

**Attachment 1**  
**Findings**  
**6045 Stow Canyon Road (APN 071-170-044)**  
**Case No. 20-0003-SCD**  
**Substantial Conformity Determination for Chabad of Santa Barbara**

**COMMON FINDINGS (GMC SECTION 17.52.070)**

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.
2. The proposed project conforms to the applicable regulations of this Title and any zoning violation enforcement on the subject premises has been resolved.
3. The proposed development is located on a legally created lot.
4. The development is within the project definition of an adopted or certified CEQA document or is statutorily or categorically exempt from CEQA.

Adequate infrastructure and public services were deemed to be available when the Development Plan (18-031-DP-CUPRV-DRB) was approved on December 9, 2019, and the proposed changes requested as part of the SCD would not alter requirements for infrastructure or public services. The proposed changes conform to the requirements of Title 17 and there are no zoning violation enforcement cases on the subject premises. The proposed development is located on a legally created lot. The proposed development is within the project definition of the Mitigated Negative Declaration and does not affect the analysis for the project as adopted by the Planning Commission on December 9, 2019.

**SUBSTANTIAL CONFORMITY DETERMINATION FINDINGS (GMC SECTION 17.52.100(B)(2))**

- a) The findings required for the original approval must be re-made.
- b) The change does not conflict with project conditions of approval and/or final map conditions and the change can be effectuated through existing permit conditions.
- c) The change will not result in environmental impacts not analyzed or discussed at the time of the previous approval or result in the need for additional mitigation measures and the change does not alter; findings that the benefits of the project outweigh the significant unavoidable environmental effects, if any, made in connection with the original approval.
- d) Any revisions to the original project have received Design Review Board approvals for landscaping and structures, if necessary.

There proposed project changes would result in a minor increase in the building footprint (97 square feet), a minor increase in hardscape (363 square feet), a reduction in building height and elimination of the previously approved rooftop deck. There would also be a reduction in proposed grading. Eliminating one additional fruit tree would not change any conclusions in the project's associated Mitigated Negative Declaration or decisions made by the Planning Commission. In addition, on June 23, 2020, the Design Review Board

performed Conceptual Review and unanimously recommended that the Director of the Planning Department grant Preliminary Review. There are no changes to operations or site the layout. As such, the proposed revisions do not materially alter any of the findings or conclusions made by the Planning Commission when it adopted Planning Commission Resolution No 19-12; therefore, the findings for the original approval are re-affirmed as provided in Section 2 of Resolution 19-12 (Exhibit A). The changes do not conflict with project conditions of approval; the changes will not result in environmental impacts not analyzed or discussed at the time of the previous approval or result in the need for additional mitigation measures or alter findings; and any revisions to the original project have received Design Review Board approvals for the landscaping and structure design changes.

## **DESIGN REVIEW FINDINGS (GMC SECTION 17.58.080)**

### **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.
- 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 offsite.

The configuration, size, bulk and scale of the modified design is nearly identical to that which was approved by the Planning Commission on December 9, 2019. The revised configuration would increase the building's footprint by 97 square feet, eliminate the 815 square foot roof-top deck, and result in a slight reduction of the roofline's maximum height. Site layout, orientation, and location of structures and buildings will remain previously approved (18-031-DP-CUPRV) and the requested design changes are compatible with the surrounding setting. Privacy of the neighbors will not be reduced and may instead be increased through removal of the roof-top deck. The building and site plans continue to be designed and sited in such a manner to protect sensitive resources in the area by remaining outside of the 100-foot Stream Protection Area. The proposed project changes will not affect public views or increase impacts to neighboring properties, nor will they adversely affect private views or solar access. Additionally, DRB Chairperson Scott Branch has reviewed the minor changes that were proposed after the DRB's Conceptual Review on June 23, 2020, determined the changes do not change the architectural style or design, and further stated that he is still in support of the project. Therefore, the project would be compatible with the surrounding neighborhood.

### **Quality of Architectural Design**

- 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.
- 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 project changes are harmonious and offer compatible architectural style, colors and materials. Mechanical and utility equipment are located inside the proposed

buildings or are fully screened, and lighting is minimal, consisting of dark-sky compliant path lights. No signage is proposed.

### **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.

The proposed landscape design changes associated with the SCD are minimal, resulting in the loss of one additional fruit tree and 363 square feet of landscaping. Proposed landscaping preserves existing large trees on-site and the abundant landscaping proposed includes a variety of strata with a clear emphasis on native and/or drought-tolerant species. Therefore, the proposed design changes provide adequate landscaping.

### **Zoning**

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

The project remains consistent with applicable zoning and design standards.

**Exhibit A to Attachment 1**  
**Planning Commission Resolution 19-12**  
**6045 Stow Canyon Road (APN 071-170-044)**  
**Case No. 18-031-DP-CUPRV**

## RESOLUTION NO. 19-12

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVISION WITH A PARKING MODIFICATION FOR CHABAD OF SANTA BARBARA LOCATED AT 6045 STOW CANYON ROAD, GOLETA, CA; CASE NO.18-031-DP-CUPRV; APN 077-170-044**

The Planning Commission of the City of Goleta does resolve as follows:

**SECTION 1:** *Recitals:* The Planning Commission finds and declares that:

- A. On March 21, 2018, Steve Fort of Suzanne Elledge Planning and Permitting Services on behalf of Chabad of Santa Barbara (“Applicant”), submitted an application requesting approval of a Development Plan and a Conditional Use Permit Revision at 6045 Stow Canyon Road (“Property”) to construction a new synagogue building, storage buildings, demolish an barn structure, and make other site improvements including landscaping, stormwater, and parking lot improvements (the “Project”);
- B. The City reviewed the Project’s environmental impacts in accordance with the California Environmental Quality Act (Public Resources Code §§ 21000 *et seq.*, “CEQA”), the regulations promulgated thereunder (14 California Code of Regulations §§ 15000 *et seq.*, the “CEQA Guidelines”), and the City’s Environmental Review Guidelines (“Goleta Guidelines”);
- C. On December 13, 2018, the City of Goleta deemed the application request complete;
- D. On January 3, 2019, requests for consultation with local Native American groups were mailed. The consultation period concluded on February 2, 2019 with no requests for formal consultation received;
- E. After preparing an Initial Study, the Director of Planning and Environmental Review determined that a Mitigated Negative Declaration (MND) should be prepared for the project pursuant to CEQA Guideline §§ 15063 and 15070;
- F. The Final MND for the Chabad of Santa Barbara Development Plan and Conditional Use Permit Revision Project with a parking modification attached as Exhibit 1 to this Resolution and incorporated by reference, was prepared in full compliance with CEQA, and concluded that the project will not have a significant effect on the environment;

- G. On December 9, 2019, the Planning Commission conducted a duly noticed public hearing at which all interested parties were heard. Further, the Planning Commission considered the entire administrative record including, without limitation, staff reports, and evidence submitted during the public hearing.

**SECTION 2** *Factual Findings and Conclusions:* The Planning Commission finds as follows:

- A. The Project site is 3.3 acres in size (Assessor's Parcel No. 077-170-044). The Project site has General Plan land use designation of Single Family (S-F), and a Zoning designation of Design Residential (DR-4).
- B. Access to the Project site is from the Stow Canyon Road.
- C. On October 28, 1992, the County of Santa Barbara Board Planning Commission approved Conditional Use Permit (92-CP-018) for the construction and operation of an 873-square foot synagogue building, a 2,235-square foot daycare and school facility on the property. These improvements were in addition to the existing, 2,002-square foot residence (a single-family dwelling) and 1,440-square foot barn/storage garage on the site.

Subsequently, two Substantial Conformity Determinations (SCDs) for the project were approved. The first SCD increased the size of the proposed office/meeting room building and the proposed daycare and school facility building by 210 square feet each to a new total of 2,445 square feet. The second SCD, approved relocating the proposed driveway 18 to 20 feet to the east, and extended the parking turnaround a maximum of 26 feet to the south, to retain existing mature fruit trees and to retain the existing barn for storage.

Ultimately, only the approved 2,445-square foot daycare and school facility and revised parking lot were completed. The existing, 2,445-square foot daycare and school facility has been modified to serve all of the functions (daycare, school, office, meeting room, and synagogue worship space).

- D. Chabad of Santa Barbara requests approval of a Development Plan (DP) to allow the following:
- 1) Construction of a new, approximately 7,293-square foot, one-story synagogue with an 815-square foot roof terrace (8,108 square foot total). The building will include a sanctuary, event hall, kitchen, offices, conference rooms, bathrooms, storage, and mechanical and electrical space. The tallest proposed roof line is 24 feet, 6.5 inches, although

the building also includes an architectural projection that would have a maximum height of 34 feet, 7.25 inches. Solar panels will also be included on the roof.

- 2) Construction of a new, 841-square foot, one-story storage building. The maximum height would be approximately 16 feet.
- 3) Removal of the existing 1,440-square foot, approximately 80-year-old barn/storage garage.
- 4) Approval of the existing, 176-square foot, open-sided, lean-to storage container.
- 5) Removal/demolition of an existing, 120-square foot trailer and a 53-square foot shed.
- 6) Consolidation of access to the site into a single driveway. This entails the removal of the existing residential driveway and the removal and relocation of the existing synagogue driveway to approximately 35 feet west of its current location.
- 7) Replacement, reorientation, and expansion of the existing 24-space parking area (including 1 van-accessible space) with a 31-space parking area. The 31-space parking area would include 3 van-accessible spaces as well as 3 uncovered spaces designated for the residence.
- 8) Addition of landscape improvements to integrate the proposed synagogue and storage building with existing buildings and provide landscape buffers for neighboring properties and the Las Vegas Creek. Plants are intended to be generally native and drought tolerant; 24 trees to be planted include coast live oak (6), California sycamore (5), Catalina ironwood (1), and New Zealand Christmas tree (12). The removal of 8 fruit trees (various types), 2 myoporum trees, and one pepper tree (11 trees total) are proposed.
- 9) Addition of two, new bioretention basins totaling approximately 3,462 square feet (2.40% of the site).
- 10) Additional improvements on the site to accommodate the above proposed changes, including hardscape, new site lighting, and a trash enclosure.
- 11) No development is proposed within the General Plan required 100-foot Stream Protection Area setback from Las Vegas Creek.

E. Chabad of Santa Barbara requests approval of a Revision to the existing Conditional Use Permit No. 92-CP-018 to permit the expanded synagogue and pre-school/daycare activities as described below:

- 1) Synagogue:
  - a) Services and programs associated with the synagogue include activities typically associated with a religious institution, including worship, fellowship and educational activities. Example services and programs include various weekly religious services, holiday services, weddings, funerals, coming-of-age events, after-school programs, adult education programs, teen events, and a seasonal summer camp.

- b) Activities would occur throughout the year on varying days of the week and times of the day.
- c) The number of people would fluctuate depending on the specific activity. The maximum number of attendees anticipated is 113 persons, including members, guests, and staff; such events are anticipated to occur on average once per week.
- d) The new synagogue has fixed seating for 81 people. Many members walk to services in observance of religious practice.
- e) Services and programs described above would occur within the new, 7,293-square foot synagogue and support and ancillary activities may take place in a 1,980-square foot portion of the existing, 2,445-square foot synagogue/pre-school building. Outdoor facilities (refer to the Development Plan description above) may also be utilized.
- f) Although synagogue services are open to the public, special events, such as interfaith-gatherings, open houses, carnivals, and similar events that would attract a larger group of people (that would exceed more than 113 persons, including members, guests, and staff) would be regulated separately as provided for in City regulations.

2. Pre-School/Daycare:

- a) The pre-school/daycare would operate year-round, Monday through Friday, from 9AM through 3PM.
- b) Attendees would be limited to no more than 30 students and 4 teachers.
- c) Events may utilize a 465-square foot portion of the existing, 2,445 square foot synagogue/pre-school building as well as outdoor facilities (refer to the Development Plan description above).

F. The project includes a modification request to eliminate the requirement of Section 35-256 (1) of the Inland Zoning Ordinance to provide a garage for the three required parking spaces for the residence and allow the three residential parking spaces be provided as uncovered parking spaces within the synagogue parking lot.

G. There are currently two (2) parking spaces provided in the residential driveway and 24 parking spaces provided for the synagogue and daycare/school uses. After implementation of the project, 31 parking spaces would be provided (all spaces would be uncovered as proposed) including the residential parking spaces, which is two (2) more than the 29 spaces required by existing regulations for combined uses on the site.

H. The project site is generally level and consists of one Assessor Parcel.

I. Ingress and egress to the project site is adequate to serve existing uses and those of the project. Ingress/egress is also in compliance with Santa



Barbara County Fire Department requirements.

- J. The factual findings and conclusions in this Section are based upon substantial evidence found within the entirety of the administrative record.

**SECTION 3:** *Environmental Assessment for the Project.* The Planning Commission makes the following environmental findings:

- A. The City completed a Final MND for the project in accordance with applicable law including, without limitation, CEQA Guidelines §§ 15070, 15071 and 15073.
- B. The City distributed the Draft MND for public review and comment for a period of 20 days from November 1, 2019 to November 20, 2019 and responded to all comments received in writing by updating the Final MND as appropriate.
- C. The Final MND and the Mitigation and Monitoring Reporting Program (MMRP) were presented to the Planning Commission, which reviewed the record of the proceedings and considered all information contained in the Final MND and its appendices, the MMRP, and the testimony and additional information presented at or before all public hearings in accordance with CEQA Guidelines §15074.
- D. Pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final MND prepared for the Project. The Final MND is an accurate and complete statement of the potential environmental impacts of the project. The Final MND was prepared by the City of Goleta Planning and Environmental Review Department and reflects its independent judgment and analysis of the environmental impacts.

**SECTION 4:** *Conditional Use Permit Revision Findings.* The Planning Commission makes the following findings pursuant to Section 35-315.8 of the Inland Zoning Ordinance:

- A. *The site is adequate in size, shape, locations, and physical characteristics to accommodate the type and use of development proposed.*

The uses are already occurring on the 3.3-acre site and are consistent with those allowed under the DR-4 zone district and the Single-Family General Plan land use designations either by right (the residence) or with approval of a Conditional Use Permit (Synagogue and Day Care/Preschool). Given the size, shape, location and physical characteristics of the project site, the existing structures that are to be retained, and the proposed buildings and improvements to be constructed can be easily accommodated on the property. The proposed site improvements, including landscaping,

reconfigured parking, and drainage facilities are accessory and customary development and will not adversely affect the density or intensity of uses conducted on the project site. Therefore, the project site will remain adequate in size, shape, location and physical characteristics to accommodate the density and intensity of the proposed development.

B. *Significant impact has been mitigated to the maximum extent feasible.*

The project has been fully analyzed in the Final MND provided as Exhibit 1, which identified potentially significant project-related environmental impacts pertaining to cultural and tribal cultural resources (demolition of an 80-year-old barn and unlikely unanticipated impacts to buried cultural resources). With the implementation of mitigation measures identified by Final MND and other conditions of approval referenced within the Final MND, the proposed project's potentially significant environmental impacts would be reduced to a less than significant level. In addition, the project will observe the 100' Streamside Protection Area setback from Las Vegas Creek.

C. *The streets and highways are adequate and properly designed.*

Access to the project site is from Stow Canyon Road. Many of the uses planned to occur are already occurring (religious worship, social events, school programs and storage) and many attendees at services and holiday events often walk to the site in keeping with religious practices and observances. The closest intersection to the site, Fairview and Stow Canyon operate at Level of Service C (Associated Transportation Engineers 2018, Revised 2019). The streets and highways that serve the project site are adequate and properly designed to accommodate the project based on the improvements constructed since 2005 and those that are still anticipated to be made by the City in order to accommodate the traffic generated by Goleta Valley Jr. High School. The project is not anticipated to add substantial traffic overall or during peak time periods given the uses and the time of day those uses occur in relationship to the other uses that are served by Stow Canyon Road (same citation). Lastly, the project is eliminating and consolidating driveways into one location in keeping with City standards to have the site served by a single driveway. The consolidated driveway will improve traffic flow on Stow Canyon Road and reduce vehicle conflicts as all vehicles would be exiting the site in a forward fashion.

D. *There are adequate public services, including but not limited to fire protections, water supply, sewage disposal, and police protection to serve the project.*

There are adequate public services to serve the project and the site will continue to be served by the Santa Barbara County Fire Protection District (SBCOFD), Goleta Water District (GWD), Goleta Sanitary District (GSD), and

Sheriff's Department. SBCOFD staff has indicated that through compliance with SBCOFD standard conditions (e.g., fire sprinklers, proper addressing, and payment of required development impact fees, etc.) the provision of services can be accommodated. GWD and GSD have indicated that adequate water and sewer facilities exist to serve the project based on the uses contained in the project description. The project would not result in an increase in population at the project site and would not result in an increased demand for Sheriff's Department services.

- E. *The project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will be compatible with the surrounding area.*

The project would not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood, and will not be incompatible with nearby religious, educational and residential uses. The project site has been developed and used for residential, religious, and education purposes since 1992 and would continue to be so. The proposed project would not substantially change the visual character of the site, would not increase the number of people located at the site, and would not result in substantial increase in existing traffic conditions.

While the square footage devoted to the worship and event space are being enlarged, the number of congregants is not expected to increase substantially. In addition, the number of students to be served by the day care/school is proposed to be reduced. The other ancillary activities (religious classes, youth activities, summer camp, etc.) are in keeping with the activities expected to occur at any house of worship and will be compatible with the surrounding area particularly given the adjacency of other religious institution and school campus. Lastly, the use, the type of activities of the property (residential, religious, school, day care) and the time of day that activities would occur will not conflict or be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood based on the nature of the events.

- F. *The project is in conformation with the applicable provisions and policies of the Inland Zoning Ordinance and the General Plan/Coastal Land Use Plan*

As evaluated in Exhibit 3 of this Resolution, the proposed site improvements are consistent with the General Plan land use designation of Single Family (S-F) and the applicable General Plan policies. In keeping with General Plan policies, the proposed project and improvements will not encroach into the 100' Streamside Protection Area setback, will not impact level of service on adjacent roads, and will continue to provide on-site housing for the Rabbi.

The on-site uses are either allowed as permitted use (residence) or with the approval of a Conditional Use Permit (Synagogue and day care/school) in the DR-4 zone. As evaluated in Exhibit 4 of this Resolution, the project complies with all setbacks (including SPA buffer requirements), height, landscaping, lot coverage, and number of parking spaces standards applicable to the site and the uses. However, implementation of the project as proposed, requires a modification as to how the parking for the residential use is provided. The requested modification to allow the three spaces for the residence to be uncovered is compatible with the adjacent neighborhood and would not create an adverse impact to community character, aesthetics or public views.

- G. *In designated rural areas, the use is compatible with and subordinate to the scenic and rural character of the area.*

This finding is not applicable as the site is not in a designated rural area.

**SECTION 5:** *Development Plan with Modifications Findings.* The Planning Commission makes the following findings pursuant to Section 35-317.17.7 of the Inland Zoning Ordinance:

- A. *The site for the project is adequate in size, shape, locations and physical characteristics to accommodate the density and intensity of development proposed.*

The uses are already occurring on the 3.3-acre site and are consistent with those allowed under the DR-4 zone district and the Single-Family General Plan land use designations either by right (the residence) or with approval of a Conditional Use Permit (Synagogue and Day Care/Preschool). Given the size, shape, location and physical characteristics of the project site, the existing structures that are to be retained, and the proposed buildings and improvements to be constructed can be easily accommodated on the property. The proposed site improvements, including landscaping, reconfigured parking, and drainage facilities are accessory and customary development and will not adversely affect the density or intensity of uses conducted on the project site. Therefore, the project site will remain adequate in size, shape, location and physical characteristics to accommodate the density and intensity of the proposed development.

- B. *Adverse impacts are mitigation to the maximum extent feasible.*

The project has been fully analyzed in the Final MND Exhibit 1, which identified potentially significant project-related environmental impacts pertaining to cultural and tribal cultural resources (demolition of an 80-year-old barn and unlikely unanticipated impacts to buried cultural resources). With the implementation of mitigation measures identified by Final MND and other conditions of approval, the proposed project's potentially significant

environmental impacts would be reduced to a less than significant level. In addition, the project will observe the 100' Streamside Protection Area setback from Las Vegas Creek.

C. *Streets and highways are adequate and properly designed.*

Access to the project site is from Stow Canyon Road. Many of the uses planned to occur within the new buildings are already occurring (religious worship, social events, and storage) and many attendees at services and holiday events often walk to the site in keeping with religious practices and observances. The closest intersection to the site, Fairview and Stow Canyon operate at Level of Service C (Associated Transportation Engineers 2018, Revised 2019). The streets and highways that serve the project site are adequate and properly designed to accommodate the project with improvements constructed since 2005 and those that are anticipated to be made in order to accommodate the traffic generated by Goleta Valley Jr. High School. The project is not anticipated substantial traffic overall or during peak time periods given the uses and the time of day those uses occur in relationship to the other uses that are served by Stow Canyon Road.

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

There are adequate public services to serve the project, and the project site will continue to be served by the Santa Barbara County Fire Protection District, Goleta Water District (GWD), Goleta Sanitary District (GSD), and Sheriff's Department. The Fire Protection District has indicated that through compliance with Fire Department standard conditions (e.g., fire sprinklers, proper addressing, and payment of required development impact fees) the project would not result in significant fire protection services impacts. GWD and GSD have indicated that adequate facilities and capacities exist to serve the project. The project would not result in an increase in population at the project site and would not result in an increased demand for Sheriff's Department services.

E. *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 not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood, and will not be incompatible with nearby religious, educational and residential uses. The project site has been developed and use for residential, religious, and education uses since 1992 and would continue to be so. The proposed project would not substantially change the visual character of the site, would

not increase the number of people located at the site, and would not result in substantial increase in existing traffic conditions.

- F. *The project is in conformance with the 1) the Comprehensive Plan and 2) the applicable provisions of this Article and/or the projects falls with the limited exception allowed under Section 35-306.7.*

As evaluated in Exhibit 3 of this Resolution, the proposed site improvements are consistent with the General Plan land use designation of Single Family (S-F) and the applicable General Plan policies. In keeping with General Plan policies, the proposed improvements will not encroach into the 100' Streamside Protection Area setback, will not impact level of service on adjacent roads, and will continue to provide on-site housing for the Rabbi.

The uses are either allowed as permitted use (residence) or with the approval of a Conditional Use Permit (synagogue and day care/school) in the DR-4 zone. As evaluated in Exhibit 4 of this Resolution, the project complies with all setbacks (including SPA buffer requirements), height, landscaping, lot coverage, and number of parking spaces standards applicable to the site and the uses. However, implementation of the project as proposed, requires modification to how the parking for the residential use is provided. The requested modification to allow the three spaces for the residence to be uncovered is compatible with the adjacent neighborhood and would not create an adverse impact to community character, aesthetics or public views.

- G. *In designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.*

This finding is not applicable as the site is not in a designated rural area.

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

The project will not conflict with any easements on the property. The development has been designed to respect an easement for access to a water well that an adjacent property hold the rights for.

**SECTION 6:** *Actions.* The Planning Commission hereby takes the following actions:

- A. Adopt the MND and MMRP provided as Exhibit 1 to the Resolution, which is incorporated by reference and directs staff to file the Notice of Determination within five (5) business days.
- B. Approve the Development Plan and Conditional Use Permit Revision with a modification to allow uncovered parking in lieu of a garage, Case No. 18-031-

DP-CUPRV, based on the Findings above and the General Plan and Zoning Consistency analyses contained in Exhibit 3 and 4 to this Resolution, subject to the Conditions of Approval attached as Exhibit 2 to this Resolution, and incorporated by reference.

**SECTION 7:** *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

**SECTION 8:** *Limitations.* The Planning Commission's analysis and evaluation of the Project is based on the best information currently available. In all instances, best efforts have been made to form accurate assumptions. Somewhat related are the limitations on the City's ability to solve what are in effect regional, state and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

**SECTION 9:** *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.


**SECTION 10:** This Resolution will remain effective until superseded by a subsequent Resolution.

**SECTION 11:** The City Clerk is directed to mail a copy of this Resolution to Steve Fort of Suzanne Elledge Planning and Permitting Services and to any other person requesting a copy.

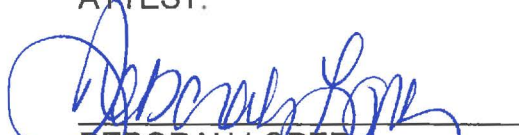
**SECTION 12:** This Resolution will become effective immediately upon adoption.

**SECTION 13:** The City Clerk will certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** this 9<sup>th</sup> day of December 2019.

  
\_\_\_\_\_  
JENNIFER R. SMITH  
CHAIR

ATTEST:

  
\_\_\_\_\_  
DEBORAH LOPEZ  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
WINNIE CAI  
ASSISTANT CITY ATTORNEY



STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) ss.  
CITY OF GOLETA )

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 19 -12 was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the 9<sup>th</sup> day of December, 2019 by the following vote of the Planning Commission:

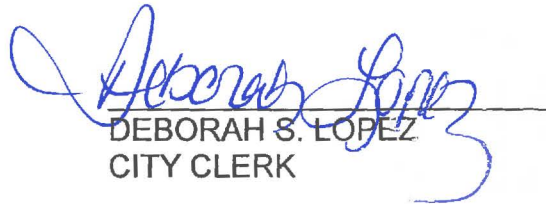
AYES: CHAIR SMITH, VICE CHAIR MILLER, COMMISSIONERS FULLER, MAYNARD AND SHELOR

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

(SEAL)

  
DEBORAH S. LOPEZ  
CITY CLERK