

ATTACHMENT 1: FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

1.1 NEGATIVE DECLARATIONS

1.1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The Board of Supervisors has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.

1.1.2 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, including the Negative Declaration and any comments received, the Board of Supervisors finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment.

1.1.3 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 Board of Supervisors and the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101 and online at <https://www.countyofsb.org/plndev/home.sbc>.

1.1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require 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.

1.2 ADMINISTRATIVE FINDINGS

1.2.1 AMENDMENTS TO THE COMPREHENSIVE PLAN, DEVELOPMENT CODE, AND COUNTY ZONING MAP (REZONE) FINDINGS

1.2.1.1 Findings required for all Amendments to the Comprehensive Plan, Development Code, and the County Zoning Map. In compliance with Section 35.104.060 of the County Land Use and Development Code (LUDC), prior to the approval or conditional approval of an application for an Amendment to the Comprehensive Plan, Development Code, or Zoning Map the review authority shall first make all of the following findings as applicable:

a. The request is in the interests of the general community welfare.

The Board of Supervisors finds that the request is in the interests of the general community welfare. The proposed Comprehensive Plan Amendment to the Eastern Goleta Valley Community Plan Land Use Designation Map and Rezone will amend the land use designation of APN 069-160-051 (-051) (0.11 acres) from General Commercial to Residential with a density of 20 units per acre (Res-20) and the corresponding zone district from Retail Commercial (C-2) to Design Residential with a density of 20 units per acre (DR-20). Assessor's Parcel Number -051 is a remnant portion of ancestor parcel 069-160-034 that was occupied by the former Mobil Oil service from approximately 1967 through 2002. The Mobil Oil service station became non-operative in the 1990's and in 2005 it was redeveloped to its present day use as a self-storage facility. Assessor's Parcel Number -051 was left out of the redevelopment and has remained vacant ever since the demolition and remediation of the prior service station. The change to the zoning and land use designation from commercial to residential will allow APN -051 to be voluntarily merged with the project's larger parcel (APN 069-525-022 (-022); 1.51 acres) to allow for more space and a better designed project. Assessor's Parcel Number -022 (1.51 acres) was previously rezoned from Limited Commercial (C-1) to DR-20 with the adoption of the Eastern Goleta Valley Community Plan in 2015, as this site was specifically identified for multi-family residential development.

While APN -051 is not subject to a minimum lot size requirement under its current C-2 zoning, it is considered an unusable lot independently due to its small size and lack of access. Independently, APN -051 is only accessible from Patterson Avenue, which is infeasible due to the absence of an existing driveway apron and traffic hazards associated with the proximity of nearby intersections, including Calle Real/Patterson Avenue and Patterson Avenue/Highway 101 NB onramp. Therefore, the request will benefit the community's welfare since it will allow for additional housing and more open space within the current proposed project, resulting in an overall better-designed project.

b. The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.

The Board of Supervisors finds that the request is consistent with the Comprehensive Plan, including the Eastern Goleta Valley Community Plan, the requirements of the State planning and zoning laws, and the LUDC. As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated November 24, 2021 (Attachment 8 to

the Board Letter dated March 1, 2022, and incorporated herein by reference), the proposed project, as conditioned, will be consistent with all Comprehensive Plan and Eastern Goleta Valley Community Plan policies and development standards upon approval of the proposed Comprehensive Plan Amendment and Rezone.

c. The request is consistent with good zoning and planning practices.

The Board of Supervisors finds that the request is consistent with good zoning and planning practices. The project is an urban infill multifamily housing project based on its location in the urban area and the surrounding development. As discussed in Finding 1.2.1.1.a and incorporated herein by reference, the Rezone and General Plan Amendment request will allow the small parcel (APN -051) to have the same zoning and land use designation as the adjacent larger parcel (APN -022), which will facilitate development of an otherwise unusable parcel and allow for incorporation into the proposed project. As previously mentioned, APN -022 was changed in 2015 from Commercial to Residential with the adoption of the Eastern Goleta Valley Community Plan, as the site was specifically identified for future multi-family residential development. The request will allow for more housing and open space in the current proposed project, which is consistent with good zoning and planning practices given the housing shortage facing California and Santa Barbara County.

1.2.1.2 Additional finding for Comprehensive Plan Amendments.

If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.

The Board of Supervisors finds the Comprehensive Plan Amendment to be in the public interest because it would allow for housing to be created on an urban infill parcel that would otherwise be deemed unfit for development as discussed in Finding 1.2.1.a and incorporated herein by reference.

1.2.2 DEVELOPMENT PLAN FINDINGS

1.2.2.1 Findings required for all Preliminary and 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 decision-maker shall first make all of the following findings:

- 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 Board of Supervisors finds the project site adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. Following the approval of the requested Rezone and

Comprehensive Plan Amendment, the project site will allow for up to 32 units on the site per the 20-units per acre land use designation and zoning. The proposed 27 units constitute a project that adequately matches the physical characteristics of the site when considering density and the compatibility of the proposed development with surrounding development. The site is relatively flat and is located in an urban infill area with readily available infrastructure, including roadways and utilities, to serve development, as well as in close proximity to nearby commercial services along Calle Real. The siting of the structures is laid out to provide access that complies with the County Public Works Department and County Fire Department standards regarding ingress and egress to the site as well as emergency access to the residential units. The Public Works Department, including the County's Traffic Engineer, has reviewed the project and determined the project meets all applicable road and traffic safety requirements and has conditioned the project as necessary (Condition of Approval No. 41, Attachment 2, Board Letter dated March 1, 2021).

The proposed 27-unit project size is appropriate for the site because it allows for double the required onsite vehicle parking, incorporates at least 40 percent onsite open space for the use and benefit of the residents, and includes a maximum building height that approximates that of adjacent commercial development in order to largely preserve mountain views from the Patterson Avenue travel corridor. Additional onsite parking is an important design component given the lack of adjacent street parking and to avoid spillover into the nearby single-family residential neighborhoods. The project will not induce future level of service (LOS) impacts for adjacent intersections, since LOS C would be maintained for the Calle Real/Patterson Avenue and Patterson Avenue/Highway 101 intersections during a.m. and p.m. peak hour trips (Phase I Traffic Analysis, Exhibit 12, Final MND, incorporated herein by reference). Additionally, the project's access will not induce unsafe traffic hazard conditions on surrounding roadways as concluded in the Accident Analysis included as Exhibit 14 to the Final MND (Attachment 7 to the Board Letter dated March 1, 2022, and incorporated herein by reference).

2. Adverse impacts will be mitigated to the maximum extent feasible.

The Board of Supervisors finds that adverse impacts are mitigated to the maximum extent feasible. As set forth in the project's Mitigated Negative Declaration (Case No. 21NGD-00000-00001, Attachment 7 to the Board Letter dated March 1, 2022, and incorporated herein by reference), no significant impacts will result from the project and adverse impacts are mitigated to less than significant in the following issue areas: aesthetics/visual resources, air quality, cultural resources, geologic resources, hazardous materials, land use, noise, public facilities, and water resources/flooding. The majority of the project's adverse impacts are short-term construction related impacts and are addressed by mitigation measures implementing construction best practices, as well as several of the County's standard conditions of approval. Long-term impacts of the project will be reduced with mitigation measures related to

stormwater, night sky compliant lighting, final design review approval by the South Board of Architectural Review, and a Source Reduction and Solid Waste Management Plan.

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

The Board of Supervisors finds that streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. The Public Works Department, including the County's Traffic Engineer, has reviewed the project and determined the project meets all applicable road and traffic safety requirements and has conditioned the project as necessary (Condition of Approval No. 41, Attachment 2, Board Letter dated March 1, 2022). The project's Phase I Traffic Analysis indicates that the Patterson Avenue/Calle Real intersection, as well as the Patterson Avenue/U.S. 101 ramps will continue to operate at LOS C or better during both A.M. and P.M. peak hours (Exhibit 12, Final MND, incorporated herein by reference) with the additional traffic generated by the project, which is consistent with the LOS standard set forth in Eastern Goleta Valley Community Plan Policy TC-EGV-1.1. The Traffic Analysis included cumulative level of service forecasts that were taken from the Somera Medical Office Traffic Study and the Goleta Hotel Project Traffic Study to ensure other nearby pending projects were incorporated into the LOS analysis. An Accident Analysis was also performed by Associated Transportation Engineers for the Patterson Avenue/Calle Real intersection, as well as the Patterson Avenue/U.S. 101 ramps, based on data obtained from the California Highway Patrol for the most current three-year period of accident records available. The report found that the accident rate for the Patterson Avenue/Calle Real intersection was equal to the State average with 10 reported accidents occurring within a three-year period (Exhibit 14, Final MND, incorporated herein by reference). Accidents at the Patterson Avenue/U.S. 101 ramps were below the State average with a total of 22 reported accidents spread amongst the four on/off ramps over a three-year period.

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

The Board of Supervisors finds that 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 November 24, 2021 (Attachment 8 to the Board Letter dated March 1, 2022, and incorporated herein by reference), adequate public services are available to serve the proposed project. A Sewer Service Availability Letter was issued by the Goleta Sanitary District and a Conditional Water Service Determination Letter was issued by the Goleta Water District (Attachment F Intent to Serve letters, Planning Commission staff report, dated November 24, 2021, incorporated herein by reference). Fire protection services will be provided by the Santa Barbara County Fire Department

(Fire Department), which has a fire station within a couple hundred yards of the subject parcel, and police protection services will be provided by the County Sheriff.

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.

The Board of Supervisors finds that 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 Finding 1.2.2.1.1 and incorporated herein by reference, the project is an urban infill-multi-family housing project that is appropriately sized and designed for the project site, and is compatible with the surrounding area. As described below, the project will not be detrimental to the surrounding neighborhood. The project includes two parking spaces per unit, in addition to the one guest space per five units, (double the required amount of one individual space per unit) due to the lack of available street parking on Calle Real and Patterson Avenue. The Patterson Avenue/Calle Real intersection, as well as the Patterson Avenue/U.S. 101 ramps will continue to operate at LOS C or better during both A.M. and P.M. peak hours consistent with the LOS standard set forth in Eastern Goleta Valley Community Plan Policy TC-EGV-1.1. The building's height will approximate that of the adjacent self-storage building's skyline height to avoid significant impairment of existing mountain views and its architecture reflects the agricultural vernacular of nearby commercial developments, including the Patterson Plus Self-Storage buildings directly to the south, Fire Station #12 located across Calle Real, and the Fairview shopping center approximately 1 mile west along Calle Real.

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

The Board of Supervisors finds the proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan upon approval of the proposed General Plan Amendment and Rezone. As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated November 24, 2021 (Attachment 8 to the Board Letter dated March 1, 2022, and incorporated herein by reference), the proposed Final Development Plan, as conditioned, is consistent with applicable policies and development standards in the Comprehensive Plan, including the Eastern Goleta Valley Community Plan. Key policies and development standards include those related to land use, provision of services, noise, stormwater control, hazardous materials, transportation, and visual resources amongst others. The project also conforms to all requirements of the Land Use and Development Code, including the DR Zone District standards.

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 Board of Supervisors finds that the project is located in the urban area and therefore this finding does not apply.

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

The Board of Supervisors finds that that the project will not conflict with any easements required for public access through, or public use of a portion of the subject property. No public access is taken across or through the property; however, the project will construct frontage improvements along the Calle Real right-of-way, including a new sidewalk and street lighting per the Department of Public Works requirements, which will enhance pedestrian circulation along the street frontage.