ATTACHMENT A

Findings

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FINDINGS OF APPROVAL
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

The Planning and Environmental Review Director ("Director") has reviewed the application materials; the Design Review Board (DRB) Conceptual, Preliminary, and Final Design Review approval (findings are attached as Exhibit 1); and staff recommendations for Case No. 21-0002-DP. Based on substantial evidence derived from consideration of the entire record, the Director has determined that the following findings for approval can be made for Case No. 21-0002-DP pursuant to Goleta Municipal Code, Title 17 Zoning Ordinance Sections 17.52.070 Common Procedures, Findings for Approval and 17.52.100 Common Procedures, Changes to Prior Permits and Approvals.

1. 17.52.070 Common Procedures Findings

Pursuant to Title 17, Section 17.52.070, the Director makes the following Common Procedure Findings:

1.1 There are adequate infrastructure and public services available to serve the proposed development, including water and sewer service, existing or planned transportation facilities, fire and police protection, schools, parks, and legal access to the lot.

The project site is currently served by adequate public services, including the Santa Barbara County Fire Department, Goleta Water District, Goleta West Sanitary District, Southern California Edison, and Santa Barbara County Sherriff. The DPAM would not have an effect on the adequacy of these services as these services are already being provided and there is not a proposed increase in the intensity of habitable development on this site with the construction of the proposed parking lot canopies (carports) and utility equipment fencing. These improvements result in 10,900 additional square feet of building coverage on the site. The project plans have been revised to comply with the Santa Barbara County Fire Department's requirement that "no portion of Fire Department access ways shall have less than 13'6" of vertical clearance." The project shall also be revised, as needed, pursuant to any subsequent requirements. Therefore, the project is consistent with this finding.

1.2. The proposed project conforms to the applicable regulations of this Title and any zoning violation enforcement on the subject premises has been resolved as permitted by law.

The project is consistent with the permitted uses in the implementing Section 17.09.020 Land Use Regulations. Further, the project meets zoning ordinance use and building standards as detailed in the staff report incorporated herein (minimum setbacks, maximum lot coverage, building height, parking spaces, landscaping, and lighting). The project conforms to Development Regulations for the Office and Industrial-Business Park (I-BP) zoning district as described in the staff report. Therefore, the project conforms with Title 17, zoning regulations. Further, there are no violations known to exist on the project site.

1.3 The proposed development is located on a legally created lot.

A review of the Fidelity National Title Company title report dated February 10, 2021 confirms that title to the land known as Assessor Parcel Number (APN) 073-330-074, the project site, is vested in Karl Storz Imaging, Inc., the project applicant/owner. Further, said parcel is a legally created lot, with easements as shown in Book 206, pages 31 through 54, inclusive, of maps, in the office of the County of Santa Barbara Recorder.

1.4. The development is within the project description of an adopted or certified CEQA document or is statutorily or categorically exempt from CEQA.

The City of Goleta is the lead agency for this project pursuant to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.). The project has been found exempt from CEQA and a Notice of Exemption can be issued by the Director. 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). The existing development is located within the urbanized area and improved with existing Office and Industrial-Business Park land uses and the proposed project is exempt from CEQA consistent with Sections 15303(e) and 15304(b).

2. 17.52.100(C) Common Procedures, Changes to Prior Permits and Approvals

Pursuant to Title 17, Section 17.52.100(C)(2), the Director makes the following Amendment Findings:

2.1. The findings required for the original approval can still be made, including CEQA findings.

Except for those required by CEQA, findings were not required at the time of the original approval (83-DP-10). The findings associated with the most recent DPAM (10-045-DPAM) associated with the Village at Los Carneros project can still be made with the proposed project and are attached as Exhibit 2. Additionally, as detailed in the staff report and integrated herein into the findings for Section 17.52.070(A)(4) above, the proposed project is categorically exempt from environmental review.

2.2 The environmental impacts related to the proposed change are substantially the same or less than those identified for the previous approval.

The potential environmental impacts related to the proposed project changes in Case No. 21-0002-DP have been reviewed as detailed in the staff report, are substantially the same as those found for the original approval, including CEQA findings, and have been incorporated herein into the findings for Section 17.52.070(A)(4) above.

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EXHIBIT 1

DRB Findings for Case No. 21-0005-DRB

DRB Preliminary Review Findings
Section 17.58.080 Of the Goleta Municipal Code
1 South Los Carneros Road; APN 073-330-074
Case No. 21-0005-DRB
Associated Case No. 21-0002-DP
New Parking Lot Shade Canopies and Utility Equipment Screening

Neighborhood Compatibility

A. The development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood.

B. Site layout, orientation, and location of structures, including any signage and circulation, are in an appropriate and harmonious relationship to one another and the property.

C. The development demonstrates a harmonious relationship with existing adjoining development, avoiding both excessive variety as well as monotonous repetition, but allowing similarity of style, if warranted.

J. The project architecture will respect the privacy of neighbors, is considerate of private views, and is protective of solar access off site.

The proposed shade canopies are a desirable feature in a parking lot, both as a means to provide shade as well as to generate power on-site through the use of photovoltaic (PV) panels. Total lot coverage would increase by approximately 3.06%, to 22.04%, and would remain well below the 35% maximum lot coverage per Table 17.09.030 of the Goleta Municipal Code. The shade canopies will be oriented east-west and therefore will not be oriented toward the adjacent residential development to the north. Additionally, the shade canopies would cover a relatively small portion (approximately 14%) of the existing parking lot, colors would match the existing light poles, and the equipment screening, to be located at the rear (north) of the property, is respectful of private views from the residential development to the north. The project will not impact to the privacy of neighbors, is considerate of private views, and would not affect off site solar access. As such, the proposed project meets the findings listed above.

Quality of Architectural Design

D. There is harmony of material, color, and composition on all sides of structures.

E. Any outdoor mechanical or electrical equipment is well integrated in the total design and is screened from public view to the maximum extent practicable.

I. All exterior lighting, including for signage, is well designed, appropriate in size and location, and dark-sky compliant.

The proposed parking lot canopies (material, color, and composition) generally match the existing light poles and harmoniously integrate into the existing development. Outdoor mechanical or electrical equipment is located at the rear of the building and would be fully screened from public view. The proposed new exterior lighting under the proposed canopies complies with Title 17 requirements (e.g., is shielded and directed downward), and the color temperature selected (3000K) does not exceed the maximum color temperature recommended by DarkSky.org (i.e., 3000K). As such, the proposed project meets the findings listed above.

Quality of Landscape Design

F. The site grading is minimized and the finished topography will be appropriate for the site.

G. Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and protected trees, and existing native vegetation.

H. The selection of plant materials is appropriate to the project and its environment, and adequate provisions have been made for long-term maintenance of the plant materials.

No site grading is proposed. Proposed landscaping revisions are minimal, limited to removing and replacing trees (at a 1:1 ratio) that were planted as part of the existing development and are not considered “specimens”. Total amount of landscaping on the site will not be reduced and will continue to exceed Title 17 development standards (e.g., lot coverage and at least one tree per four parking spaces). The existing landscaping on the property will otherwise be preserved, is abundant, and includes a variety of strata. Proposed new landscaping consists of native or drought-tolerant and non-invasive species, consistent with Title 17 requirements. Therefore, the proposed project meets the findings listed above.

Zoning

K. The proposed development is consistent with any additional design standards as expressly adopted by the City Council.

There are no additional design standards as expressly adopted by the City Council that are applicable to this project. The project is consistent with applicable zoning and design standards, including building setback, building height, floor area, parking, landscaping, and lighting requirements.

ATTACHMENT A

EXHIBIT 2

Findings for Case No. 10-045-DPAM

EXHIBIT 1

FACTUAL FINDINGS FOR VILLAGE AT LOS CARNEROS:

GENERAL PLAN AMENDMENT; VESTING TENTATIVE MAP; DEVELOPMENT PLANS; DEVELOPMENT PLAN AMENDMENTS; AND MINOR CONDITIONAL USE PERMIT

CASE NO. 10-043-GPA, VTM, DP; 10-044-DP; 10-045-DPAM, MINOR CUP

1.0 General Plan Findings

Pursuant to Government Code § 65358, and following a public hearing in accordance with the Goleta General Plan (*see* Policy 1.8, p.1-13), the City Council finds that the following proposed General Plan Amendment ("GPA") are in the public interest:

1.1 Amending Figure 2-1 of the Land Use Element (Land Use Map) to change the land use designations to portions of 4 parcels (APN 073-330-024, 026, 027 and 028) from residential use (R-MD) to business park use (I-BP) totaling 1.89 acres and Land Use Designation changes to portions of 2 parcels (APN 073-330-023 and 025) from business park use (I-BP) to residential use (R-MD) totaling 0.79 acres. This GPA is in the public interest it will allow for construction of a proposed primary access road for the residential portion of the project via the construction of the fourth (westerly) leg of the signalized Calle Koral/Los Carneros intersection. This construction helps fulfill the requirements of the General Plan including, without limitation, Objectives LU 1.9, 1.10 and 1.13. This change would also result in a net gain of 1.1 acres of Business Park (I-BP) land located within Lots 1 and 3 of Map 14,500. However, since these lots are already fully developed, and the land use designation would only impact portions of the existing parking area, the Amendment would not result in any real gain or loss of business park use or residential units (*see* GPA/CLUP Addendum, p.9). Since, on balance, this change is generally neutral (from a public policy perspective) and would allow the project to be developed, it is in the public interest to approve this amendment.

1.2 Amending Figure 10A-2 of the Housing Element (Affordable Housing Opportunity Sites) to remove Lots 4, 6 and 7 of Map 14,500 from the list of Central Hollister Affordable Housing Opportunity Sites (referred to as sites 24, 25, and 26 on Figure 10A-2); Housing Element Objective HE 11.6 (Inclusionary Requirement for Affordable Housing Opportunity Sites); and Land Use Element Objective LU 8.4 (Affordable Housing Development) to remove a reference to sites 24, 25, and 26. Housing Element Policy HE 10 (Production of New Affordable Housing) encourages development of long-term affordable housing with various incentives. Three (3) of the project site's seven (7) lots are identified in Figure 10A-2 as affordable housing opportunity sites. While this

change would allow the project to be developed, it could (absent mitigation measures) result in a loss of affordable housing. To ensure compliance with Objective HE 11.6, the Mitigation Measure for the GPA/CLUP FEIR Addendum (Resolution No.-___ requires any residential project that incorporates all or any portion thereof of Lots 4, 6, and 7 of Map 14,500 to provide a minimum of 69 affordable units for a period of not less than 30 years. Moreover, the project would allow greater design flexibility since affordable housing units would be permitted on Lots 2 and 5, in addition to Lots 4, 6, and 7. The statewide and local public policies are to increase the availability of affordable housing throughout the City's jurisdiction. Amending the housing element as proposed by the project will help fulfill this goal by helping ensure affordable housing stock.

1.3 Amending Objective LU 8.1 (Applicability) and Objective LU 8.5 (Coordinated Development Plan and Quality Design) would remove references to the Raytheon Specific Plan to reflect the proposed repeal of the Raytheon Specific Plan. These changes would not materially change the permitted uses on the properties currently regulated by the Raytheon Specific Plan. The land uses and development standards contained in the Raytheon Specific Plan are the same as those in the GP/CLUP and GMC. Repealing the Raytheon Specific Plan would simplify the planning approval process. Increasing the efficiency of the planning process is in the public interest.

2.0 Vesting Tentative Map Findings.

As set forth below, none of the findings for denial set forth in GMC § 16.04.010 and Government Code § 66474 can be made.

2.1 The proposed map is consistent with applicable general and specific plans as specified in Government Code § 65451. As set forth in Section 1.0, above, this project meets the goals and objectives of the General Plan.

2.2 The design of the proposed subdivision is consistent with applicable general and specific plans. As set forth in Section 1.0, above, this project meets the goals and objectives of the General Plan. Moreover, repealing the Raytheon Specific Plan will remove any potential conflict with a specific plan regulating the project site.

2.3 The site is physically suitable for the type of development. The 43 acre project site can accommodate the 465 residential units; six acre publically accessible park; private park; and other associated improvements. Moreover, the project site can include both the development while also protecting the Tecolotito Creek and tributary wetland and riparian ESHA areas with appropriate setbacks. Additionally, the site is relatively flat; is located adjacent to public utility infrastructure; is physically located in the vicinity of freeway access, bus service and a train stop; and close to large employment businesses and commercial service centers. Public streets already exist to serve the site.

2.4 The site is physically suitable for the proposed density of development. The project density is suitable for the project site for the reasons set forth in the administrative record including, without limitation, the FEIR. The residential density is

15.5 units per acre. This density is consistent with the GP/CLUP land use designation Residential Medium Density which requires a minimum of 15 to a maximum of 20 units per acre. The residential density is calculated on the approximately 30 acres of net developable site area. Areas of the site that are not developable and therefore are not considered in the density calculation, include: a buffer for an off-site archaeological site; an ESHA area; a bicycle path; publically accessible park; private recreation areas; retaining wall buffer; and slope and landscape setback.

2.5 The design of the subdivision and the proposed improvements are unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat. For the reasons set forth in the FEIR and Statement of Overriding Considerations, the project's environmental impact was mitigated to the lowest possible impact; it is in the public interest to approve the project.

2.6 The design of the subdivision and the proposed type of improvements is unlikely to cause serious public health problems. As set forth in the FEIR and Statement of Overriding Considerations, the project's impact on public health and safety is minimal.

2.7 The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The project will not conflict with any public easements or right of ways.

3.0 Development Plan (395 Residential Units, 10-043-DP; and 70 Affordable Residential Units, 10-044-DP) and Development Plan Amendment (Campus Pointe Development Plans (83-DP-10 and 84-DP-11) Findings

The Project includes proposed Development Plans for 395 Residential Units (10-043-DP); 70 Affordable Residential Units (10-044-DP); and amendments to the existing Campus Pointe Development Plans (83-DP-10 and 84-DP-11) located on Lots 1 and 3 of Map 14,500 (Lots 14 and 13, respectively of proposed Vesting Tentative Map 32,050). As to the Campus Pointe Development Plan Amendments, the changes are proposed to parking and landscaping configurations to accommodate construction of Calle Koral as described in the administrative record including the FEIR (allowing access to the residential portion of the project). Associated with the proposed Development Plan Amendments are Modifications to parking and landscaping requirements that are needed as a result of lot line adjustments associated with the proposed Vesting Tentative Map 32,050. Pursuant to GMC § 35-317.7 (Development Plan), the City Council finds the following for purposes of 10-043-DP, 10-044-DP, 83-DP-10, and 84-DP-11:

3.1 That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.

For the reasons set forth in Sections 1.0 and 2.0, the project site is adequate to accommodate the project.

3.2 *That adverse impacts are mitigated to the maximum extent feasible.*

For the reasons set forth in the administrative record including, without limitation, the FEIR and Statement of Overriding Considerations, all adverse impacts are mitigated to the maximum extent feasible.

3.3 *That streets and highways are adequate and properly designed.*

Based upon the administrative record including, without limitation, the accompanying staff report, recommendations from the Public Works Department, and conditions of approval, the project proposes circulation infrastructure that meets the requirements of all applicable law and industry standards. Among other things, the proposed internal roadway system with primary access from the Calle Koral/Los Carneros intersection, meets the requirements of the Goleta General Plan (GP) and Goleta Municipal Code (GMC).

3.4 *That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.*

The proposed project would be served by the Santa Barbara County Fire Protection District, the Goleta Water District, the Goleta West Sanitary District, and the Santa Barbara County Sheriff's Department (pursuant to a contract with the City). These agencies and districts have adequate personnel and capacity to serve the Project.

3.5 *That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.*

The project will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood and will not be incompatible with the surrounding areas. The project would be served by the appropriate water and wastewater districts and, as conditioned, would have safe and adequate primary and emergency/secondary vehicular access. The design of the project would be compatible with surrounding development and would provide for community and recreational amenities for project residents.

3.6 *That the project is in conformance with 1) the General Plan and 2) the applicable provisions of this Article.*

For the reasons set forth in Sections 1.0 and 2.0 of these Findings, and as set forth in the entire administrative record including the FEIR, the project conforms with all applicable law including, without limitation, the GMC and GP/CLUP.

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

As set forth in Section 2.0 of these Findings, the project will not conflict with any easements or right of ways.

3.8 *The proposed Amendments are consistent with the specific findings of approval, including CEQA findings, if applicable, that were adopted when the Final Development Plan was previously approved.*

The Development Plan Amendments to Lot 1 and Lot 3 consist of minor changes to the original Development Plans (83-DP-10 and 84-DP-11) including amendments to parking and landscaping configurations. The project is consistent with the CEQA findings and all other prior findings of approval adopted by the Santa Barbara County Board of Supervisors in 1984 for the original development plan.

3.9 *The environmental impacts related to the proposed changes are determined to be substantially the same or less than those identified for the previously approved project.*

The Development Plan Amendments to Lot 1 and Lot 3 consist of minor changes to the original Development Plans (83-DP-10 and 84-DP-11) including amendments to parking and landscaping configurations. The Development Plan Amendments remain consistent with all previous findings of approval and environmental impacts remain substantially the same or would be substantially less than those identified in the previous EIR for the original Development Plans (83-DP-10 and 84-DP-11).

3.10 *The modifications to the requirements of the Industrial Research Park Zoning District (MRP) are justified.*

Modifications to parking and landscaping configurations are justified as they allow for improved site planning, better coordination of parking lots, landscape treatments, and also accommodate the necessary extension of the primary access road for the proposed residential development.

4.0 Minor Conditional Use Permit Findings

Pursuant to GMC §§ 35.-315.4 and 35-315.8 the following findings support granting a Minor Conditional Use Permit for the project:

4.1 *The sites for the project are adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.*

For the reasons set forth in Sections 2.0 and 3.0, the project site can accommodate the development. Moreover, the proposed screening and masonry walls located along the rear property lines of Lots 1 and 3 are adequate in size, shape, location and physical characteristics to ensure appropriate separation and a visual barrier between existing Campus Pointe developments and the proposed residential development to the north. Masonry walls will vary between 4 feet and 8 feet in height

and include an additional 2 feet of screening for total height between 6 feet and 10 feet.

4.2 *That significant environmental impacts are mitigated to the maximum extent feasible.*

For the reasons set forth in Sections 1.0, 2.0, 3.0, and the FEIR for this project, the environmental impacts from this project are mitigated to the extent practicable.

4.3 That streets and highways are adequate and properly designed.

For the reasons set forth in Section 2.0 and 3.0, the streets and highways are properly designed. Moreover, the proposed masonry walls along the rear property lines of Lots 1 and 3 will not alter or change the existing streets and highways within the immediate project area.

4.4 That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to the serve the project.

For the reasons set forth in the FEIR (*see*, *specifically*, Sections 4.11 (Public Services) and 4.14 (Utilities), there are adequate public safety and utility services for the project.

4.5 That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.

As set forth in the administrative record including, without limitation, the FEIR, this project is not a threat to public health, safety, or welfare. Moreover, it will not be incompatible with surrounding land uses. Additional, the proposed masonry walls will assist in screening existing Campus Pointe building elevations and provide a visual barrier to the proposed adjacent residential developments.

4.6 That the project is in conformance with the applicable provisions and policies of the City's General Plan and this Article (Inland Zoning Ordinance).

As set forth in Section 1.0 of these Findings, the project conforms to the GP. In addition, as set forth in the FEIR (*see, specifically*, Section 4.9 (Land Use)), the project complies with the GMC including, without limitation, the Inland Zoning Ordinance (as adopted by reference).

4.7 *That in designated rural areas the use compatible with and subordinate to the scenic and rural character of the area.*

The project sites are not in a designated rural area.