



Agenda Item E.1
PUBLIC HEARING
Meeting Date: July 17, 2018

TO: Mayor and Councilmembers

FROM: Peter Imhof, Planning and Environmental Review Director

CONTACT: Lisa Prasse, Current Planning Manager
Kathy Allen, Supervising Senior Planner

SUBJECT: Request for Development Impact Fee Adjustment for the Schwan Self-Storage Development Project located at 10 S. Kellogg Avenue. APN 071-090-082

RECOMMENDATION:

Adopt Resolution No. 18- __ entitled "A Resolution of The City Council of the City of Goleta, California Approving the Request for Development Impact Fee Reduction by Schwan Brother Properties; 10 South Kellogg; APN 071-090-082." (Attachment 1)

BACKGROUND

In October 2011, the Planning Commission approved Development Plan (07-229-DP) for a 685-unit mini-storage at the subject site. In October 2016, the Planning Commission granted a one-year extension for this project. In late 2016, early 2017, while the applicant was working on complying with the conditions of approval outlined in Planning Commission Resolution 11-19, the applicant learned that Union Pacific Railroad (UPR) would no longer guarantee the use of an easement area for access. This area was integral to the provision of emergency access to the buildings. To provide the required circulation on the site, the mini-storage buildings needed to be reduced in width to accommodate the emergency access. Based on this information, the applicant revised the project to add a basement area while providing the required emergency circulation. In September 2017, the Planning Commission approved Development Plan Revision (17-055-DPRV) for the revised project for 863 mini-storage units within 135,741-square feet of development. Planning Commission Resolution No. 17-12 superseded Planning Commission Resolution No. 11-19. One of the conditions of approval (Condition No. 2.c) requires the project to pay the applicable Development Impact Fees. Planning Commission Resolution 17-12 is provided as Attachment 2.

Under the authority of the Mitigation Fee Act (Government Code Section 66000 et seq.), the City implements various DIF programs previously enacted by the County of Santa Barbara and adopted by the City upon incorporation. The DIFs are to offset the demands generated by new development on public facilities throughout the City. These DIF programs include the following: Goleta Transportation Improvement Program (GTIP), the Park Development Impact Fee for residential development, the Park Development Impact

Fee for commercial and industrial development, the Public Administration Facilities Fee, the Library Facility Fee, the Police Facility Fee and the Fire Facility Fee. The requirements of each of the City's DIF programs (fee amounts, timing of payment, etc.) are specific to each program.

These DIF programs require developers to pay their fair share of the costs associated with providing the infrastructure and public services necessary to serve such development. As the impact of a project will vary depending on the use, the City's Development Impact Fees (DIFs) are divided into four, broad use categories. These categories currently include: Single-Family Residential, Residential Dwellings other than Single-Family, Retail Commercial, and Non-Retail Commercial/Industrial. The fee rate for each DIF program varies by the use category.

Under the DIF program and pursuant to the City impact fee ordinance, a developer of any project subject to the payment of fees may appeal to the City Council for a reduction, adjustment, or waiver of development impact fee(s). The appeal must be based upon the absence of any reasonable relationship or nexus between the impacts of the project and either the amount of the fee(s) charged or the type of facilities to be financed. If a reduction adjustment or waiver is granted, any change in use from the project as approved shall invalidate the waiver, adjustment or reduction of the fee. The specific fee adjustment language for each type of DIF is provided in Attachment 3.

The City's Nexus Study, which serves as the basis for the City's current impact fees, was completed in 1999 for the County of Santa Barbara and adopted by the City upon incorporation. In 2014, a Fire Impact Fee Nexus Study was completed to update the City's Fire Facility fees. The updated Fire Fee study provided for additional use categories and was adopted by the City in 2014. The other fees have been updated annually through automatic adjustments for inflation to assure that the fee program is adequately funded and that each project pays its legal share for its impacts to City facilities. DIF automatic adjustments are based on the increase of the Construction Cost Index, as published by the Engineering News Record.

A current City project, being managed by the Public Works Department, is an update to the AB1600 Nexus Study with the goal of updating the categories of uses and their respective fees. However, this updated study is not yet complete.

A Nexus Study need only provide for general categories of uses for which fees are imposed. When a specific project really does not impose the impacts in the category from which fees are based, the DIF protest process is the appropriate mechanism to address these situations, such as the current case.

DISCUSSION:

On February 5, 2018, the applicant, Tom Schwan of Schwan Brothers Properties, LLC, submitted a request to the City to reduce the DIFs in the areas of Recreation (Parks), Library, Public Administration, and Sheriffs given the low intensity and low employment-generating nature of the self-storage use. Mr. Schwan's letter is provided as Attachment 4. Based on the current DIF program, the Schwan Self-Storage Project falls into the Non-Retail Commercial/Industrial use category. This use category covers a broad range of

uses with disparate impacts, including but not limited to office, industrial, warehouse, agriculture, and hotels. The City charged fees based upon the Non-Retail Commercial/Industrial use category and Schwan asserts that this category for self-storage assumes a much higher impact than what self-storage development imposes on City resources.

Under the Non-Retail Commercial/Industrial use category, the Recreation (Parks), Library, Public Administration, and Sheriff Fee programs are a set fee amount per 1,000 square feet of development. The City's Nexus Study derives these set fees from the number of residents/employees generated by the use category. The Nexus Study assumes that the Non-Retail Commercial/Industrial use category would generate approximately 3.16 employees per 1,000 square feet. Based on the Nexus Study, the Schwan Self-Storage Project would generate approximately 429 employees. While self-storage facilities do have employees, it is not to this level. In fact, the applicant for the Schwan self-storage project anticipates having four employees.

Research was conducted by City staff and City's development impact fee consultant in order to determine what the average employment rate for self-storage developments truly is. The national average for self-storage projects is one employee per 14,062 square feet of self-storage. Applying the national average of ministorage employees, this equates to 9.65 employees or 0.07111 employees per 1,000 square feet for the Schwan Self-Storage project. This is significantly less than the 3.16 employees per 1,000 square feet used in the current fee study (0.07111 employees per 1,000 sq. ft./3.16 employees per 1000 sq. ft. = 2.25%). Based on the national average, the current Non-Retail Commercial/Industrial fees are out of proportion for a self-storage project. Staff recently surveyed the ministorage facilities operating within Goleta and found that the local ministorage facilities employ between 5-8 employees. The facilities range in size from approximately 34,000 to 100,000 square feet. While the local employment numbers are slightly less than the national average, this information does confirm that ministorage facilities do not generate 3.16 employees per 1,000 square feet.

Using the revised employee multiplier of 0.0225 for the Schwann Self-Storage project in the requested areas would reasonably relate the fees to the impact of the project. Based on the revised employee multiplier, the revised fees are shown in Table 1 below.

Table 1: Calculated Vs. Adjusted Fee

Impact Fee	Calculated Fees*	Multiplier	Adjusted Fees*
Recreation C&I	\$323,849.46	0.0225	\$7,286.61
Library	\$31,664.14	0.0225	\$712.44
Public Admin	\$139,399.43	0.0225	\$3,136.49
Sheriff	\$71,952.24	0.0225	\$1,618.93
Total	\$566,865.27	-	\$12,754.47

*Includes credit for existing approved development

The fees and reductions in Table 1 above are based on the 2017-18 Fiscal Year fee

schedule. The final fee amounts would be based on the fees in effect at the time of payment of the fees, which are not due until prior to certificate of occupancy.

The only other self-storage facility approved and constructed since City incorporation was a part of the Cabrillo Business Park Development Plan (CBP). As a part of CBP, the project was not subject to the standard impact fee calculation. The fees were determined through a development agreement with the developer, which provided for a 0.005 multiplier for the self-storage component. The basis for the reduction was similarly due to the lower number of project impacts to City resources based on the nature of the ministorage use. The CBP multiplier was not used for the Schwann Self-Storage project as it was not based strictly on the self-storage project and accounted for the overall impact and benefits of the CBP project, such as the provision of onsite park space.

SUMMARY AND CONCLUSION

The approved self-storage facility represents a very low intensity use that will not have a significant impact on City facilities and services. As a result, the current broad categories identified in the City impact fee schedule are not in proportion with the self-storage use. The adjusted fees account for the low intensity nature and minimal impacts of self-storage projects. Based on this information, staff recommends that the City Council approve the fee adjustment for the Schwan Self-Storage Project, as it represents the project's impact on City resources. Should the use of the site change, the new use would be subject to the applicable fees in effect at that time.

As previously mentioned, the City is working on an update to the Nexus Study which may include a new methodology and more fine-tuned use categories so that cases like these would be minimized in the future.

FISCAL IMPACTS:

The adjusted fees represent the project's fair share contribution to the City development impact fee programs and more closely reflect the actual anticipated impacts on City resources. Therefore, the fee adjustment for the Schwan Self-Storage Project will not require a contribution from the City General Fund and will not have a fiscal impact. Actual DIFs received are accounted in each of their respective DIF funds category, and then appropriated for use in the City's Capital Improvement Program (CIP), based upon its allowable use. The DIFs being requested for adjustment were accounted for in the City's Five Year CIP Program for FY 2020/21. Approved total DIF adjustments of \$(554,110.80) will be reflected in the updated Five Year CIP Program during the next budget cycle.

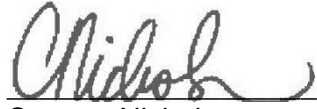
ALTERNATIVES:

The Council may elect not to approve the fee adjustment for the Schwan Self-Storage Project and direct staff to return with a revised resolution and findings denying or modifying the requested fee reduction.

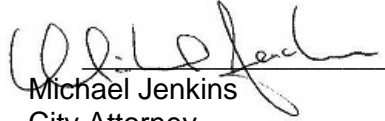
Reviewed By:

Legal Review By:

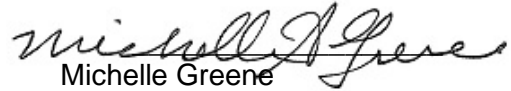
Approved By:



Carmen Nichols
Deputy City Manager



Michael Jenkins
City Attorney



Michelle Greene
City Manager

ATTACHMENTS:

1. Resolution No. 18-____ entitled "A Resolution of The City Council of The City Of Goleta, California Approving The Request For Development Impact Fee Reduction By Schwan Brother Properties; 10 South Kellogg; APN 071-090-082."
2. Planning Commission Resolution No. 17- 12
3. Fee Adjustment Language for Park, Public Administration, Police, And Library Impact Fees (Ord. 02-01 § 1)
4. Schwan's Letter of February 5, 2018

ATTACHMENT 1

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA APPROVING THE REQUEST FOR DEVELOPMENT IMPACT FEE REDUCTION BY SCHWAN BROTHER PROPERTIES; 10 SOUTH KELLOGG; APN 071-090-082.”

RESOLUTION NO. 18-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA,
CALIFORNIA APPROVING THE REQUEST FOR DEVELOPMENT
IMPACT FEE REDUCTION BY SCHWAN BROTHER PROPERTIES; 10
SOUTH KELLOGG; APN 071-090-082.**

The City Council of the City of Goleta does resolve as follows:

SECTION 1: *Recitals.* The City Council finds and declares that:

- A. On September 18, 2017, the Planning Commission of the City of Goleta, California adopted an addendum to the Schwan Self-Storage project final mitigated negative declaration and approved a development plan revision to allow a 135,741 sq. ft. facility of 863 ministorage units with associated setback and landscaping modifications for the Schwan Self-Storage project (Project) on a 2.06-acre parcel located at 10 South Kellogg Avenue APN 071-090-082; and
- B. The City collects Development Impact Mitigation Fees (DIFs) pursuant to the Mitigation Fee Act (Government Code section 66000 et seq.); and
- C. The City collects a DIF for Park Impacts pursuant to City of Goleta Municipal Code Chapter 16.18; and
- D. The City collects a DIF for Public Administration Impacts pursuant to City of Goleta Municipal Code Chapter 16.20; and
- E. The City collects a DIF for Sheriff Impacts pursuant to City of Goleta Municipal Code Chapter 16.21; and
- F. The City collects a DIF for Library Impacts pursuant to City of Goleta Municipal Code Chapter 16.19; and
- G. The applicant submitted a letter requesting a fee adjustment for the DIFs in relation to Recreation (Parks), Library, Public Administration, and Sheriff on February 5, 2018; and
- H. On July 17, 2018, the City Council considered the applicant's request for the reduction in park, public administration, sheriff, and library DIFs.

SECTION 2: *Findings of Facts.* The City Council finds and declares:

- A. The Project will increase the employment potential of the site over the existing development on the site. As a result, the Project will have an impact on park facilities, public administration facilities, sheriff facilities, and library facilities within the City through the addition of additional users. As such, each of the fees are applicable to the Project; and
- B. Fees charged under Mitigation Fee Act are required to have a reasonable relationship to the impacts anticipated; and
- C. Calculation of DIFs for the Non-Retail Commercial/Industrial category is based on approximately 3.16 employees per 1000 square feet of building. Based on this generation factor, the Schwan Self-Storage Project would generate approximately 429 employees (3.16 employees/1,000 SF) X 135,741 SF = 429 employees); and
- D. Employment potential assumed under the AB 1600 fee study for Non-retail Commercial/Industrial Use far exceeds the actual employment potential for the Project given the self-storage use, which is a very low intensity use.; and
- E. Based on staff research, the national employment average at self-storage facilities is 1 employee per 14,062 square feet of self-storage space; and
- F. Applying the national employee average at self-storage facilities to the Schwan Self Storage facility, this average equates to total of 9.65 employees or 0.07111 employees per 1000 square feet at the Schwan Self Storage facility (or 2.25% of the Non-Residential/Industrial base rate); and
- G. Based on the employment disparity, there is not a reasonable relationship between the project impacts and the rates associated with Non-Residential/Industrial DIF category for a self-storage facility.

SECTION 3: *Action.* The City Council hereby approves reduced fees in the areas of park facilities, public administration facilities, sheriff facilities, and library facilities using the rate multiplier of 0.225 of the base rate as reflected in the below table:

Table 1: Calculated vs. Adjusted Fee

Impact Fee	Originally Calculated Fees*	Multiplier	Adjusted Fees*
Recreation C&I	\$323,849.46	0.0225	\$7,286.61
Library	\$31,664.14	0.0225	\$712.44
Public	\$139,399.43	0.0225	\$3,136.49

Admin			
Sheriff	\$71,952.24	0.0225	\$1,618.93
Total	\$566,865.27	-	\$12,754.47

*Includes credit for existing approved development

Actual payment amounts will be based on the fees in effect and applicable at the time of payment. Any change in use from the approved self-storage use shall invalidate this fee adjustment. Additionally, should the City adopt an updated AB 1600 Fee Study prior to the payment of DIF fees by the Schwan Self-Storage Project, then the rate of the DIFs charged will be based on the methodology and fees adopted in the updated study.

SECTION 4: This Resolution will remain effective until superseded by a subsequent Resolution.

SECTION 5: The City Clerk is directed to mail a copy of this Resolution to Tom Schwan, 20 South Kellogg Avenue, Goleta, CA 93117 and to any other person requesting a copy.

SECTION 6: This Resolution will become effective immediately upon adoption.

SECTION 7: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2018.

PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ,
CITY CLERK

MICHAEL JENKINS,
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. 18-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the ____ day of _____, 2018 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

ATTACHMENT 2

RESOLUTION 17-12 OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING AN ADDENDUM TO THE SCHWAN SELF STORAGE PROJECT FINAL MITIGATED NEGATIVE DECLARATION AND APPROVING A DEVELOPMENT PLAN REVISION WITH ASSOCIATED SETBACK AND LANDSCAPING MODIFICATIONS FOR THE SCHWAN SELF STORAGE PROJECT ON A 2.06 ACRE PARCEL LOCATED AT 10 SOUTH KELLOGG AVENUE; CASE NO. 17-055-DP RV; APN 071-090-082.

Attachment 2 Exhibit 1 “Addendum to The Schwan Self-Storage Project Final MND” is not included but is available on the web at <http://www.cityofgoleta.org/city-hall/planning-and-environmental-review/schwan-self-storage-revised-project>. It is also available on CD by request to the Planning and Environmental Review Department. A paper copy may be examined at the Planning and Environmental Review Department.

RESOLUTION NO. 17-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING AN ADDENDUM TO THE SCHWAN SELF-STORAGE PROJECT FINAL MITIGATED NEGATIVE DECLARATION AND APPROVING A DEVELOPMENT PLAN REVISION WITH ASSOCIATED SETBACK AND LANDSCAPING MODIFICATIONS FOR THE SCHWAN SELF-STORAGE PROJECT ON A 2.06 ACRE PARCEL LOCATED AT 10 SOUTH KELLOGG AVENUE; CASE NO. 17-055-DP RV; APN 071-090-082.

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

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

- A. On December 5, 2007, an application was submitted by Greg Rech, agent for Tom Schwan of Schwan Brothers Properties, LLC, the property owner/applicant, requesting approval of a Development Plan for the Schwan Self-Storage Project pursuant to Section 35-317, Article III, Chapter 35 of the Goleta Municipal Code.
- B. An Initial Study was prepared and it was determined that a Mitigated Negative Declaration should be prepared for the currently approved project in compliance with the California Environmental Quality Act ("CEQA").
- C. A Draft Mitigated Negative Declaration was prepared and revised based on comments received and a Final Mitigated Negative Declaration for the Schwan Self-Storage Project ("Final MND"), dated October 24, 2011, was prepared.
- D. Planning Commission conducted a duly noticed public hearing on the currently approved project application on October 24, 2011 at which time Planning Commission considered the entire administrative record, including staff report, the Final MND, as well as oral and written testimony from interested persons.
- E. On October 24, 2011, the Planning Commission adopted Planning Commission Resolutions 11-18 (CEQA) and 11-19 (DP), adopting the Final MND (10-MND-04) and approving a Development Plan (07-229-DP) for the Schwan Self-Storage Project.
- F. On October 10, 2016, the Planning Commission of the City of Goleta held a duly noticed hearing and adopted Resolution 16-07, approving a one-year time extension for the Approved Final Development Plan (07-229-DP).
- G. On April 25, 2017, Tom Schwan, representing Schwan Brothers South Kellogg Properties, LLC ("Applicant"), submitted an application for a Development Plan Amendment, which was later revised to a Development Plan Revision, to remove 7,433-square feet of lease area, reduce the building coverage, add basements to each building, increase the net floor area by 25,141 square feet, and add an

additional 178 storage units, to the approved Schwan Self-Storage Project (the Development Plan Revision is hereinafter referred to as the "Project").

- H. 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").
- I. The City determined that an addendum for the Project was appropriate pursuant to CEQA Guidelines § 15164 since minor changes to the Schwan Self-Storage Project Final Mitigated Negative Declaration are necessary and no circumstances exist calling for the preparation of a subsequent EIR and Negative Declaration pursuant to CEQA Guidelines §§ 15162.
- J. The CEQA Addendum for the Schwan Self-Storage Project Final MND (Addendum) attached as Exhibit 1 to this Resolution and incorporated by reference, was prepared in full compliance with CEQA; and
- K. On September 18, 2017, the Planning Commission conducted a duly noticed public hearing at which all interested parties were heard. This Resolution is adopted based upon the entirety of the 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 located on developed land consisting of 2.06 total acres (Assessor's Parcel No. 071-090-082). The Project site has a General Plan land use designation of General Industrial and a Zoning designation of Light Industrial (M-1).;
- B. Access to the Project site is from South Kellogg across a private easement;
- C. The Project is located outside both the clear and approach zones of the Santa Barbara Municipal Airport as well as the downwind and base legs or departure paths or traffic patterns;
- D. The Project includes a request for approval of a Development Plan Revision (DP RV) for the removal of the lease area (7,433-square feet), reduction of the building footprints, addition of basements, increase the floor area by 25,141-square feet, and add 178 storage units on an 2.06-acre site;
- E. The Project site is a generally level, rectangular-shaped parcel;

- F. The Project provides 26 parking spaces, which meets the minimum mandated by Institute of Traffic Engineers Parking Generation Manual guidelines for the self-storage use for the Project;
- G. The Project site has adequate ingress and egress that also meets Fire Department requirements; and
- H. 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 Project was analyzed for its environmental impacts and the Addendum was prepared pursuant to CEQA Guidelines §15164. An addendum is appropriate as there are only minor technical changes or additions that do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts.
- B. The Addendum need not be circulated for public review (CEQA Guidelines §15164 (c)). While the Addendum has not been circulated for public review it has been available to the public since September 08, 2017. An addendum must be considered with the Final MND by the decision-making body before making a decision on the Project (CEQA Guidelines §15164 (d)).
- C. There is substantial evidence in the record showing that the Addendum is appropriate for the Project.
- D. Pursuant to CEQA Guidelines §15074, the Addendum reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Addendum prepared for the Project. The Addendum is an accurate and complete statement of the potential environmental impacts of the Project. The Addendum 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: *Development Plan Revision (DP RV) Findings.* The Planning Commission makes the following findings pursuant to Section 35-317.7 of the Inland Zoning Ordinance:

- a) *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.*

The project site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed, including

structural development, landscaping, parking, and on-site circulation for pedestrians, passenger vehicles and emergency vehicles, to accommodate the project design. The site was originally found to be adequate for the Approved Project. The Revised Project, while increasing the number of units has a smaller building footprint, due to the addition of the basements, and complies with the Zoning District building coverage requirements. The Revised Project provides parking and landscaping in excess of what is required under the City of Goleta Zoning Ordinance. Emergency access for the Revised Project has been reviewed and approved by the Santa Barbara County Fire Department. Given the nature of mini warehouse use, the additional units and square footage do not result in a substantial increase in intensity of the development as the Revised Project would only increase traffic by two PM Peak Hour Trips. Overall, there is sufficient acreage onsite to accommodate the density and intensity of development proposed.

- b) That adverse impacts are mitigated to the maximum extent feasible.*

An Addendum was prepared and shows that the impacts of the Revised Project are substantially the same as those of the Approved Project. All mitigation measures included in the Final MND are applicable to the Revised Project. With the inclusion of the mitigations from the Final MND the Revised Project has been mitigated to the maximum extent feasible.

- c) That streets and highways are adequate and properly designed.*

The subject property is accessed from Kellogg Avenue across an existing easement. The Revised Project will not substantially increase the demand on nearby streets and highways over the currently approved project, as shown in the Trip Generation Comparison and Soil Export Truck Route Evaluation for the Schwan Self-Storage Project (ATE 2017). Additionally, per the approved conditions of approval for the Project, improvements to the railroad crossing at South Kellogg Avenue just south of the site for the Project will substantially reduce the potential for conflicting traffic/train movements as a result of Project implementation. Project contributions to cumulative traffic impacts will be mitigated through the payment of Development Mitigation Impact Fees (DIFs). Therefore, access is properly designed and adequate to support the Revised Project, and no additional changes are required.

- d) That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.*

The Revised Project would be served by adequate public services, including the Santa Barbara County Fire Department, Goleta Water District, Goleta Sanitary District, Southern California Edison, and Santa Barbara County Sheriff. The proposed changes to the project would have a negligible effect on the adequacy

of these services, and furthermore, the applicant has received the required "intent to serve" letter from the Goleta Sanitary District and a "Preliminary Water Service Determination Letter" from the Goleta Water District. The Revised Project plans have also been reviewed and approved by the Santa Barbara County Fire Department. The project is conditioned to receive "Can and Will Serve" letters from the Goleta Sanitary and Goleta Water Districts prior to Land Use Permit approval. As such, the project as conditioned is consistent with this finding.

- e) *That 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 Revised Project is not detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood as the Revised Project, which includes the removal of the unenclosed equipment and material storages onsite, would provide for an aesthetically pleasing design for the site and, hence, the neighborhood. The Revised Project would meet all safety requirements and is designed to fit into its neighborhood. The Revised Projects impacts on water quality through the offsite release of stormwater runoff into the City's storm drain system, San Jose Creek, Goleta Slough and the ocean will continue to be reduced to less than significant levels through inclusion of various stormwater BMPs into the project design. These include filtering, treatment, and long-term maintenance of BMPs. This will also be an improvement to the existing conditions, as there is currently no creek buffer potentially leading to unfiltered runoff entering the creek. As such, the project is consistent with this finding.

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

The Revised Project meets the General Plan consistency, Goleta Old Town Revitalization Plan consistency, and Zoning Ordinance requirements, subject to Planning Commission approval, as identified in exhibits 2, 3, and 4, respectively, to this resolution. Such policies include protection of environmentally sensitive resources, community aesthetics and visual quality, mitigation of noise impacts, and provision of adequate parking, vehicular circulation, infrastructure and services to serve the Revised development. The reference to Section 35-306.7 (Limited Exception Determination Findings) not applicable to the proposed project as this is a new development and not legal non-conforming.

- g) *That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.*

The project is not in a designated rural area.

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

The project is not in conflict with any easements required for public access.

- i) That the modifications to the general setback and landscaping requirements are justified.*

All proposed modifications for the Revised Project were previously granted for the Approved project and continue to be justified. For all interior lots, regardless of zone, a setback of at least 10 feet from all property lines is required (GMC Section 35-275.3). Overall, as with the Approved project, the Revised Project complies with this requirement with two exceptions: first, the placement of three required parking spaces located in the site's northwest corner is within the northern setback; and second, each building has a limited "bump-out" encroachment into the northern setback of 5 feet. These encroachments into the required northern yard setback are limited and do not have any adverse impacts on the neighboring Caltrans right-of-way and U. S. Highway 101. The long and narrow shape of the property poses unusual constraints on the physical placement of buildings on the site. Therefore, the modifications to this setback requirement are justified.

Landscaping requirements for the M-1 zone require a minimum of 10% of the site area to be landscaped. A 10-foot strip of landscaping along the front property line and a 5-foot strip along the side and rear property lines are also required. The project devotes 23.5% of the site area to landscaping; however, it would not provide a 10-foot strip from the front (west) property line, and would provide an intermittent strip ranging in width from 2 feet to 4 feet along the south (side) property line and an intermittent strip ranging from 1.25 feet to 5 feet from the north (side) property line. The long and narrow shape of the property poses unusual constraints on the design of the buildings and landscaping on the site. Sufficient plantings will be provided to ensure adequate screening of the property along its property lines, therefore mitigating any visual impacts as a result of the project or the reduction in landscape strip width. Therefore, the modifications to this landscape strip requirement are justified.

SECTION 5: *Action.* The Planning Commission takes the following actions:

- A. Adopt the Addendum provided in Exhibit 1 to this Resolution, which is incorporated by reference, required by CEQA § 21081.6 and CEQA Guidelines § 15097.
- B. Approve the Development Plan Revision and Modifications based on the findings noted in Sections 3 and 4 above, subject to the conditions of approval contained in Exhibit 5 to this Resolution and mitigation measures adopted by the Planning

Commission Resolution No. 11-18 on October 24, 2011, incorporated by reference.

- C. Direct the Director of Planning and Environmental Review to file a Notice of Determination within five (5) business days.

SECTION 6: *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 7: *Limitations.* The Planning Commission's analysis and evaluation of the Project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the Project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this 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 8: *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 9: This Resolution will remain effective until superseded by a subsequent Resolution.

SECTION 10: The City Clerk is directed to mail a copy of this Resolution to Tom Schwan and to any other person requesting a copy.

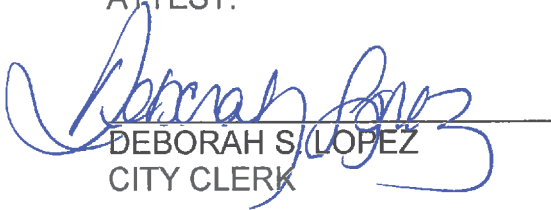
SECTION 11: This Resolution will become effective immediately upon adoption.

SECTION 12: 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 18th day of September 2017.

 10/23/2017
KATIE MAYNARD, CHAIR

ATTEST:


DEBORAH S. LOPEZ
CITY CLERK

APPROVED AS TO FORM:


WINNIE CAI
DEPUTY CITY ATTORNEY

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

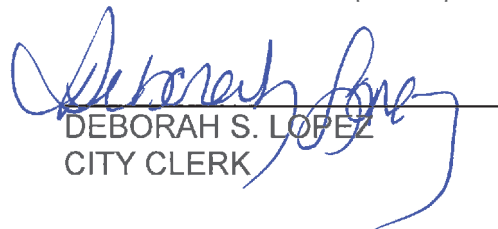
I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 17-12 was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the 18th day of September, 2017 by the following vote of the Planning Commission:

AYES: CHAIR MAYNARD, VICE-CHAIR FULLER, COMMISSIONERS
ONNEN AND SMITH

NOES: COMMISSIONER MILLER

ABSENT: NONE

(SEAL)


DEBORAH S. LOPEZ
CITY CLERK

ATTACHMENT 2, EXHIBIT 1

ADDENDUM TO THE SCHWAN SELF-STORAGE PROJECT FINAL MND (dated September, 2017)

Attachment 2 Exhibit 1 “Addendum to The Schwan Self-Storage Project Final MND” is not included but is available on the web at <http://www.cityofgoleta.org/city-hall/planning-and-environmental-review/schwan-self-storage-revised-project>. It is also available on CD by request to the Planning and Environmental Review Department. A paper copy may be examined at the Planning and Environmental Review Department.

**SCHWAN SELF-STORAGE
DEVELOPMENT PLAN REVISION
GENERAL PLAN CONSISTENCY ANALYSIS**

1. **Land Use Element (GP/CLUP: LU 1.4, 1.7, 1.8, 1.9, 1.13, 4.1, 4.5, 4.6, and 11.1):** The Revised Project remains consistent with the Land Use Plan Map (Figure 2-1) of the GP/CLUP and the General Industrial (I-G) land use designation, which allows “warehousing – Self-Storage” as an approved use. The maximum height of the structures will not exceed 35 feet, which is consistent with the development standards applicable to the I-G land use category. The Revised Project meets all applicable performance standards of the Land Use Element and of the Inland Zoning Ordinance (Article III, Goleta Municipal Code Chapter 35) as modified by the Director. The proposed architecture and landscaping are compatible with existing development in the surrounding area. As conditioned, adequate infrastructure and services would be available to serve the Revised Project. Implementation of the Revised Project will still replace all existing uses with the entirely new self-storage use. Several measures required as conditions of approval will be implemented to mitigate any adverse impacts on nearby residential areas, such as implementation of new landscaping plans, “dark sky” lighting requirements, and noise controls for the life of the project. Implementation of the project will remedy any zoning violations on site. Therefore, the project is consistent with the Land Use Element.
2. **Open Space Element (GP/CLUP: OS 8.6, 8.7 and 9.2):** The Revised Project would not result in any significant effects on recreational facilities or create any substantial new demand for such public amenities. The Revised Project is conditioned to pay impact fees for parks and recreation. Additionally, while the site does not have any documented archeological or paleontological resources, if any unexpected resources are encountered during construction, a mitigation measure/condition of approval requires work to stop or be redirected until the City and/or a City-approved archaeologist and Native American representative can evaluate the significance of the find, pursuant to City standards.
3. **Conservation Element (GP/CLUP: CE 1.1, 1.2, 1.3, 1.6, 1.7, 1.8, 1.9, 1.10, 2.1, 2.2, 2.3, 2.5, 8.2, 8.3, 8.4 9.1, 9.2, 9.3, 9.4, 9.5, 10.1, 10.2, 10.3, 10.4, 10.6, 10.7, 10.8, 12.2, 12.3, 13.1, 13.2, 13.3, 15.3, and 15.5):** The Revised Project remains consistent with the General Plan Conservation Element policies, which require protection of various sensitive habitats and species, including a requirement for a nesting birds and raptors survey prior to construction, minimizing light and glare and the use of noninvasive landscape plantings. The Revised Project will continue to maintain the previously approved 50-foot SPA upland buffer from the top of bank of San Jose Creek due to the long and narrow shape of the property, which limits redevelopment opportunity on the site. The Planning Commission previously found that the long and narrow shape of the property limits redevelopment opportunity on the site. In addition to the shape of the site and the creek buffer requirements,

the requirements of the City and Santa Barbara County Fire Department development standards such as building height, setbacks, landscaping, driveway width, and parking spaces/sizes/location. Therefore, a 50-foot SPA upland buffer was granted and continues to be provided as there is no feasible alternative siting for the development on the subject site. The Revised Project does not encroach any further into the already granted setback.

Additional measures outlined in the Final MND and its addendum are included to mitigate project impacts to biological resources include the approval and implementation of a grading and erosion control plan, removal of invasive and non-native weedy species, implementation of tree protection and replacement and riparian corridor restoration plans, moving the fence and gate outside of the 50-foot SPA buffer, and pre-construction biological surveys.

The Revised Project will continue to observe the previously approved 50-foot SPA upland buffer and will be required to implement all additional measures mentioned above. With the implementation of the measures above, including the restoration plan, the Revised Project will result in a vast improvement to the existing riparian habitat and biotic quality of the ESHA. This improved creek corridor will have a greater likelihood of providing habitat for other sensitive species. Therefore, the Revised Project can still be found consistent with the intent is consistent with Conservation Element Policies.

4. **Safety Element (GP/CLUP: SE 6.2, 6.4, 6.6, 7.1, 7.2, and 7.5):** The Revised Project remains consistent with Safety Element policies and is required to comply with adopted building and fire codes. Site-specific hazards studies, including a Geotechnical Site Evaluation have been produced for the project in compliance with the Safety Element and appropriate conditions have been placed on the project. The Revised Project will be adequately served by fire protection services and must comply with all Santa Barbara County Fire Department requirements and conditions of approval for fire protection and building requirements. The project is not within an airport landing zone and is not subject to the Santa Barbara County Airport Land Use Plan. The buildings will be two feet above the base flood elevation, and will remain consistent with the City's Floodplain Management Ordinance.
5. **Visual and Historic Resources Element (GP/CLUP: VH 1.1, 1.2, 1.4, 1.8, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 3.4, 4.2, 4.6, 4.9, 4.11, 4.12, and 4.14):** The Revised Project will not result in any significant impacts to aesthetics and will not degrade any scenic views or view corridors. The Revised Project incorporates quality architectural design and extensive landscaping and is consistent with all specific design standards of the Visual and Historic Resources Element. With respect to the Visual and Historic Resources Element in relation to urban form, design, and scenic values, the proposed project is consistent with the above policies. The project meets the Green Building policy by meeting and exceeding the standards set forth in the California Energy Code and Goleta Green Building Program. The

project conditions of approval include requirements to ensure that all above-ground utility service connections are screened from public view and use colors that blend with the natural environment. Further, existing utility lines are required to be placed underground if determined feasible by the appropriate utility company. The project will be consistent with the size, bulk and scale of the surrounding development and will not adversely impact the visual character of the City. All landscaping, lighting, and building designs have received final review and approval by the Design Review Board.

6. **Transportation Element (GP/CLUP: TE 2.2, 4.1, 9.1, 9.2, 9.4, 9.5, 12.1, 13.1, and 13.3):** The Revised Project remains consistent with the planned intensity and land use of the property in the GP/CLUP Land Use Element. As such, the project is also in conformance with the Overall Street Plan and Collector Streets and Roads within the Transportation Element. The project provides appropriate onsite facilities. The Revised Project would only generate a marginal increase in traffic consisting of two additional P.M. peak hour trips and 38 average daily trips. As the roadways in the area are currently well within the acceptable capacity range the additional trips would not have the potential to generate significant roadway or intersection impacts based on City thresholds.
7. **Public Facilities Element (GP/CLUP: PF 3.1, 3.2, 3.3, 3.4, 3.9, 4.1, 4.2, 6.2, 9.1, 9.2, 9.3, and 9.6):** The Permittee must pay development impact fees for parks and recreation, traffic, fire protection facilities, library facilities, public administration facilities, and police facilities as required by Chapter 16 of the Goleta Municipal Code and incorporated in the project conditions of approval. The project is designed to comply with fire safety design standards identified in the California Fire Code (Title 24, Part 9 of the California Code of Regulations) and the Santa Barbara County Fire Department development standards. The Revised Project would not result in any significant new demands on police or fire protection services. The Goleta Water District has indicated that water supplies are available.
8. **Noise Element (GP/CLUP: NE 1.1, 1.2, 1.3, 1.4, 1.5, 4.1, 5.2, 6.4, and 6.5):** The Revised Project, as conditioned, is consistent with land use compatibility standards identified in Noise Element Table 9-2. The originally proposed manager's unit was expected to be subject to noise that exceeds the City's noise thresholds; however with the removal of the unit all associated impacts have been eliminated.

Further, the Revised Project is still just within the zone of potentially significant vibration impacts from both ground-borne and airborne vibration induced by passing railroad trains immediately south of the site. Any possible vibration effects should be confined to window rattle on building façades facing the train track, which may cause a nuisance. However, measures are included in the project conditions of approval to mitigate these impacts and include incorporation of materials and other architectural techniques to reduce interior noise levels to meet City standards. Additionally, measures to reduce the projects noise on surrounding

sensitive receptors have also been included. Conditions on temporary construction noise are included in the mitigation measures.

9. **Housing Element (GP/CLUP: HE 3.1, 3.2, and 3.3):** The Revised Project removes the Manager's apartment unit, due to the number of disturbances in the area, such as the freeway, railway, and surrounding industrial uses. However, without the onsite unit the Revised project will be conditioned to mitigate employee housing impacts through the payment of a development impact fee, provision of housing assistance or other alternative of similar value. With the mitigation of employee housing impacts the project is consistent with the Housing Element.

**SCHWAN SELF-STORAGE
DEVELOPMENT PLAN REVISION
GOLETA OLD TOWN REVITALIZATION PLAN CONSISTENCY ANALYSIS**

Land Use (Policy LUI-OT-1, LUI-OT-3, and VIS-OT-1): The Revised Project will still result in existing uses on site, some of which may be unpermitted, ceasing operation and the site being completely redeveloped with new industrial mini-warehousing. Therefore, the Revised Project is consistent with Policies LUI-OT-1 and LUI-OT-3. The Revised Project as conditioned would significantly improve the existing visual character of the area. Mitigation measures/conditions included to mitigate this potential visual impacts include, but are not limited to, a requirement to receive Final Design Review Board (DRB) approval, landscaping requirements, bonds to assure landscaping installation and maintenance, “dark sky” lighting requirements, and a requirement to place any new utility lines underground (as feasible). With implementation of these mitigation measures/conditions of approval, the Revised Project is consistent with Policy VIS-OT-1.

Public Facilities and Services (Policy SW-OT-1): Pursuant to the Project conditions of approval, demolition and/or excess construction materials are required be separated onsite for reuse/recycling or proper disposal. Therefore, the Revised Project is consistent with Policy SW-OT-1

Resources and Constraints (Policies and Development Standards: FLD-OT-1, FLD-OT-1.2, FLD-OT-2, FLD-OT-2.1, FLD-OT-2.2, FLD-OT-2.3, FLD-OT-2.4, FLD-OT-2.5, and NSE-OT-1): As with the Approved Project, the Revised Project includes the installation of two new storm drains, one within the U. S. Highway 101 ROW just north of the property boundary, and one within the project site. Both storm drains will have inlet/junction structures installed with filters. Approximately half of the drainage that flows to the north of the property will drain westward into an existing bioswale that ultimately drains to Las Vegas Creek and then to the Goleta Slough. The remainder of the drainage that flows to the north of the property will be collected into the new storm drain which drains eastward into San Jose Creek, and then to the Goleta Slough. Such elements of the project drainage system will ensure that the project will not result in the degradation of the water quality of San Pedro Creek, which is downstream of Las Vegas Creek, the Goleta Slough, or the ocean, or any downstream water bodies or the underlying groundwater basin. Further, the Revised Project is conditioned to submit and receive approval for a final erosion control and drainage plan, a Storm Water Pollution Prevention Plan for construction activities, and a Storm Water Management Plan, along with requirements for the permittee to enter into a City-approved maintenance agreement for all project BMPs and stormwater management improvements for the life of the project. Therefore, the Revised Project is consistent with Policies FLD-OT-1 and FLD-OT-2 as well as Development Standards FLD-OT-1.2, FLD-OT-2.2, and FLD-OT-2.3.

The Revised Project will remain consistent with the City’s Floodplain Management Ordinance, as the buildings will be raised two feet above Base Flood Elevation. Therefore, the Revised Project is considered consistent with Development Standard FLD-OT-2.1.

The Revised Project continues to observe the 50-foot streamside protection area (SPA) upland buffer from the top of bank of San Jose Creek, as approved under the Approved Project. The Revised Project will still be conditioned to include the implementation of a grading and erosion control plan, tree protection and replacement and riparian corridor restoration plans, the removal of invasive and non-native weedy species, moving the fence and gate outside of the 50-foot SPA buffer, and pre-construction biological surveys. Therefore, the Revised Project is consistent with Development Standards FLD-OT-2.4 and FLD-OT-2.5.

The originally proposed manager's unit was expected to be exposed to noise levels that exceed the City's noise thresholds, however with the removal of the unit all associated impacts have been eliminated. Further, the Revised Project is still just within the zone of potentially significant vibration impacts from both ground-borne and airborne vibration induced by passing railroad trains immediately south of the site. Any possible vibration effects should be confined to window rattle on building façades facing the train track, which may cause a nuisance. However, measures are included in the project conditions of approval to mitigate these impacts and include incorporation of materials and other architectural techniques to reduce interior noise levels to meet City standards. Additionally, measures to reduce the projects noise on surrounding sensitive receptors have also been included. Conditions on temporary construction noise are included in the mitigation measures. Therefore, as conditioned, the Revised Project is consistent with Policy NSE-OT-1.

Key Site 2 (Policies and Development Standards: KS2-1, KS2-2, KS2-3, KS2-5, KS2-7, KS2-8, KS2-9, KS2-10, KS2-15, and KS2-16):

The Revised Project will still result in existing uses on site, some of which may be unpermitted, ceasing operation and the site being completely redeveloped with new industrial mini-warehousing. The Revised Project as conditioned would significantly improve the existing visual character of the area. Mitigation measures/conditions included to mitigate this potential visual impacts include, but are not limited to, a requirement to receive Final Design Review Board (DRB) approval, landscaping requirements, bonds to assure landscaping installation and maintenance, "dark sky" lighting requirements, and a requirement to place any new utility lines underground (as feasible). With implementation of these mitigation measures/conditions of approval, the Revised Project is consistent with Development Standards KS2-1 and KS2-8.

The Revised Project observes the 50-foot streamside protection area (SPA) upland buffer from the top of bank of San Jose Creek, as approved under the Approved Project. The Revised Project will still be conditioned to include the implementation of a grading and erosion control plan, tree protection and replacement and riparian corridor restoration plans, the removal of invasive and non-native weedy species, moving the fence and gate outside of the 50-foot SPA buffer, and pre-construction biological surveys. Therefore, the Revised Project is consistent with Development Standards KS2-2 and KS2-3.

The number of on-site parking spaces provided for the project exceeds what is required by the parking requirements of the Inland Zoning Ordinance (26 provided, 12 required). Therefore, the Revised Project is consistent with Development Standard KS2-5.

The Revised Project incorporates landscape buffers around the site perimeter, with the exception of the west property line due to access requirement, as well as increases landscape coverage over the Approved Project. The Revised Project has 23.69% overall landscape coverage, which exceeds the M-1 zone district requirement of 10% overall landscape coverage. Construction of the drainage improvements and associated grading along the northern property line may still require the removal of two mature coast live oak trees, two sapling coast live oak trees, and may cause disturbance to two other coast live oak trees in this area. Mitigation measures/conditions of approval on the Approved Project to reduce associated impacts included 1) approval and implementation of a riparian corridor restoration plan for the Old San Jose Creek ESHA and SPA within the tributary swale along the northern property boundary where the removal of the two oaks may be required; 2) the submittal of performance securities and agreements for installation and maintenance of the riparian corridor restoration plan; and 3) the submittal and approval of a tree protection and replacement plan consistent with the policy requirements of the above policies. These conditions will continue to apply to the Revised Project, therefore, the Revised Project is consistent with Development Standard KS2-9.

As with the Approved Project, the Revised Project includes the installation of two new storm drains, one within the U. S. Highway 101 ROW just north of the property boundary, and one within the project site. Both storm drains will have inlet/junction structures installed with filters. As noted in the Resource Constraints Section above, the Revised Project would not adversely affect the surrounding watershed, as conditioned. Therefore, the Revised Project is consistent with Development Standards KS2-15 and KS2-16.

SCHWAN SELF-STORAGE DEVELOPMENT PLAN REVISION ZONING CONSISTENCY ANALYSIS

	Required	Proposed	Consistent Y/N ¹
Front Yard Setback (west)	10 feet ²	20 feet	Yes
Side Yard Setback (north and south)	10 feet	North ~1.25 feet at northeastern parking spaces and 5 feet at building "bump-outs." South 10 feet	North: Yes, with approval of modification South: Yes
Rear Yard Setback (east)	10 feet	50 feet	Yes
Building Coverage	50%	37.14%	Yes
Building Height	35 feet	35 feet	Yes
Parking spaces	1.39 spaces per 100 storage units (10 spaces) ³	26 spaces for the mini storage	Yes
Landscaping	10% and a 10-foot strip from the front property line is required as well as a 5-foot strip from the side and rear property lines.	23.5%. No 10-foot strip from the front (west) property line, an intermittent strip ranging from 2 feet to 4 feet from the south (side) property line and an intermittent strip ranging from 1.25 feet to 5 feet from the north (side) property line.	Yes, with approval of modification
Storage (trash)	Enclosed by a wall or fence 6 feet in height.	2 enclosed trash enclosures; one shown between Buildings A and B and one between Buildings B and C.	Yes

¹ All requested modifications for the Amended Project are the Same as the modifications granted under the Approved Project.

² The setback regulations of the M-1 zone district do not apply to this interior lot per Section 35-275(3) of the IZO, which provides a setback of at least 10 feet from all property lines for interior lots.

³ The parking requirement for the self-storage use is not specifically defined in the IZO, therefore, under Section 35-255(7) of the Inland Zoning Ordinance, the Director shall determine the parking requirement based upon the requirement for the most comparable use. The Original Project determined that the most appropriate parking requirement for the self-storage use shall conform to the Institute of Transportation Engineers (ITE) Parking Generation Manual guideline of 1.39 spaces per 100 storage units in addition to a two-car garage for the manager's unit.

**CONDITIONS OF APPROVAL
DEVELOPMENT PLAN REVISION
SCHWAN SELF-STORAGE PROJECT
CASE NO. 17-055-DP RV (07-229-DP)
APN: 071-090-082**

In addition to all applicable provisions of the Goleta Municipal Code (GMC), Schwan Brothers Properties, LLC (Permittee) agrees to comply with the following provisions as conditions for the City of Goleta's approval of Case No. 17-055-DP RV ("Project Conditions").

Unless the contrary is stated or clearly appears from the context, the construction of the words and phrases used in these Project Conditions use the definitions set forth in the GMC. For purposes of these Project Conditions, the term "Director" refers to the Planning and Environmental Review Director or designee.

1. AUTHORIZATION

- a. A Development Plan Revision (DP RV) is authorized for the following:

The demolition of all existing structures and the construction of a self-storage facility comprised of three separate, 3-story buildings with both drive-up and interior storage units on the property at 10 South Kellogg Avenue (071-090-082). The project also includes an office/sales space. The revised project area is 2.06 acres, as it no longer includes the 7,433 square feet of Union Pacific Rail Road lease area.

Construction will consist of the previously approved project (07-229-DP) components and site layout with the following changes:

- Remove the Union Pacific Rail (UPR) lease area (7,433 square feet). The revised project area is now 89,734 square feet (2.06 acres).
- Narrow the width of proposed buildings B and C by decreasing foot print by 10 feet on the southern side so that the fire access and landscaping would be located on the parcel owned by the applicant and would not use any portion of the UPRR lease area.
- Add basements to all three buildings (A, B, and C), resulting in an increase in overall square footage from 110,600 square feet (gross) to 135,741 square feet (gross) (an increase of 25,141 sq. ft.).
- Remove manager's care taker unit and convert area to additional storage units.
- Increase the number of storage units from 685 to 863 units.
- Additional export of 11,400 cubic yards.

Access to the site will be through an existing 20-foot wide easement for road and utility purposes that begins where Kellogg Avenue ends, and ceases at the northern property line of the subject property. This easement also serves as a two-way driveway for the site. 26 parking spaces will be provided for the self-storage use. Preliminary earthwork quantities are estimated at 13,365 cubic yards of cut and 1,950 cubic yards of fill.

- b. The Development Plan approvals run with the land and the rights and obligations thereof, including responsibility to comply with Project Conditions are binding upon successors in interest in the real property unless or until such permits are expressly abandoned.
- c. On the date a subsequent Development Plan, Development Plan Revision, or Development Plan Amendment is approved for this site, any previously approved but unbuilt plans must become null and void.
- d. The City will only issue permits for development, including grading, when the plans/requirements are in conformance with the approved Development Plan Revision. The size, shape arrangement, use and location of buildings, walkways, parking areas, drainage facilities, and landscaped areas must be developed in substantial conformity with the approved plans. Substantial conformity must be determined by the Director.
- e. Any proposed deviations from the exhibits, project description or Project Conditions must be submitted to the Director of Planning and Environmental Review for review and approval by appropriate decision maker. Deviations from the project approval will constitute a violation of the permit approval.
- f. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions must prevail.
- g. The Permittee agrees, as a Project Conditions, at the Permittee's own expense, to indemnify, defend, and hold harmless the City and its agents, officers, and employees from and against any claim, action, of proceeding to attack, review, set aside, void or annul, in whole or in part, the City's approval of the Development Plan or any condition attached thereto or any proceedings acts, or determinations taken, done or made before the approval that were part of the approval process.
- h. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the permittee in an action filed in a court of law or threatened to be filed therein, this approval must be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project must be reviewed by the City and no approval must be issued

2. MITIGATION MEASURES & CONDITIONS

- a. All of the previously adopted applicable mitigation measures and conditions of approval as contained in Planning Commission Resolutions 11-18 and 11-19, except as modified below with this Resolution, remain in full force and effect and are incorporated by reference. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.

~~48. The deck area of the manager's apartment shall be enclosed and include a window section above the deck balustrade in the building façade constructed to meet the 60 dB CNEL noise requirements with windows closed. Plan Requirements and Timing: The above measures shall be incorporated into building plan specifications.~~

~~Monitoring: Planning and Environmental Services staff shall review the building permits prior to issuance to verify compliance. The Planning and Environmental Services shall verify compliance prior to final inspection.~~

~~49. The design of the manager's apartment must include a means by which adequate ventilation can be provided as the windows and doors must be closed to meet to meet the required noise standards. Plan Requirements and Timing: The above measure shall be incorporated into building plan specifications.~~

~~Monitoring: Planning and Environmental Services staff shall review the building permits prior to issuance to verify compliance. The Planning and Environmental Services shall verify compliance prior to final inspection.~~

58. Proof of any permits or approvals, or an exemption of such, that may be required by Union Pacific Railroad related to railroad/traffic safety design measures within the UPRR access easement, shall be submitted to the City. Plan Requirements and Timing: The permittee shall submit written verification of compliance with this requirement prior to LUP issuance.

Monitoring: City staff shall review the documentation prior to LUP issuance.

- b. Approval of the Development Plan Revision shall expire five years after approval unless, before the expiration, substantial physical construction is completed or a time extension is approved by the Planning Commission for good cause shown. If the Permittee requests a time extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed

circumstances or additional identified project impacts. Any new fees imposed and existing fees will be those in effect at the time of the extension request.

- c. **PAYMENT OF CITY FEES:** The permittee must pay in full all applicable development impact fees, processing fees and other fees as determined by the City in accordance with and as required by all applicable City ordinances.

- 1) **Development Impact Fees:** The permittee must pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full prior to Certificate of Occupancy. Payment amounts are estimated below, and must be based on the fees in effect and applicable at the time of payment.

Recreation C&I	\$327,135.81	Due Prior to Final Inspection
Transportation	\$289,612.00	Due Prior to Final Inspection
Fire Impact	\$74,657.55	Due Prior to Final Inspection
Library	\$31,899.14	Due Prior to Final Inspection
Public Admin	\$140,763.41	Due Prior to Final Inspection
Sheriff	\$72,621.44	Due Prior to Final Inspection

- 2) **Housing In-Lieu Payment:** The permittee must pay all applicable affordable housing in-lieu payment as determined by the City of Goleta City Council before Certificate of Occupancy.

Housing In-Lieu	\$74,906.25	Due Prior to Final Inspection
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- d. **CONSTRUCTION MONITORING:** All site preparation (pavement and vegetation removal) and subsurface ground-disturbing activities (e.g., grading, trenching) must be monitored by a City-approved archaeologist and Chumash Native American observer (with selection to be reviewed and approved by the City). Before construction, a brief archaeological monitoring plan will be prepared and approved by the Planning and Environmental Review Director (or designee) to ensure that any unexpected discoveries of cultural resources are treated adequately and efficiently. The plan must include, without limitation, the following requirements:

- 1) The monitors must be on site on a full-time basis during any site preparation, ground disturbing, and/or grading activities (whether within or outside of the assumed intact soil areas). The monitors must remain on site until it is determined through consultation with the permittee, City staff, archaeological consultants, and Chumash consultant that full-time monitoring is no longer warranted.
- 2) If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. The City of Goleta will be immediately

notified. If resources are discovered that are considered potentially eligible for listing in the California Register of Historic Resources, then they must be addressed under the procedures set forth in CEQA Guidelines §15064.5. If significant resources are encountered and impacts are unavoidable, then data recovery through excavation will be conducted. If the cultural materials are of Native American origin, the Planning and Environmental Review Director (or designee) will confer with the Chumash Native American observer, and a data recovery plan will be prepared and implemented.

- 3) Provisions for the curation of recovered artifacts, per CEQA Guidelines § 15126.4, in consultation with culturally affiliated Native Americans.
- 4) If human remains are discovered, Health and Safety Code § 7050.5 requires that further disturbances and activities must cease in any area or nearby area suspected to overlie remains, and the County Coroner must be contacted. Pursuant to PRC § 5097.98, if the remains are thought to be Native American, the coroner must notify the Native American Heritage Commission, who must then notify the Most Likely Descendent. At this time, the project archaeologist must contact the Planning and Environmental Review Director (or designee) so that the agencies may work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of PRC § 5097.98 are to be followed as applicable.

Plan Requirements and Timing: The archaeological monitoring plan will be submitted for review and approval to the Planning and Environmental Review Director (or designee) before construction. The plan will include the names and resumes for both the qualified archaeologist and Chumash Native American observer. In addition, the following note will be placed on all grading plans:

1. "If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area must be stopped until a qualified archaeologist can assess the nature and significance of the find. The City of Goleta will be immediately notified."
2. "If human remains are discovered, Health and Safety Code § 7050.5 requires that further disturbances and activities must cease in any area or nearby area suspected to overlie remains, and the County Coroner must be contacted. Pursuant to Public Resources Code § 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission who will then notify the Most Likely Descendent. At this time, the person who discovered the remains will contact the Planning and Environmental Services Director (or designee) so that they may work with the Most Likely Descendent

on the respectful treatment and disposition of the remains. Further provisions of Public Resources Code § 5097.98 are to be followed as applicable.”

Monitoring: A final written monitoring report will be prepared by the archaeological monitors and submitted to the Planning and Environmental Services Director (or designee) prior to Certificate of Occupancy.

- e. Violation of any of these Conditions of Approval is unlawful, prohibited and a violation of the Goleta Municipal Code. The City reserves the right to initiate civil, criminal and/or administrative enforcement, or after notice and a public hearing, to modify these Conditions of Approval if it is found that there is a violation of these Conditions of Approval or the Goleta Municipal Code or that the project operates as or causes a public nuisance. This Condition of Approval is not intended to, nor does it limit in any manner whatsoever the ability of the City to take appropriate enforcement actions.

By signing this document, Tom Schwan on behalf of Schwan Brothers Properties, LLC, certifies that he read, understands, and agrees to the Project Conditions listed in this document.

Tom Schwan, for Schwan Brother Properties, LLC

Date

ATTACHMENT 3

FEE ADJUSTMENT LANGUAGE FOR PARK, PUBLIC ADMINISTRATION, POLICE, AND LIBRARY IMPACT FEES (ORD. 02-01 § 1)

**FEE ADJUSTMENT LANGUAGE FOR PARK, PUBLIC
ADMINISTRATION, POLICE, AND LIBRARY IMPACT FEES**
(ORD. 02-01 § 1)

Park Impacts Fee Adjustment pursuant to Goleta Municipal Code Section 16.18.070
Fee Adjustments:

- a) A developer of any project, or a subdivider of any land, subject to the payment of fees pursuant to this title may appeal to the City Council for a reduction, adjustment, or waiver of any park and recreational facility development impact fee(s) based upon an alleged absence of any reasonable relationship or nexus between the park and recreational impacts of the project or subdivision and either the amount of the fee(s) charged or the type of park and recreational facilities to be financed. The appeal shall be made in writing, shall state the factual basis for the claim of reduction, adjustment waiver, and shall be submitted to the City Manager within 15 calendar days following determination of the fee amount.
- b) The City Manager shall review the appeal, develop recommended actions to be taken by the City Council, and submit both the appeal and recommended actions to the Council for their consideration at a public hearing to be conducted within 60 days after the filing of the appeal. The decision of the Council shall be final. If a reduction adjustment or waiver is granted, any change in use from the project as approved shall invalidate the waiver, adjustment or reduction of the fee. (Ord. 02-01 § 1)

Public Administration Impacts Fee Adjustment pursuant to Goleta Municipal Code
Section 16.20.080 Fee Adjustments:

- a) A developer of any project, or a subdivider of any land, subject to the payment of fees pursuant to this chapter may appeal to the City Council for a reduction, adjustment, or waiver of any public administration facility development impact fee(s) based upon the absence of any reasonable relationship or nexus between the public administration impacts of the project or subdivision and either the amount of the fee(s) charged or the type of public administration facilities to be financed. The appeal shall be made in writing, shall state the factual basis for the claim of reduction, adjustment or waiver, and shall be submitted to the Planning and Environmental Services Director within 15 calendar days following determination of the fee amount.
- b) The Planning and Environmental Services Director shall review the appeal, develop recommended actions to be taken by the City, and submit both the appeal and recommended actions to the City Council for consideration at a

public hearing to be conducted within 60 days after the filing of the appeal. The decision of the City Council shall be final. If a reduction adjustment or waiver is granted, any change in use from the project as approved shall invalidate the waiver, adjustment or reduction of the fee. (Ord. 02-01 § 1)

Police Impacts Fee Adjustment pursuant to Goleta Municipal Code Section 16.21.070
Fee Adjustments:

- a) A developer of any project, or a subdivider of any land, subject to the payment of fees pursuant to this chapter may appeal to the City Council for a reduction, adjustment, or waiver of any police facility development impact fee(s) based upon the absence of any reasonable relationship or nexus between the police impacts of the project or subdivision and either the amount of the fee(s) charged or the type of police facilities to be financed. The appeal shall be made in writing, shall state the factual basis for the claim of reduction, adjustment or waiver, and shall be submitted to the City Manager within 15 calendar days following determination of the fee amount.
- b) The City Manager shall review the appeal, develop recommended actions to be taken by the City Council, and submit both the appeal and recommended actions to the Council for their consideration at a public hearing to be conducted within 60 days after the filing of the appeal. The decision of the Council shall be final. If a reduction adjustment or waiver is granted, any change in use from the project as approved shall invalidate the waiver, adjustment or reduction of the fee. (Ord. 02-01 § 1)

Library Impacts Fee Adjustment pursuant to Goleta Municipal Code Section 16.19.070
Fee Adjustments:

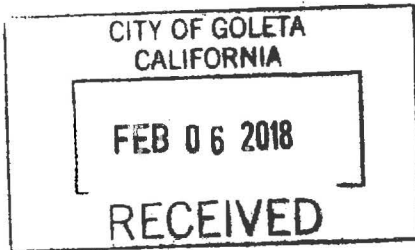
- a) A developer of any project, or a subdivider of any land, subject to the payment of fees pursuant to this title may appeal to the City Council for a reduction, adjustment, or waiver of any library facility development impact fee(s) based upon the absence of any reasonable relationship or nexus between the library impacts of the project or subdivision and either the amount of the fee(s) charged or the type of library facilities to be financed. The appeal shall be made in writing, shall state the factual basis for the claim of reduction, adjustment or waiver, and shall be submitted to the Planning and Environmental Services Director within 15 calendar days following determination of the fee amount.
- b) The Planning and Environmental Services Director shall review the appeal, develop recommended actions to be taken by the City Council, and submit both the appeal and recommended actions to the Council for consideration at a public hearing to be conducted within 60 days after the filing of the appeal. The decision of the Council shall be final. If a reduction, adjustment

or waiver is granted, any change in use from the project as approved shall invalidate the waiver, adjustment or reduction of the fee. (Ord. 02-01 § 1)

ATTACHMENT 4

SCHWAN'S FEE ADJUSTMENT REQUEST LETTER OF FEBRUARY 5, 2018

Schwan Brothers Excavation
20 S. Kellogg Ave., Goleta, CA 93117
cell: 805 331-9558
office: 805 683-5116
fax: 805 683-5118



February 5, 2018

805-961-7504

Michelle Greene / City Manager
130 Cremona Drive, Suite B
Goleta, CA 93117

RE: *Schwan Self-Storage Project at 10 South Kellogg Ave*
Case No. 17-055-DP RV; APN 071-090-082

Dear Ms. Greene:

My name is Tom Schwan. My purpose in contacting you is regarding Development Impact Fees for our proposed Schwan Self-Storage Project at 10 South Kellogg Ave; Case No. 17-055-DP RV; APN 071-090-082.

I obtained a copy of the AB 1600 Fee Justification Study dated March 5, 1999. After studying the report, I believe the estimated payment amounts we received from the City are not correct. The particular Impact Fees I am concerned about are Recreation, Library, Public Administration, Sherriff and Housing in Lieu.

Commercial Development Fees are based on additional employees creating a need for expanded services. After I asked the question as to which Commercial Heading our project is under, our planner replied: "non-retail/commercial." According to calculation tables in the study, this Heading is 3.16 employees per 1,000 sf of gross building square footage.

I realize these numbers are some type of average and are not meant to be exact for any development. I feel that self-storage is a unique stand-alone commercial development. Our gross square footage is 135,000 sf, doing the simple math of 3.16 employees per 1,000 sf, which equals 426 employees.

On page 74 in our Final MND, under Project Specific Impacts / Existing and Proposed Site Population, it states that the sites permit history showed 7,900 sf of permitted structures. Therefore, staff determined 7,900 sf would provide 4 employees onsite. It also goes on to say that only 2 to 4 employees are envisioned to be employed at the new facility which no longer has a manager's unit.

Schwan Self-Storage Project**Page 2 of 2**

I am told by our consultant that 3 employees will be able to manage and operate this facility. So even going with the worst-case scenario of 4 employees we have a net gain of zero. Therefore, there would be no added impact to the public services or to housing.

I believe there should be a separate heading under commercial development for self-storage, being that it is such a low impact development. This would be similar to the ITE rates, as well as the school district, which has a separate rate for self-storage. I have not consulted an attorney about the legalities of charging these rates for a project with no apparent impact. I am writing you with hope there will be no need to do so.

Please get back to me with your thoughts on this subject.

Thank you,

Tom Schwan
Enclosures

Resolution No. 17-12, Exhibit 5
Schwan Self-Storage Project
Development Plan Revision

circumstances or additional identified project impacts. Any new fees imposed and existing fees will be those in effect at the time of the extension request.

- c. **PAYMENT OF CITY FEES:** The permittee must pay in full all applicable development impact fees, processing fees and other fees as determined by the City in accordance with and as required by all applicable City ordinances.

- 1) **Development Impact Fees:** The permittee must pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full prior to Certificate of Occupancy. Payment amounts are estimated below, and must be based on the fees in effect and applicable at the time of payment.

Recreation C&I	\$327,135.81	Due Prior to Final Inspection
Transportation	\$289,612.00	Due Prior to Final Inspection
Fire Impact	\$74,657.55	Due Prior to Final Inspection
Library	\$31,899.14	Due Prior to Final Inspection
Public Admin	\$140,763.41	Due Prior to Final Inspection
Sheriff	\$72,621.44	Due Prior to Final Inspection

155,027.60

- 2) **Housing In-Lieu Payment:** The permittee must pay all applicable affordable housing in-lieu payment as determined by the City of Goleta City Council before Certificate of Occupancy.

Housing In-Lieu	\$74,908.25	Due Prior to Final Inspection
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- d. **CONSTRUCTION MONITORING:** All site preparation (pavement and vegetation removal) and subsurface ground-disturbing activities (e.g., grading, trenching) must be monitored by a City-approved archaeologist and Chumash Native American observer (with selection to be reviewed and approved by the City). Before construction, a brief archaeological monitoring plan will be prepared and approved by the Planning and Environmental Review Director (or designee) to ensure that any unexpected discoveries of cultural resources are treated adequately and efficiently. The plan must include, without limitation, the following requirements:

- 1) The monitors must be on site on a full-time basis during any site preparation, ground disturbing, and/or grading activities (whether within or outside of the assumed intact soil areas). The monitors must remain on site until it is determined through consultation with the permittee, City staff, archaeological consultants, and Chumash consultant that full-time monitoring is no longer warranted.
- 2) If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. The City of Goleta will be immediately

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8. SITE INFORMATION:

Site Information	
Existing General Plan Land Use Designation	General Industrial (I-G)
Zoning Ordinance, Zone District	Light Industry (M-1)
Site Size	10 S. Kellogg parcel: 89,628 square feet (2.06 acres) Lease area from Union Pacific Railroad: 7,433 square feet (0.17 acres) Total Site Size 97,061 square feet (2.23 acres)
Present Use and Development	A variety of miscellaneous industrial uses (landscaping, roofing, painting, materials storage, back hoe and trucking, stone and masonry)
Surrounding Uses/Zoning	North: U. S. Highway 101 South: Union Pacific Railroad, then a contractors storage area East: San Jose Creek, then the La Goleta Condominiums West: Lash Construction
Access	Existing and Proposed: 20-foot access easement beginning where Kellogg Avenue ends and ceasing at the northern property line of the subject property. This easement also serves as a two-way driveway to and from the property.
Utilities and Public Services	Water Supply: Goleta Water District Sewage: Goleta Sanitary District Power: Southern California Edison Natural Gas: Southern California Gas Co. Telephone: Verizon Fire: Santa Barbara County Fire Department School Districts: Goleta Union and Santa Barbara High School Districts

9. ENVIRONMENTAL SETTING

Baseline for Environmental Review

The permit history of the site indicates that between 1900 and 1974, several buildings or structures totaling 7,900 SF were constructed on site; however, the permit history is unclear as to exactly what those buildings/structures were. In the last ten years or so, several documents, including the Goleta Old Town Revitalization Plan (1998) and the City's General Plan/Coastal Land Use Plan (2006), indicate that the site contains similar uses to those that are present today, which are primarily contractor storage areas. Therefore, the environmental analysis for this project considers a worst-case scenario of 7,900-square feet of development on site as the baseline.

Topography and Soils

The parcel is nearly flat, with an average elevation of 48-51 feet above sea level. The only variation in topography occurs in the undeveloped eastern portion of the property between the creek top-of-bank and the eastern property line. The lowest point on the property is 45 feet above sea level at the southeast corner of the property on the western bank of San Jose Creek. The majority of the property (96.3%) is developed and the soils are capped with asphalt or concrete pavement. The only part of the property where the soils are exposed at the surface is

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10. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist and analysis on the following pages.

- ☒ Aesthetics
- ☐ Agriculture and Forestry Resources
- ☒ Air Quality
- ☒ Biological Resources
- ☒ Cultural Resources
- ☒ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards and Hazardous Materials
- ☒ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☒ Noise
- ☐ Population/Housing
- ☒ Public Services
- ☐ Recreation
- ☒ Transportation/Traffic
- ☒ Utilities/Service Systems
- ☒ Mandatory Findings of Significance

11. DETERMINATION

On the basis of this environmental checklist/Initial study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed

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- 3) **Mitigation Measures.** For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- (f) **Lead agencies** are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- (g) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- (h) **Lead agencies** should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected. The explanation of each issue should identify:
- 1) the significance criteria or threshold, if any, used to evaluate each question; and
 - 2) the mitigation measure identified, if any, to reduce the impact to a less than significant level.