

**ATTACHMENT A
FINDINGS OF APPROVAL
Seymour Duncan Site and New Building Changes
Substantial Conformity Determination
Lot 3 of Final Map 32,006
Case No. 23-0005-SCD**

The Planning and Environmental Review (PER) Director has reviewed the Substantial Conformity Determination (SCD) application materials, staff analysis and recommendations for Case No. 23-0005-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 Plan

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

- 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 proposed project involves the reduction in floor area from 33,166 net square feet to 31,216 net square feet. The reduction in floor area is proposed to be from the second story of the building along the east elevation. Since the proposed changes will result in a reduction of floor area, the project 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.*

The proposed change to the building will not increase the height of the originally approved building. The originally approved building height was 32 feet, 11 inches and the proposed reduction in floor area will not change the building height. Therefore, this project meets this threshold.

- 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 with the reduction of the floor area in the building, as well as the minor landscaping and parking improvements. Given the proposed

improvements will observe the initially approved cut and/or fill requirement and that it is below the 1,500-cubic yard standard, this request meets this threshold criteria.

- 1.4 *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 proposed site improvements will not change the location of the approved building footprint, and the proposed minor revisions to the landscaping and parking improvements are in the same general location as previously approved. Therefore, none of the improvements are no more than 10 percent closer to the property line than originally approved.

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

Pursuant to Title 17, Section 17.52.100, the Director's designee 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.*

Findings associated with Development Plan Case No. 20-0003-DP can be made for the proposed minor revisions as the site and approved building will be continued to be 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 would not affect the adequacy of these services as these services, including affected streets and highways, are already being provided and the proposed reduction in floor area, and the minor revisions to landscaping and parking are not a significant increase in the intensity of development on this site.

- 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 minor revisions to Case No. 20-0003-DP do not result in a change of use or an increase in habitable building coverage that would conflict with the original project conditions of approval. The changes to the project involve the reduction in approved the floor area, and minor landscaping and parking improvements, which are in conformance with Goleta Municipal Code Title 17 requirements for buildings, circulation, parking, and landscaping, which can be effectuated through existing permit conditions.

- 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.*

The original development plan was approved on June 27, 2022, and the proposed changes in this SCD will not create additional traffic trips or parking needs or building square footage, nor result in any new impacts not already addressed in the previously prepared environmental documents. Since the changes to the project are minor, an exemption for this revised project would be the appropriate environmental documentation.

The City of Goleta, as the lead agency for this project, has found the minor site changes 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(a) (Existing Facilities) and Section 15304(b) (Minor Alterations to Land), since the proposal the reduction in floor area, and landscaping and parking improvements.

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

The original project received a recommendation for Preliminary Design approval on May 10, 2022 from the DRB to the Planning Commission. The Planning Commission granted Preliminary Design approval on June 27, 2022. The DRB determined the project to be compatible with the City of Goleta design principles, policies, and standards for structures and landscaping, as specified in the findings it adopted in granting Preliminary Design Approval. The request to reduce the building floor area and the minor changes to landscaping and parking do not constitute a return to the DRB for preliminary review, however, the entirety of the project will return to the DRB for final review, including the building, landscaping, and parking improvements before a zoning clearance can be issued.

3. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING

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 Sections 15301(a) and 15304(b) and a Notice of Exemption is proposed.

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 Sections 15301(a) and 15304(b) because the applicant proposes a reduction in floor area, and minor revisions to landscaping and parking improvements.

Moreover, none of the exceptions to the categorical exemptions set forth in State CEQA Guidelines Section 15300.2 apply to the project. The exceptions set forth in State CEQA Guidelines Section 15300.2(a), Location. Class 1 and 4 are qualified by consideration of where the project is to be located, as the project is not located in and will not have an impact on environmental resources of critical concern that is designated, precisely mapped, or officially adopted pursuant to federal, state, or local law. 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; the reduction of floor area, and revised landscaping and parking improvements are 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's site does not contain any identified significant cultural resources.

This project is exempt from further review under the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.; "CEQA") and CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.). Specifically, the project is categorically exempt from environmental review pursuant to CEQA Guidelines Sections 15301(a) Existing Facilities and Section 15304(b) Minor Alterations to Land.