

ATTACHMENT A
FINDINGS OF APPROVAL
Costco Substantial Conformity Determination
7095 Marketplace Drive; APN 073-440-014
Case No. 22-0005-SCD

The Planning and Environmental Review (PER) Director has reviewed the Substantial Conformity Determination (SCD) application materials, staff analysis and recommendations for Case No. 22-0005-SCD. 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 pursuant to Goleta Municipal Code, Title 17 Zoning Ordinance Sections 17.52.100 (B) Changes to Prior Permits and Approvals.

1. 17.52.100(B)(1)(a) Minor Changes to approved Development

Pursuant to Title 17, Section 17.52.100(B)(1)(a), the Director makes the following findings applicable to Development Thresholds:

- 1.1 *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 total square footage of Costco is currently 138,068 square feet. The proposed changes include approximately 828 square feet of additional floor area, which is approximately 0.6% of the current building coverage. Since the additional new building coverage is less than 1,000 square feet and less than 10% of the existing building coverage, the proposed change meets this threshold.

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

No change in building height is proposed to the existing building, so the building height will remain below the 35' height limit for the CR zone district. The proposed additional square footage is a result of utilizing existing volume within the building to create the new second story area.

- 1.3 *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.*

No new grading is proposed for the project as the addition will be created by using the existing volume within the building.

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

Pursuant to Title 17, Section 17.52.100, the Director makes the following Changes to Prior Permits and Approval Findings for Substantial Conformity Determination:

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

The findings required for the original and subsequent approvals (Case Nos. 95-SP-001, 95-GP-001, 95-RZ-006, 95-DP-026, 95-CP-061, 95CP-062, 96-CP-004, 95-LA-014, TM 14,383) can still be made for this proposal and the 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 Sheriff. This SCD for interior building improvements would have no effect on the adequacy of these services or provision of these services nor will the SCD affect the intensity of development on this site. This project will make desirable interior improvements to provide better facilities for customers and employees. Therefore, this project meets the original intent on the property and can be found consistent with the original approval.

2.2. 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 changes to Case Nos. Case Nos. 95-SP-001, 95-GP-001, 95-RZ-006, 95-DP-026, 95-CP-061, 95CP-062, 96-CP-004, 95-LA-014, TM 14,383 do not result in an intensification of use that would conflict with the original or revised project conditions of approval. The proposed change to the existing building will provide Costco with an updated facility to provide better service to their customers with an enlarged merchandise pickup location and a larger locker room for their employees. This change can be effectuated through existing permit conditions and typical city procedures.

2.3 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.

An EIR (96-EIR-3) was adopted July 22, 1997 for the Development of the entirety of the Camino Real Marketplace and for the Development Plan (Case No. 95-DP-026). As the proposed changes do not result in changes to previously identified impacts, nor result in any new significant impacts, and since the changes to the project are considered minor, the previous CEQA findings can be re-made and an

exemption for the revised project would be the appropriate environmental documentation.

The City of Goleta, as the lead agency for this project, has found the revisions to the habitat restoration plan to be 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 Section 15301 (Existing Facilities).

- 2.4 *Any revisions to the original project have received Design Review Board (DRB) approvals for landscaping and structures, if necessary.*

The proposed changes are not subject to Design Review Board approval because there are no exterior changes. The approval of the Substantial Conformity Determination is within the purview of the Director.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING

3. *The development or project is within the project description of a proposed or adopted California Environmental Quality Act document (i.e., Environmental Impact Report, Mitigated Negative Declaration, or Negative Declaration) or is statutorily or categorically exempt from California Environmental Quality Act.*

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 Section 15301 (Existing Facilities) of the CEQA Guidelines and a Notice of Exemption is proposed. The applicant is proposing a remodeling of an existing commercial building and to add square footage from existing internal building volume.

The City of Goleta is acting as the Lead Agency for this project. The project has been found to be exempt from CEQA Guidelines per Section 15301(e) because the project is not increasing the floor area by 50 percent or more than 10,000 square feet. Only 828 sq. ft. will be added to the building and represents 0.6% of the floor area.

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, does not apply. The project is not located in or does not 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, also 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; renovation and rehabilitation of existing buildings is not 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 and off-site improvement locations do not contain hazardous waste and are 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's site does not contain any identified significant cultural resources and will be conditioned to include all mandatory grading best practices.