

ATTACHMENT A
FINDINGS OF APPROVAL
Fairview Business Associates/Torridon Substantial Conformity Determination
420, 430, 490 S Fairview Avenue; APNs 071-130-061, -057, -062
Case No. 21-0002-SCD

The Planning and Environmental Review (PER) Director has reviewed the application materials, and staff recommendations for Case No. 21-0002-SCD. The Substantial Conformity Determination (SCD) request for the previously County-approved Development Plan (98-DP-024). The previous approval envisioned the future construction of 25 parking spaces in areas currently used as landscaping, subject to the approval of an SCD and the Design Review Board (DRB). The applicant proposes to seek approval of the delayed 25 parking spaces as originally approved by the County should the need arise in the future. The application for an SCD and DRB review will serve to formalize the design of the 25 future parking spaces. The proposed SCD also includes improvements in site lighting. The proposed locations of the 25 future parking spaces are situated in existing oversized landscaped planters and have been placed in a manner to avoid removal of mature trees and to avoid conflict with existing drainage infrastructure on the property.

Based on substantial evidence derived from consideration of the entire record, the PER Director has determined that the following findings for approval can be made for Case No. 21-0002-SCD pursuant to Goleta Municipal Code, Title 17 Zoning Ordinance Sections 17.52.100(B) (1) (a) and 17.52.100(B)(2). 17.52.100(B)(1)(a) Substantial Conformity Determination Development Thresholds

i. The change will not result in an increase of 1,000 square feet or more than 10 percent of building coverage of new structures over total previous Permit or Plan approval, whichever is less.

The requested parking spaces will not result in an increase of 1,000 SF or more than 10 percent of building coverage of new structures over the total previous Case No. 98-DP-024 approval. No new buildings are proposed as the project is limited to landscaping, hardscaping, lighting, and parking improvements.

ii. The change will not result in an overall height increase, which is greater than 10 percent above the previous Permit or Plan approval height.

The change will not result in an overall height increase, which is greater than ten percent above the previous Permit or Plan approval height. The proposed project will not affect

the previously approved buildings nor will their heights be affected since the improvements are limited to parking.

iii. The change will not result in more than 1,500 cubic yards of new cut and/or fill in the Inland Area (50 cubic yards in the Coastal Zone) and avoids slopes of 30 percent or greater unless these impacts were addressed in the environmental analysis for the project; mitigation measures were imposed to mitigate said impacts and the proposal would not compromise the mitigation measures imposed.

The change will not result in more than 1,500 cubic yards of new cut and/or fill in the Inland Area and avoids slopes of 30 percent or greater unless these impacts were addressed in the environmental analysis for this project; mitigation measures were imposed to mitigate said impacts and the proposal would not compromise the mitigation measures imposed. The change associated with the SCD will not result in any grading.

iv. The project is located within the same general location as, and is topographically similar to, approved plans. The location must not be moved more than 10 percent closer to a property line than the originally approved Permit or Plan.

The project is located within the same general location as, and is topographically similar to, approved plans. The location must not be moved more than ten percent closer to a property line than the originally approved Permit or Plan. The project to add parking spaces is located within the same general location as previously approved by the County. The placement of the parking spaces remains within the boundaries of the already constructed parking lot and does not move spaces any closer to property lines.

v. The project has not been the subject of substantial public controversy, nor is there reason to believe the change is likely to create substantial public controversy.

The project has not been the subject of substantial public controversy, nor is there reason to believe that change is likely to create substantial public controversy. This project has not been the subject of substantial public controversy. The record associated with the original project does not reflect that the project was the subject of substantial public

controversy and there was no controversy expressed when the parking proposal was review and approved by the Goleta DRB in February 2022.

17.52.100(B)(2) Substantial Conformity Determination Findings

Pursuant to Title 17, Section 17.52.100(B)(2), the Director makes the Findings for Substantial Conformity Determination:

1.1. The findings required for the original approval must be re-made.

The findings required for the original approval (Case No. 98-DP-024) can still be made for the amended project, including CEQA findings that have been detailed in the staff report and integrated herein: the original entitlement authorized multiple office buildings and parking on site. The site for the project is adequate for the existing and proposed development which is not an intensification or change of use and limited to renovating the existing parking, landscaping, and exterior lighting. The specific findings approving Case No. 98-DP-024 are included as Attachment 2.

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

The environmental impacts related to the placement and construction of the 25 parking spaces are substantially the same as was originally analyzed in 2001 when the project was approved. These parking spaces were evaluated in the current configuration for the most part and required as part of the original approval; however, the construction was delayed as the County felt the project would be “over parked” and directed that these spaces not be installed at the time of initial construction. Further, the change to Case No. 98-DP-024 for landscaping, hardscaping, parking, and site lighting improvements does not result in a use change or increase in overall building coverage that would conflict with the original project conditions of approval. The change to the project provides changes to the landscaping, hardscaping, parking, and site lighting as detailed in the staff report and can be effectuated through existing permit conditions.

1.3 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.

The potential environmental impacts related to the proposed project changes in Case No. 98-DP-024 have been reviewed as detailed in the staff report and are substantially the same as those found for the original approval including CEQA findings and have been incorporated herein into the findings for Section 17.52.100 (B)(2) item 1.1 above.

1.4 Any revisions to the original project have received Design Review Board approvals for landscaping and structures, if necessary.

The approved project received Preliminary Design Review at the February 8, 2022 DRB meeting and was determined to be compatible with the City of Goleta design principles, policies and standards for structures and landscaping, as specified in the General Plan and Title 17 Zoning Ordinance and detailed in the staff report and the DRB adopted Design Review Findings in Attachment E.