DIRECTOR OF PLANNING AND ENVIRONMENTAL REVIEW DEVELOPMENT PLAN AMENDMENT

Staff Report

Action Date: May 11, 2021

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TO: Peter T. Imhof, Director

FROM: Mary Chang, Supervising Senior Planner
Chris Noddings, Assistant Planner

SUBJECT: **Development Plan Amendment for New Parking Lot Shade Canopies and Utility Equipment Fencing**
1 South Los Carneros Road; APN 073-330-074
Case No. 21-0002-DP; Associated Case No. 21-0005-DRB

RECOMMENDATION

Staff recommends that the Planning and Environmental Review Director ("Director"):

1. Adopt the Findings provided as Attachment A, including the findings of Sections 17.52.070 (Common Findings) and 17.52.100 (C) (2) (Changes to previously approved Projects);
2. Approve the Development Plan Amendment (Case No. 21-0002-DP), based on the findings provided Attachment A, and subject to the Conditions included in Attachment B; and
3. Accept the CEQA Notice of Exemption in Attachment C.

If the Director wishes to take an action other than the recommended action, refer the matter back to staff for the preparation of appropriate findings and conditions.

APPLICANT
Miles Hartfeld
KARL STORZ Imaging, Inc.
1 S. Los Carneros Rd.
Goleta, CA 93117

AGENT
Zoran Ivancevic, Senior Engineer
Duke Energy Renewables Company
3450 Broad Street, Suite 105
San Luis Obispo, CA 93401

JURISDICTION

The Director is authorized to act on this request pursuant to Goleta Municipal Code (GMC) Sections 17.50.020 and 17.52.100(C).

REQUEST SUMMARY

The applicant requests a Development Plan Amendment (DPAM) to construct two new shade canopies (carports) in the eastern portion of the parking lot, totaling approximately 10,800 square feet (13.6% of the parking lot). Minor landscaping and lighting changes to accommodate the structures, and a fence (for safety purposes) enclosing new utility equipment at the north (rear) elevation of the building, are also proposed.

Consistent with Goleta Municipal Code Section 17.52.100(C) (Changes to Prior Permits and Approvals - Amendments), Duke Energy Renewables Company, acting on behalf of KARL STORZ Imaging, has applied for a DPAM for these revisions to the existing Development Plan (DP). The project is consistent with the General Plan policies, complies with the requirements of Title 17 of the Goleta Municipal Code, does not include a request for an adjustment to development plan standards, and no development is proposed within 100 feet of an Environmentally Sensitive Habitat Area (ESHA).

On April 27, 2021, the Design Review Board granted Conceptual, Preliminary, and Final Design Review of the proposed project. In accordance with Sections 17.52.100(B)(4) (Zoning Clearance, Applicability) and 17.52.100 (Common Procedures—Changes to Prior Permits and Approvals), a Zoning Clearance (ZC) would be issued after the Director action to effectuate the DPAM.

The project plans, and a Director Approval Letter, are included as Attachments D and E, respectfully.

BACKGROUND

The property includes a two-story industrial building totaling approximately 100,000 square feet with associated parking spaces, landscaping, amenities, and infrastructure improvements on an 8.3-acre lot. The property has a Zoning and General Plan Land Use designation of Office and Industrial-Business Park (I-BP) and is located in the Inland Zone.

The existing DP (83-DP-10) was approved by Santa Barbara County in 1984. Subsequently, the existing DP was modified by 83-DP-010 SC01 (approved by Santa Barbara County to allow for additional, subterranean floor area) and 10-045-DPAM (approved by the City of Goleta as part of the Village at Los Carneros [VLC] project [associated case numbers 10-043-DP and 10-044-DP]) in 2014. The VLC project

changed the subject property's boundary, parking lot, and landscaping. The proposed canopies are located in a portion of the parking lot that was constructed as part of the VLC project, identified as "Parking Lot J" and "Parking Lot L".

ANALYSIS

General Plan Consistency

The proposed carports and utility equipment fencing would not change the site's existing office and business park uses. The project would not affect traffic flow within the parking lot and uses on the property would remain consistent with the General Plan Land Use Designation and I-BP zoning for the site. Additionally, the project:

- Is consistent with Land Use Element policies;
- Is well removed from open spaces and Environmentally Sensitive Habitat Area (ESHA) and therefore would not conflict with Open Space or Conservation Element policies;
- Is not located within a safety hazard area and is therefore consistent with Safety Element policies;
- Would not affect visual or historic resources with implementation of the attached Conditions of Approval, which include requirements to ensure any potential archaeological resources in the area would remain unaffected by construction of the foundation for the carport canopies;
- Is consistent with Transportation Element policies;
- Would be consistent with Public Facilities policies, with implementation of the attached Conditions that require footings for the canopies to remain outside of existing Southern California Gas easements;
- Would not be affected by noise and, once constructed, would not generate noise. In addition, the attached Conditions of Approval include requirements to ensure that noise generated during construction would remain consistent with Noise Element policies;
- Would not generate, or be affected by, need for housing and is therefore consistent with Housing Element policies.

Therefore, the proposed project is consistent with General Plan policies.

Zoning Consistency

As shown in Table 1, the proposed project is consistent with the applicable development standards of Title 17 (Zoning) of the Goleta Municipal Code. Additional discussion is provided further below.

Table 1: Consistency with Title 17 Development Standards

Development Standards Category	Regulation	Proposed Project	Consistent Y/N?
Minimum Setbacks	Front: 50 ft. Secondary front: 50 ft Rear: 10 ft.	Front: 250 ft. Secondary front: 50 ft Rear: 23.5 ft.	Y Y Y
Maximum Lot Coverage	35%	Total Lot area: 362,953 SF Existing Building: 68,923 SF (18.99%) Proposed Utility Equipment:125 SF (0.03%) Proposed Parking Lot Canopies: 10,775 SF (2.97%) Total Proposed Lot Coverage: 79,823 SF (21.99%)	Y
Building Height	35 feet	16 ft 2 in.	Y
Parking Spaces	Not applicable – no proposed changes		Y
Landscaping	30% minimum lot coverage 1 Tree per four parking spaces	Existing landscaping coverage: 35% Proposed landscaping coverage: 35% No. of Parking Spaces: 338 (including ADA) No. of required trees within parking area: 85 No. of trees on entitled landscape plan within the parking area: 97 No. of trees to be replaced: 11 Net no. of trees to be removed: 3 Total no. of proposed trees within the parking area: 94	Y Y
Lighting	All lights must be directed downward, fully shielded, and full cutoff. Light level at property lines must not exceed 0.1 foot-candles. Lights must be directed away from ESHAs.	All lights are directed downward, fully shielded, and full cutoff. The light level at the property line does not exceed 0.1 foot-candles. No ESHA occurs on the property or in the vicinity of the property.	Y Y Y

As indicated in Table 1, the total area of proposed landscaping will not change as a result of the project. The proposed project, however, would result in the removal and replacement of 11 trees (10 Coast live oak [*Quercus agrifolia*] and 1 Western redbud [*Cercis occidentalis*]). All 11 of these trees were planted as part of the landscaping for the DPAM for the property to accommodate the VLC project (10-045-DPAM).

It should also be noted that replacing the 11 trees would result in the net loss of 3 trees on the property: 1 Brazilian pepper (*Schinus terebinthefolius*) and 2 ash ([*Fraxinus uhdei*) trees. These trees are no longer extant on the property and would not be

replaced as these locations would be utilized for some of the 11 replacement trees identified above. Despite the net loss of three trees, the property continues to exceed the minimum required number of trees required given the number of parking spaces on the property. It should also be noted that are discrepancies between (1) the entitled landscaping plan associated with 10-045-DPAM and what exists on the property today, and (2) between the proposed landscape plan (as shown on Sheet G303) and the proposed project (as shown on Sheet G301). To resolve them, the Conditions of Approval require that the project return to the DRB for a Revised Final Review, unless staff determines that proposed changes are minor and Revised Final Review is not required. While it is possible that some of the data (e.g., proposed number of trees, total landscaping area) in Table 1 may change, it is anticipated that the proposed project would continue to meet Title 17 development standards under any scenario.

Consistent with GMC Section 17.36.020(D), the existing development is considered conforming as it was legally permitted through approval of a DP and was in existence prior to the adoption of Title 17. However, the existing development does not meet Title 17 standards for heat island reduction (GMC Subsection 17.38.110(J)) and includes an invasive species (Brazilian pepper tree) in the landscape plan (which is not consistent with GMC Subsection 17.34.050(B)). By increasing the shading of the parking lot (by approximately 13%) and by removing one of the Brazilian pepper trees from the proposed landscape plan, the proposed project would bring the existing development into closer conformity with these Title 17 development standards.

ENVIRONMENTAL REVIEW

Pursuant to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000 et seq.), the regulations promulgated thereunder (14 Cal. Code of Regulations, §§ 15000 et seq.), and the City's Environmental Review Guidelines, the project has been found to be exempt from CEQA and a Notice of Exemption has been prepared (Attachment C). The City of Goleta is acting as the Lead Agency for this project.

Specifically, the project is categorically exempt from environmental review pursuant to CEQA Guidelines § 15303(e) (new construction or conversion of small structures – carports and fences) and § 15304(b) (minor alterations of land - new gardening or landscaping).

PUBLIC NOTIFICATION

In accordance with Section 17.52.100(B)(3), notice of this Director's decision was posted on the project site on April 12, 2021 and was also sent via mail on April 15, 2021 for delivery to property owners and tenants within 500 feet of the property. In addition, although not required by Section 17.52.050(C)(2), notice was posted on the City's website and Brown Act Board on April 22, 2021 and was sent via email to everyone that had requested updates related to the Planning and Environmental Review Department on May 6, 2021.

CONCLUSION

As detailed above and in the Common Procedures Findings in Attachment A, the proposed project is consistent with the designated land uses in the Goleta General Plan and meets zoning ordinance use and building standards. Further, the Design Review Board has granted Conceptual, Preliminary, and Final Design Review approval. Moreover, the Changes to Prior Permits and Approvals Findings determined that the findings for the previous approval can be re-made with the proposed project changes and that the project's environmental impacts related to the proposed change are substantially the same or less than those identified for the previous approval. As such, the project represents a minimal change to the approved project, which has been found exempt from CEQA and that a Notice of Exemption may be issued. Should the Director concur, based on the analysis above and the findings in Attachment A, the project qualifies for approval of a DPAM.

NEXT STEPS

Should the Director approve the DPAM, then the next steps will include (1) a 10-day appeal period will commence pursuant to the Goleta Municipal Code Section 17.52.120(A)(1)(b) (Appeal of Director Decisions); (2) ministerial issuance of an effectuating Zoning Clearance; and (3) issuance of building permits.

APPEALS PROCEDURE

The action of the Director may be appealed by an applicant or an aggrieved party pursuant to Goleta Municipal Code Section 17.52.120. Appeals must be filed, and associated fees must be paid, within 10 calendar days of the appealable decision.

ATTACHMENTS:

A. Findings
    Exhibit 1. DRB Findings for Case No. 21-0005-DRB
    Exhibit 2. Findings for Case No. 10-045-DPAM
B. Conditions of Approval
    Exhibit 1. Conditions of Approval for Case No. 83-DP-10
C. Notice of Exemption
D. Project Plans