

## **ATTACHMENT 1: FINDINGS**

### **The Golden Inn and Village**

**Case Nos. 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009,  
12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006**

#### **1.0 CEQA FINDINGS**

##### **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.

##### **1.2 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 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.

##### **1.3 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 Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

##### **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.

## **2.0 ADMINISTRATIVE FINDINGS**

### **2.1 COMPREHENSIVE PLAN AMENDMENT FINDINGS**

Government Code Section 65358 requires a comprehensive plan amendment to be in the public interest. The comprehensive plan amendment is in the public interest for the following reasons:

1. The Golden Inn and Village provides a mixture of housing types and senior services that include an Assisted Living/Memory Care Facility, Low Income Senior Apartments, Senior Community Center, and 27 Low Income Employee/Family Apartments.
2. The comprehensive plan amendment changes the land use designation to allow for increased residential development onsite consisting of a mixture of different housing types that are 100% affordable. The increased density provides additional housing without expanding the urban limit line (i.e. urban sprawl), while allowing for a compact, well designed project which is compatible with the existing Santa Ynez Township area.
3. The project conforms with the broader goals and purposes of the County's Comprehensive Plan and Santa Ynez Valley Community Plan and offers benefits to the community that cannot be realized under the existing RES-1.0 land use designation.

### **2.2 REZONE FINDINGS**

In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map, the review authority shall first make all of the following findings:

#### **2.2.1 The request is in the interests of the general community welfare.**

Rezoning the subject 7.3 acre parcel from Residential (1-E-1) to Design Residential (DR), and Professional and Institutional (PI) will allow the subject parcel to be developed with a mixture of housing types and senior services that will include an assisted living/memory care facility, low income senior apartments, a senior community center, and 27 low income employee/family apartments.

The rezone allows increased residential development onsite consisting of a mixture of different housing types that are 100% affordable. The increased density onsite provides additional housing without expanding the urban limit line

(i.e. urban sprawl), while allowing for a compact, well designed and affordable project which is compatible with the existing Santa Ynez Township area.

The project conforms with the broader goals and purposes of the County's Comprehensive Plan and Santa Ynez Valley Community Plan, and offers benefits to the community that cannot be realized under the existing 1-E-1 zoning. Therefore, the rezone is in the interests of the general community welfare and the project is consistent with this finding.

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

As discussed in Sections 5.3, 6.2, and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, upon approval of the Comprehensive Plan Amendment to change the land use designation on specified portions of the subject parcel from Residential (Res-1.0) to Office and Professional (P) on approximately 2.2 acres, Residential (Res-20) on approximately 2.1 acres, and Residential (Res-30) on approximately 3 acres, the rezone will be consistent with this finding.

**2.2.3 The request is consistent with good zoning and planning practices.**

Rezoning the subject parcel from 1-E-1 to DR and PI will allow the project site to be developed with a mixture of housing types and senior services that are 100% affordable and include an assisted living/memory care facility, low income senior apartments, a senior day community center, and 27 low income employee/family apartments. The rezone allows increased residential development onsite consisting of a mixture of different housing types that are 100% affordable. The increased density onsite provides additional housing without expanding the urban limit line (i.e. urban sprawl), while allowing for a compact, well designed affordable project which is compatible with the existing Santa Ynez Township area. The project conforms with the broader goals and purposes of the County's Comprehensive Plan and Santa Ynez Valley Community Plan and offers benefits to the community that cannot be realized under the existing 1-E-1 zoning. Therefore, the rezone is consistent with good zoning and planning practices and is consistent with this finding.

**2.3 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:

**2.3.1 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 subject parcel is located within the urban Santa Ynez township of the Santa Ynez Valley Community Plan. The project consists of five free-standing structures totaling approximately 109,741 gross sq. ft. located on the 7.3 acre parcel in the urban township area of Santa Ynez. The density and intensity of development is similar to and compatible with the density and intensity of development occurring on adjacent parcels, which includes the Channel Islands YMCA, Santa Ynez High School, Santa Ynez Valley Christian Academy and Valley Gardens Mobile Home Park. The 7.3 acre parcel is adequately shaped and sized to support the project's uses by providing adequate area for development, and allowing 40% of the area on Parcels 2, and 3 to be dedicated as common open space area in conformance with the DR zone district standards. Therefore, this finding can be made.

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

The Final Mitigated Negative Declaration (14NGD-00000-00007) prepared for the project (Attachment C of the Planning Commission staff report dated April 24, 2014) identified potentially significant, but mitigable impacts to Aesthetics/Visual Resources, Biological Resources, Geologic Processes, Noise, Public Facilities, and Water Resources/Flooding. Adherence to required mitigation measures will ensure that adverse impacts are reduced to less than significant levels, and mitigated to the maximum extent feasible. Therefore, the project is consistent with this finding.

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

The existing road network is adequate to serve the project and the quantity of traffic that the project will generate. The additional traffic generated by the project, and the potential for impacts to area streets and highways was analyzed in a Traffic, Circulation, and Parking Study prepared for the Golden Inn Senior Housing Project, (Associated Transportation Engineers (ATE), dated October 15, 2013). Additional information regarding the roadway network surrounding the project site is contained in the SYVCP (adopted 2009) and associated Environmental Impact Report (certified 2009). These documents are based on an ATE Traffic and Circulation Study, dated April 28, 2008, included as Appendix D of the SYCP EIR.

As discussed in the Mitigated Negative Declaration (MND), 14NGD-00000-00007 (Attachment C of the Planning Commission staff report dated April 24,

2014, incorporated herein by reference), the project is expected to generate approximately 658 average daily vehicle trips, 39 morning peak hour trips and 49 afternoon peak hour trips. This additional traffic will not cause a significant impact to the nearby road network or intersections, nor will it considerably contribute to any cumulative impacts. The MND analyzes the traffic impacts of the project considering County thresholds of significance and concludes 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 (Section 6.2 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference). Thus, the streets and highways in the project area are adequate and can 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.

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

Water for the project will be supplied from the Santa Ynez River Water Conservation District – Improvement District #1, which receives its water from the Santa Ynez Uplands Groundwater Basin. According to the Santa Barbara County Public Works Water Resources Division Groundwater Report dated May 1, 2012, the Santa Ynez Uplands Groundwater Basin is currently in a slight state of overdraft. The project will result in a total water demand of 31.18 AFY. Since the volume of water extracted annually from the groundwater basin will not exceed the Santa Ynez Uplands Groundwater Basin threshold of significance of 61 AFY, the project will not substantially reduce the amount of water otherwise available for public water supplies, and adequate water is available to serve the project.

Access to the site will be provided by two driveways accessed from Refugio Road. The driveways are designed to conform to Fire Department access standards. Fire protection services will be provided by S.B. 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 has provided a preliminary Can and Will Serve letter indicating that adequate wastewater treatment and disposal capacity exist to serve the project. The project is conditioned (Condition No. 40) to require the property to be annexed into the district prior to map recordation. All necessary services are adequate or available to serve the proposed project. Therefore, this finding can be made.

**2.3.5 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 project site is located in the Santa Ynez Community Plan urban township area. Surrounding development adjacent to the site consists of the Channel Islands YMCA, Santa Ynez High School, Santa Ynez Valley Christian Academy, Valley Gardens Mobile Home Park, and residences. 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.

**2.3.6 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 April 24, 2014, incorporated herein by reference, with the approval of the request for a 5 ft. reduction in the side yard setback on parcel 1, the project complies with the requirements of the Land Use and Development Code (LUDC), including height limits and setbacks. As discussed in Section 6.2 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, the project, as conditioned, is 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.

**2.3.7 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.

**2.3.8 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 Final Development Plan, and does not involve a previously approved Preliminary Development Plan; therefore, the Board of Supervisors may consider the Final Development Plan as both a Preliminary and Final Development Plan.

**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 a 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 Community Center buildings to be located in close proximity to provide senior citizens with safe and convenient access between the two uses.

## **2.4 TENTATIVE MAP FINDINGS**

- A. Findings for all Tentative Maps.** In compliance with the Subdivision Map Act, the review authority shall make the following findings for The Golden Inn and Village Tentative Parcel Map, Case No. 12TPM-00000-00009 / TPM 14,794.
- 1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

Future residential development on the site will be able to take advantage of solar exposure for natural heat and light and prevailing winds for natural cooling effects. There is sufficient northern, southern, eastern, and western exposure to allow for passive heating or cooling systems to be provided on the site. Therefore, the project is consistent with this finding.

- 2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1**

**or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.**

As discussed in Section 6.2 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, following approval of the proposed General Plan Amendment and rezone applications and adherence to Conditions of Approval, the project will be consistent with all applicable policies of the County's Comprehensive Plan, including the Santa Ynez Valley Community Plan. Adequate ingress/egress, infrastructure and public services are available to serve the proposed lots. With compliance with the project description and conditions identified in Attachment B of the Planning Commission staff report dated April 24, 2014, the project will not create any significant environmental impacts. Therefore, the project is consistent with this finding.

**3. State Government Code §66474. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required if it makes any of the following findings:**

**a. The proposed map is not consistent with applicable general and specific plans as specified in §66451.**

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, following approval of the General Plan Amendment and rezone and with compliance with the project description and conditions of approval identified in Attachment B of the Planning Commission staff report dated April 24, 2014, the project will be consistent with all applicable policies of the County's Comprehensive Plan, the Santa Ynez Valley Community Plan, the Santa Barbara County Land Use and Development Code, and Chapter 21, the County Subdivision Ordinance.

**b. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, following approval of the General Plan Amendment and rezone and with compliance with the project description and conditions of approval identified in Attachment B of the Planning Commission staff report dated April 24, 2014, future improvements on the three lots will be consistent with the County's Comprehensive Plan, and the Santa Ynez Valley Community Plan.

**c. The site is not physically suitable for the type of development**



**proposed.**

The approximately 7.3 acre parcel is sufficient in size to accommodate the future development of the Golden Inn and Village project. To ensure neighborhood compatibility, all phases of the project's design will be reviewed and approved by the Central Board of Architectural Review prior to Zoning Clearance and Building Permit issuance. Adequate public services are available to serve the project. As such, the site is physically suitable for the subdivision.

**d. The site is not physically suited for the proposed density of development.**

The project consists of five free-standing structures totaling approximately 109,741 gross sq. ft. located on 7.3 gross acres in the urban township area of Santa Ynez. The density and intensity of development is similar to and compatible with the density and intensity of development occurring on adjacent parcels, which includes the Channel Islands YMCA, Santa Ynez High School, Santa Ynez Valley Christian Academy, Valley Gardens Mobile Home Park. The 7.3 acre parcel is adequately shaped and sized to support the project's uses by providing adequate area for development, and allowing 40% of the area on parcels 2, and 3 to be dedicated as common open space area, in conformance with the DR zone district standards.

**e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The Final Mitigated Negative Declaration (14NGD-00000-00007) prepared for the project identified potentially significant, but mitigable impacts to Aesthetics/Visual Resources, Biological Resources, Geologic Processes, Noise, Public Facilities, and Water Resources/Flooding. Adherence to required mitigation measures will ensure that adverse environmental impacts are reduced to less than significant levels, and mitigated to the maximum extent feasible.

**f. The design of the subdivision or type of improvements is likely to cause serious public health problems.**

The project has been designed to minimize the potential to cause serious public health problems. Adequate water, utilities, and access are available to serve the parcels. The subject parcels are not located within an area of historic flood hazards and has been reviewed by the County Fire

Department, Flood Control District, Environmental Health Services, and Air Pollution Control District. There are no identified or likely public health problems or hazards associated with the project.

- g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

There are no existing public easements on the subject parcels. Therefore, the tentative parcel map will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

- 4. State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:**

**(a) A contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5), including an easement entered into pursuant to Section 51256.**

The subject parcel is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965, or any easements entered into pursuant to Section 51256.

**(b) An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).**

The subject parcel is not subject to an existing open space easement entered into pursuant to the Open Space Easement Act of 1974.

**(c) An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.**

The subject parcel is not subject to an agricultural conservation easement entered into pursuant to Chapter 4.

**(d) A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.**

The subject parcel is not subject to a conservation easement entered into pursuant to Chapter 4 of part 2 of Division 2 of the Civil Code.

- 5. State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

The project site will be served by the Santa Ynez Community Services District. The Santa Ynez Community Services District has indicated that they “Can and Will Serve” the 2 new parcels once the project has been annexed into the district. Therefore, the project will not result in a violation of RWQCB requirements.

**B. Chapter 21, County Subdivision Regulations**

- A.** The following findings shall be cause for disapproval of a Tentative Parcel Map or lot split map, but the Tentative Parcel Map or lot split map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant.
- 1. Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening; however the Director of Public Works may approve such easements or rights-of-way without such subordinations.**

The project does not include any easements or rights-of-way across proposed County streets. Therefore, this finding does not apply.

- 2. Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street.**

The project has been designed so that lots resulting from the parcel map will not become landlocked. Roads will be adequately designed for ingress and egress, and have been reviewed by the County Fire Department and Public Works Transportation Division. Therefore, the Board of Supervisors finds that the project has adequate access roads and will not result in a landlocked lot.

- 3. Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view.**

Future development including access roads will occur on areas of the parcel which contain slopes of less than 10 percent. Utilities will be installed underground. Therefore, the Board of Supervisors finds that the project will not create unsafe or unattractive grading cuts or fills.

- 4. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors.**

Grading for the project is estimated at approximately 15,000 cu. yd. cut, and approximately 15,000 cu. yd. fill. No grading has occurred and the project is conditioned so that grading or construction work shall not commence prior to map recordation.

- 5. Potential creation of hazard to life or property from floods, fire, or other catastrophe.**

The project site is not located within a flood plain or flood way, and any future development will be located within areas of the parcel that contains slopes of less than 10%. Additionally, the County Flood Control and Fire Departments have reviewed the project and have submitted conditions included in Attachment B of the Planning Commission staff report, dated April 24, 2014, incorporated herein by reference. Therefore, the Board of Supervisors finds there is no potential creation of hazard to life or property from floods, fire, or other catastrophe.

- 6. Nonconformance with any adopted general plan of the County or with any alignment of a state highway officially approved or adopted by the Department of Transportation.**

As discussed in Sections 6.2, and 6.3 of the Planning Commission staff report, dated April 24, 2014, incorporated herein by reference, compliance with the project description and required conditions of approval will ensure that the project's design and improvements are consistent with the County's Comprehensive Plan, Santa Ynez Valley Community Plan, and the Land Use Development Code. The project site is located adjacent to State Route 246; however, the parcel map conforms with the alignment of the highway, and the newly created lots will not take access from the highway. Therefore, the Board of Supervisors finds that the project is in conformance with the adopted general plan of the County and does not conflict with any State highway.

**7. Creation of a lot or lots which have a ratio depth to width in excess of 3 to 1.**

The project will not result in lots that have a ratio depth to width in excess of 3 to 1.

**8. Subdivision designs with lots backing up to watercourses.**

A USGS-designated blue line creek (seasonal drainage) bisects the eastern end of parcels 1 and 2 from north to south. No parcels back up to this watercourse.

**B. Pursuant to Chapter 21-8 of the Santa Barbara County Code, a tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.**

In accordance with Findings 2.4.A, 2.4.B, and Sections 6.2, and 6.3 of the Planning Commission staff report dated April 24, 2014, incorporated herein by reference, upon completion of the general plan amendment changing the land use designation on the subject parcel from Res-1.0 to Res-20, Res-30, P, and the corresponding rezone from 1-E-1 to PI, and DR, the project conforms to the provisions of the applicable zoning ordinance, the Land Use Development Code, including General Plan Amendment, Rezone, Tract Map, and Development Plan procedures and requirements. The project conforms with all requirements of the Chapter 21 Subdivision Regulations for a Vesting Tentative Parcel Map.