ATTACHMENT 2
MODIFICATION FINDINGS
Old Town Coffee Parking Modification
5877 Hollister Avenue; APN 071-112-003
Case No. 24-0001-MOD

The Zoning Administrator finds that the findings set forth in Title 17, Section 17.52.070 (Findings of Approval) Common Findings, findings set forth in Title 17 findings set forth in Title 17, Section 17.62.040 (Findings of Approval) for a Modification, and associated CEQA findings can be made for approval based on the following reasons:

1.0 Common 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.

Adequate infrastructure and public services are available to serve the existing development, which is an eating and drinking establishment (café); no structural development is proposed since the project is limited to a parking reduction modification. The development will continue to be served by Goleta Water District, Goleta Sanitary District, and Santa Barbara County Fire Department.

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.

The Goleta Zoning Ordinance designates the property as Old Town - Commercial (C-OT). As discussed in the Zoning Consistency Analysis section of the staff report dated August 27, 2024, incorporated herein by reference, the proposed Modification (MOD) complies with the intent and purpose of all applicable requirements of the C-OT zone district and all applicable zoning regulations of Title 17, excluding the provision of on-site parking, which is the subject of this application. Corrective actions will resolve the outstanding violations, including but not limited to: operating an unlicensed business, unpermitted signage, and unpermitted building alterations. The Modification has been conditioned to require the resolution of the violations before effectuation of the Modification. This entitlement, along with the other measures being undertaken by the business owner, will remedy the zoning violations on site. Therefore, this finding can be made.

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

The subject property is a legally created lot and is identified as Lot 10 Block 18 of Tract “Townsite of Goleta” within the County of Santa Barbara, in the State of

California, as shown on Page 561 in Book B of Miscellaneous Records recorded in the office of the Santa Barbara County Recorder.

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

The proposed parking Modification to an existing coffee shop is categorically exempt from environmental review pursuant to CEQA Guidelines § 150305 (Minor Alterations on Land Use Limitations) and 15332 (In-Fill Development Projects), the proposed project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations, occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses, has no value as habitat for endangered, rare or threatened species, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services. Therefore, the project will not have a significant effect on the environment.

2.0 Modification Findings

2.1 The Modification is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, without limitation, topography, noise exposure, irregular property boundaries, or other unusual circumstances.

The Modification is necessary due to the physical characteristics of the property and its existing use. The parcel's small size (0.1 acre), long narrow shape, and location in Old Town Goleta create a challenge for siting the required parking spaces on the site. The subject parcel is 164.5' long and 29.8' wide and only has public access via Hollister Ave on the northern property line. However, no vehicular access exists for the parcel as the storefront completely encompasses the northern property line. The subject parcel is flanked on the eastern and western sides by adjoining storefronts and is backed to the south by a private parking lot. This situation is common in Old Town Goleta, where the commercial density is high and parking lots are uncommon. Most of the businesses depend on those small lots and street parking to fulfill their parking needs. Therefore, this finding is applicable to the situation experienced by this lot.

2.2 The Modification is minor in nature and will result in a better site or architectural design and/or will result in greater resources protection than the project without such Modification.

The proposed Modification allows for a better site design as the Modification would allow for the retention of the existing building in its current form instead of requiring extensive remodeling in addition to changing the streetscape and adding a new curb-cut, which is would create circulation difficulties. If the provision of on-site

parking were to be required, it would require demolition of a portion of the building (at least 12' in width or more) to access the rear portion of the lot along with an additional curb-cut would be needed along Hollister Avenue. Such a design would be contrary to the design of Old Town, decrease the functionality of the existing building and the rear patio area, and be counter to the goals of walkability and various General Plan policies. Therefore granting the modification would be consistent with this finding. The CEQA Findings

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.: State CEQA Guidelines), and the City's Environmental Review Guidelines, the project has been found to be exempt from CEQA under Sections 15305 (Minor Alterations in Land Use Limitations) and 15532 (In-fill Development Projects) of the CEQA Guidelines and a Notice of Exemption is proposed.

The City of Goleta is acting as the Lead Agency for this project. Section 15305 is applicable as parking is a land use limitation and the request is minor in nature, given the site's location in Old Town, where most of business do not have dedicated parking areas consistent with a traditional commercial district land use pattern. Further, the area has a less than 20% slope, and the change does not affect land use intensity or density.

Further the project is consistent with Section 15332(a), since the use and request are consistent with the applicable General Plan designation of Old Town Commercial, which is intended to permit a wide range of local and community serving retail uses which would include the café business. Additionally, the use is consistent with applicable General Plan policies as well as with applicable zoning designation and regulations associated with the Old Town land use designations. The project is consistent with Section 15332(b), as the proposed development is within City limits on a 0.1-acre parcel, which is less than five acres and surrounded by urban uses in Old Town Goleta. The project is consistent with 15332(c), as the project site has no value as habitat for rare or endangered species as it is in an urban environment and has been developed with a building and ancillary development since the 1950s. The site is not located in an environmentally sensitive habitat area. The project is also consistent with Section 15332(d) in that the approval of the parking modification would not result in any significant effects relating to traffic, noise, air quality, or water quality as no new development is associated with the request and the use has already been occurring in its configuration for at least the past five years without impact in these areas. Further, the project is consistent with Section 15332(e) as the site is and will remain adequately served by all required utilities and public services. As indicated above, the proposal to reduce the required parking through a Modification will not result in the creation of a new parcel. Therefore, the project will not have a significant effect on the environment based on the threshold criteria associated with Section 15332 of the CEQA Guidelines.

Moreover, none of the exceptions to the categorical exemptions set forth in State CEQA Guidelines Section 15300.2 apply to the project. The exception set forth in State CEQA Guidelines Section 15300.2(a), Location Class 11 are qualified by consideration of where

the project is to be located and the project is not located in or have an impact on an environmental resource of critical concern that is designated, precisely mapped, or officially adopted pursuant to law by federal, state, or local agencies. Section 15300.2(b)'s exception, relating to cumulative impacts, does not apply as there are no other successive projects of the same type in the same place that could result in significant cumulative impacts. Section 15300.2(c)'s exception does not apply because there are no "unusual circumstances" that apply to the project; a parking reduction modification is not considered unusual. Section 15300.2(d)'s exception does not apply because the project is not located near any scenic highways. Section 15300.2(e)'s exception does not apply because the project site does not contain hazardous waste and is not on any list compiled pursuant to Section 65962.5 of the Government Code. Finally, Section 15300.2(f)'s exception does not apply because the project has no potential of causing a substantial adverse change in the significance of a historical resource. Additionally, the project site does not contain any identified significant cultural resources and no structural development or grading is proposed.