Memory Care/Assisted Living Facility, and Senior Independent Living Apartments/Community Center buildings to be located in close proximity to provide senior citizens with safe and convenient access between the two uses.