CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 13, 2007

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Introduction Of Ordinance For The Rezoning Of 1722 State Street

RECOMMENDATION: That Council:

A. Make the environmental findings contained in the Council Agenda Report; and

B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Rezoning of Property in the Upper East Neighborhood.

DISCUSSION:

The applicant and Staff are requesting a Zone Change for the eastern portion of 1722 State Street from R-1, One-Family Residence Zone to R-3 Limited Multiple-Family Residence Zone.

Project Description

On April 5, 2007, the Planning Commission approved a mixed-use development at 1722 State Street (Exhibit A, Planning Commission Staff Report) that consists of nine market-rate residential units, one residential unit affordable to a middle-income homebuyer and approximately 8,400 square feet of commercial condominium space.

Planning Commission's approval is contingent upon the City Council approving the rezone, since the existing zone of R-1 One-Family Residence Zone does not allow for multiple-family development or condominiums. The rezone to R-3 would allow the proposed development to occur. Currently, the 28,875 square-foot lot is split by two zoning designations: the eastern portion, totaling approximately 4,125 square feet, is zoned R-1; and the western portion adjacent to State Street, totaling 24,750 square feet, is zoned C-2. There are several areas of the City where zone boundaries do not align with property lines, so it is not unusual that this property is split by two zones.

REVIEWED BY: _____Attorney

Agenda Item No._____

At the Planning Commission hearing, the Planning Commission gave the project a positive recommendation for Council to approve the rezone to R-3, and the Mitigated Negative Declaration was adopted.

Issues

The project site is located in the Upper East neighborhood, which is bounded on the north by Mission Creek and Las Encinas Road, on the south by Sola Street, on the east by Laguna Street and Olive Avenue, and on the west by State Street. Although the Upper East neighborhood is primarily comprised of large, single-family homes, the subject property is located in a portion of this neighborhood described as having motels and offices. The Land Use Element states that, in the portion of the "neighborhood below approximately Valerio Street, apartment structures can be seen together with professional offices, churches and schools. This type of development results from a mixture of commercial offices, hospital office, and multiple dwelling zones. Because of its conveniently close proximity to downtown, further redevelopment to higher-density residential uses will probably occur in this area".

The subject site has a General Plan designation of General Commerce and Offices. The surrounding property to the north is zoned R-1 and E-1 (One-Family Residential), to the east is zoned R-3 (Multiple Family), and to the south and west is zoned C-2 (Commercial).

With the proposed rezone, it is important to consider the possible density of residential development that could result on the subject site presently and with the proposed rezone. The current R-1, One-Family Residence, zoning designation, allows for the development of one residential unit on the eastern arm of the property. The proposed rezone to R-3, Limited Multiple-Family Residence, allows for mixed-use development on the site (but no commercial development would be allowed in the residentially zoned portion), and a maximum of 18 units over the entire site.

Based on the existing development pattern in this area and surrounding land uses, staff finds that the proposed rezone would be appropriate for this parcel and consistent with the purposes and intent of the City's General Plan. The proposed R-3 designation would accommodate the mixed-use project and still provide adequate separation (buffer) of commercial uses from the area currently developed with single-family residences. The R-3 designation would match the designation of the adjacent property to the southeast, and would prohibit commercial development at the rear of the property should the actual development of the project not come to fruition. The rezoning of the rear portion of the site to the R-3 zone allows for a well-designed residential project compatible with the existing buildout of the surrounding adjacent residential neighborhood. Additionally, this portion of the property is several feet lower than the adjacent R-1 zoned property, so that even though the allowed building height is greater in the R-3 Zone (45 feet) than in the R-1 Zone (30 feet), development on the rezoned property would have little effect on the adjacent neighborhood.

The existing General Plan designation of General Commerce and Offices is consistent with the proposed re-zone to R-3, and therefore no change is required as part of the rezone.

Procedures

Under the City's Charter Section 1507, amendments to the City's Zoning Ordinance require a minimum of five affirmative votes of the City Council. Upon such approval, Zoning Ordinance amendments shall be conclusively presumed to comply with the policies set forth herein.

Environmental Review

An Initial Study and Mitigated Negative Declaration were prepared to analyze the potential environmental impacts of the project and have been provided to the Council. These documents were prepared in accordance with the requirements of the California Environmental Quality Act (CEQA).

The environmental analysis found potentially significant impacts associated with construction dust, biological resources (loss of trees), archaeological resources, geophysical conditions, hazards, noise, transportation/circulation (emergency access) and water quality could be reduced to less than significant levels with the application of identified mitigation measures agreed-to by the applicant in Planning Commission Resolution Number 015-07.

Pursuant to CEQA, the City Council must consider the Final Mitigated Negative Declaration and any comments received, and determine prior to approving the project that there is no substantial evidence that the project would have a significant effect on the environment.

CONCLUSION / FINDINGS:

City Staff is supportive of the proposed re-zone. The density of potential development would be compatible with the surrounding neighborhood. In addition, the project that was approved by the Planning Commission is expected to be an attractive development and would provide for a net gain of market rate and one affordable residential unit in the City's housing stock. Given that the City is generally built out, and the opportunity for increased residential developments is minimal, this is a good opportunity to provide additional housing units in the City. Therefore, staff recommends that the City Council make the environmental findings below, and introduce and subsequently adopt the rezone.

California Environmental Quality Act (CEQA) Findings:

1. The City Council has read and considered the Final Mitigated Negative Declaration together with comments received during the public review process. In this agency's independent judgment and analysis and on the basis of the record before the City Council, there is no substantial evidence that the project will have a significant effect on the environment.

2. The location and custodian of the environmental documents and record of the proceedings upon which this decision is based is the City of Santa Barbara Planning Division located at 630 Garden Street, Santa Barbara.

ATTACHMENTS:
1. Planning Commission Staff Report, April 5, 2007 (excluding Exhibits)
2. Planning Commission Minutes, April 5, 2007
3. Planning Commission Staff Report, March 1, 2007 (excluding Exhibits)
4. Planning Commission Minutes, March 1, 2007
5. Final Mitigated Negative Declaration and Initial Study (excluding Exhibits)

PREPARED BY: Allison De Busk, Project Planner

SUBMITTED BY: Dave Gustafson, Acting Community Development Director

APPROVED BY: City Administrator's Office

City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: March 27, 2007

AGENDA DATE: April 5, 2007

PROJECT ADDRESS: 1722 State Street (MST2005-00455)

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Allison De Busk, Project Planner

I. PROJECT DESCRIPTION

The project consists of demolition of a 7,200 net square foot commercial building and construction of a new mixed use building that includes approximately 8,400 net square feet of commercial condominium space and 10 residential condominium units above an approximately 23,900 square foot subterranean garage. The residential condominiums will include 6 three-bedroom and 4 two-bedroom units ranging in size from approximately 1,650 to 2,650 square feet. One of the proposed two-bedroom units would be affordable to middle-income homebuyers. Parking (55 spaces) would be located in the subterranean garage. Grading consists of 8,594 cubic yards cut and 255 cubic yards fill, resulting in 8,339 cubic yards of export. A zone change is proposed, which was initiated by the Planning Commission on November 3, 2005, to change the R-1 (single family) portion of the property to the R-3 (multiple family) Zone.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Zoning Map Amendment to change the zoning from R-1, One Family Residential, to R-3, Limited Multi-Family Residence Zone (SBMC §28.92.080.B);
2. A Modification to allow 55 parking spaces instead of the Santa Barbara Municipal Code required 57 spaces (SBMC §28.90.100.G & I and §28.92.110.A.1);
3. A Tentative Subdivision Map for a one-lot subdivision to create ten (10) residential condominium units and approximately 8,400 square feet of commercial condominium space (SBMC §27.07 and 27.13);
4. A Development Plan to allow Minor and Small Additions for the construction of a 1,200 square foot increase of nonresidential development (SBMC §28.87.300); and
5. A Conditional Use Permit to allow nonresidential parking in a residential zone (SBMC §28.94.030 H).

III. RECOMMENDATION

With approval of the requested modification, the proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project contingent upon Council approval of the Zone Change and recommend that the City Council approve the Zone Change, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.

IV. BACKGROUND

A previous version of this project was reviewed and continued by the Planning Commission on March 1, 2007. The Planning Commission gave feedback on the project and made recommendations for changes. Of particular concern were traffic, parking, massing, unit size, plate heights and pedestrian scale and amenities. Minutes from this meeting are included as Exhibit F.

V. PROJECT REVISIONS

In response to the Planning Commissions' comments from the March 1, 2007 meeting, the applicant has revised the plans in the following ways:

- The commercial square footage of the project has been reduced by approximately 800 square feet.
- Two residential units have been eliminated from the project.
- The size and square footage of the remaining residential units has been reduced overall.
- The project's Floor Area Ratio has been reduced.
- The roof height has been lowered by approximately 4 feet to 39 feet.
- Visual access to the courtyard has been created by "splitting" the building.
- A plaza area has been created on the right-hand side of the arch along the front elevation.

The changes have resulted in changes to parking requirements and traffic generation as discussed in Section VIII below. Additionally, the reduction in units means that a lot area modification is no longer required.

VI. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Jan R. Hochhauser	Property Owner:	1722 State Street Investors, LLC
Parcel Number:	027-102-021	Lot Area:	28,875 square feet
General Plan:	General Commerce & Offices	Zoning:	C-2 and R-1
Existing Use:	Photography and Videography Classroom	Topography:	4-5% slope toward State Street

Adjacent Land Uses: North - Residential/Commercial (C-2, R-1 zones) South - Commercial/Office (C-2, R3 zones)	East - Residential (R-1, E-1 zones) West - State Street, Commercial (C-2 zone)

B. PROJECT STATISTICS

	Bedrooms		Previous Size (Net)	Current Size (Net)	Parking	Private Outdoor Living Space
	Was	Is				
Unit A	2	3	2,268 sq. ft.	2,373 sq. ft.	2-car garage	1,275 sq. ft.
Unit B	2	2	2,093 sq. ft.	1,997 sq. ft.	2-car garage	1,050 sq. ft.
Unit C	2	2	2,093 sq. ft.	1,997 sq. ft.	2-car garage	1,050 sq. ft.
Unit D	2	2	2,093 sq. ft.	1,997 sq. ft.	2-car garage	1,050 sq. ft.
Unit E	3	3	2,680 sq. ft.	2,554 sq. ft.	2-car garage	1,552 sq. ft.
Unit F	2	2	2,349 sq. ft.	2,291 sq. ft.	2-car garage	806 sq. ft.
Unit G (Is Affordable)	2	3	1,988 sq. ft.	1,580 sq. ft.	2-car garage	270 sq. ft.
Unit H (Was Affordable)	2	N/A	976 sq. ft.	N/A	N/A	N/A
Unit I (Was Affordable)	3	N/A	1,179 sq. ft.	N/A	N/A	N/A
Unit J	2	3	1,771 sq. ft.	2,495 sq. ft.	2-car garage	402 sq. ft.
Unit K	2	3	1,857 sq. ft.	2,300 sq. ft.	2-car garage	270 sq. ft.
Unit L	2	3	2,259 sq. ft.	2,345 sq. ft.	2-car garage	464 sq. ft.

Non-residential	Previous Proposal	Current Proposal
First Floor Commercial	4,384 net square feet	4,000 net square feet
Second Floor Commercial	4,716 net square feet	4,400 net square feet
Parking	33 spaces	35 spaces

VII. ZONING ORDINANCE CONSISTENCY

C-2/R-3 Standard	Requirement/ Allowance		Existing	Proposed	
Setbacks	C-2	R-3		C-2	R-3
-Front	None	N/A	None	None	N/A
-Interior	None	6' 1st & 2nd fl.	None	None	6' 1st & 2nd fl. 6' 1st fl

-Rear	10 feet	6' 1st fl. 10' 2nd & 3rd fl.	10 feet	16'-6"	10' 2nd & 3rd fl.
Building Height	C-2 60' (4 stories)	R-3 45' (3 stories) and meet solar	24 feet (2 stories)	39 feet, 8 inches max. (3 stories)	
Parking	Residential: 20 spaces Guest: 3 spaces Commercial: 34 spaces Total Rqd.: 57 spaces (Total Shared Parking Generation: 50 spaces)		45 spaces	Residential: 20 Commercial: 33 Total: 55 *	
Lot Area Required for Each Unit (Variable Density)	2-Bdrm = 2,320 sq. ft. 3-Bdrm = 2,800 sq. ft (4) 2,320 = 9,280 sq. ft. (6) 2,800 = 16,800 sq. ft. Total 26,080 sq. ft.		28,875 square feet	28,875 square feet	
Open Yard	15% of the lot (4,331 sq. ft.)		N/A	17.5% (5,122 sq. ft.)	
Private Outdoor Living Space Provided (in addition to Required Open Yard)	2-Bd Units = 84 sq. ft. each 3-Bd Units = 96 sq. ft. each		N/A	All units exceed 200 sq. ft.	
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A		7,500 sq. ft. (26 %) 21,040 sq. ft. (73 %) 335 sq .ft. (01 %) 28,875 sq. ft. (100%)	18,126 sq. ft. (62.7 %) 7,099 sq. ft. (24.6 %) 3,650 sq .ft. (12.6 %) 28,875 sq. ft. (100%)	

* Requires a Modification

VIII. ISSUES

A. CHANGE OF ZONE

Commissioners inquired as to whether the proposed zone change would provide additional density that should be reflected through the provision of additional affordable residential units. The R-1 zoned portion of the property totals 4,125 square feet, and one unit would be the permitted density for this portion of the site. The remainder of the site is capable of handling a density of 6 three-bedroom units and 3 two-bedroom units, based on variable density requirements. This provides for a total of 10 units permitted on site. Although the rezone from R-1 to R-3 would theoretically increase the potential residential density on the site, the proposed project is not using the increased potential. In the context of the proposed project, the rezone from R-1 to R-3 provides flexibility in building and site design, not additional residential density.

Questions were also raised as to whether the zone change from R-1 to R-3 resulted in a taller/larger building relative to ordinance requirements such as solar access. The portion of the building located on the R-1 zoned portion of the lot complies with R-1 standards for setbacks

(five feet). It should be noted that the R-3 standards for setbacks are actually more restrictive than for R-1 (six feet for the first and second floors, and ten feet for the third floor), and the project has been revised to conform to the R-3 standards (see Exhibit B). The maximum solar height limit in R-3 is 6' higher than in R-1 per SBMC §28.11.020. The project has been revised to comply with the City's solar requirements for the R-3 zone (see Exhibit B), although it would not comply with the R-1 solar height limit. The change from single family to multiple family zoning also allows the maximum height limit to increase from 30 to 45 feet. The project would be 31 feet above finished grade in the R-1 portion of the parcel, but that height is mitigated because the lot is three feet lower than the adjacent R-1 zoned lot to the east. In conclusion, staff finds that the rezone from R-1 to R-3 does not result in an overall larger building.

Staff continues to believe that the proposed R-3 zoning is appropriate and would provide adequate separation of commercial uses along State Street from the area currently developed with single-family residences. The R-3 designation would match the designation of the adjacent property to the southeast, and would prohibit commercial development at the rear of the property should the actual development of the project not come to fruition. The rezoning of the rear portion of the site to the R-3 zone allows for a well-designed residential project compatible with the existing buildout of the surrounding adjacent residential neighborhood.

Staff recommends that the Planning Commission recommend to the City Council the approval of the zone change from R-1 to R-3.

B. CONDITIONAL USE PERMIT

The underground parking garage extends into the residentially zoned portion of the site. Because the parking garage will include commercial parking spaces in the R-3 zone, the commercial parking use must be permitted through issuance of a conditional use permit (CUP) per Section 28.94.030 ("driveways and parking areas for nonresidential uses in residential zones") of the Municipal Code, based upon the findings for approval outlined in Section VII. Given that the commercial parking is below grade, and no equipment or facilities would be apparent to the above grade residential uses, Staff finds that the parking configuration is appropriate and recommends approval of the CUP by the Planning Commission.

C. MEASURE E

The project includes the demolition of approximately 7,200 square feet of commercial space and construction of approximately 8,400 square feet of commercial space. Pursuant to the provisions of SBMC §28.87.300, the project would be allocated a total of approximately 1,000 square feet of Measure E nonresidential square footage from the Minor Addition category and 200 square feet from the Small Addition category for the project parcel. Development Plan findings for this square footage are included in Section X below.

D. PARKING MODIFICATION

The residential parking requirement for the project is two covered spaces per residential unit and one guest space for every four units. The commercial requirement for the project is one

space per 250 square feet of space. Therefore, the project requires 23 spaces for the ten residential units (20 spaces for residents and 3 spaces for guests) and 34 parking spaces for the proposed 8,400 square feet of commercial use, for a total of 57 spaces.

A parking demand study was prepared by Associated Transportation Engineers (ATE) to look at the shared parking demand of the revised project. Shared parking recognizes and factors in the peak parking demands that occur during the day and evening for various land uses. The ATE report determined that 50 spaces would be required at peak times for a worst case parking scenario of a medical-dental office using the entire commercial square footage, along with the ten residences. The project proposes 55 spaces, which will accommodate parking for the worst case land use category assumption. Based on the conclusion of the report, Staff supports the parking modification.

IX. ENVIRONMENTAL REVIEW

Environmental review of the proposed project has been conducted pursuant to the California Environmental Quality Act (CEQA) and related Guidelines. A more complete discussion of the Mitigated negative Declaration (MND) is contained in the March 1, 2007 Planning Commission staff report.

The Planning Commission raised concerns with the adequacy of the traffic, parking, aesthetics and view discussions and analyses contained within the Initial Study and MND. In response to those comments, and subsequent changes to the project, the final MND and Initial Study have been revised as discussed below. Only the text of the Initial Study (not the Exhibits previously attached) has been provided to the Commission, along with the Final MND (Exhibit D). Please refer to the MND and Initial Study for a more in-depth discussion/analysis of the issue areas outlined below.

The analysis concludes that no significant environmental impacts would result from the project as mitigated. Below is a brief summary of the Final Mitigated Negative Declaration evaluation.

1. AESTHETICS

The project site is located in an urban setting in the Upper East neighborhood of the City. The site is currently developed with a two-story structure, paved parking areas and a limited amount of landscaping. The proposed new building would be three stories and would measure 43 feet above existing grade. Two of the three existing ficus trees on the site would be removed.

A proposed project would result in a substantial visual impact if it would result in the obstruction of an important public scenic view. An “important” public scenic view is generally considered to be a view of a feature generally considered to be visually attractive, such as the mountains or ocean; that is visible from a prominent location widely used and accessible to the general public; and that has certain visual qualities such as magnitude, intactness and distinctiveness.

Views of the Santa Ynez Mountains from the project area are substantially limited due to existing buildings and vegetation, although one narrow view corridor that is provided

from the southern side of State Street does offer views across the project site towards the mountains. This view corridor is only available from a very limited area along the street, and may be substantially obscured when existing deciduous trees in the project area have their leaves. While the mountain views provided by the view corridor may be considered attractive, the corridor is not widely used by the public because of its isolated location along a very small portion of State Street. The proposed building would result in the loss of the narrow view corridor across the project site; however, this visual impact is not significant because the project would not substantially change existing skyline views as seen from State Street, nor would it significantly obstruct or change an important scenic view of the mountains and hillside areas of the City. The project would increase building mass adjacent to State Street, but the size, height and location of the proposed structure would be consistent with other development located in the vicinity.

The Historic Landmarks Commission (HLC) has reviewed the project and has made generally positive comments. The size, height, architecture and siting of the proposed building would result in a visual change to the site; however, this is considered a less than significant environmental impact.

2. CULTURAL RESOURCES

The City historian has reviewed the screen that exists on the building. While he recommends that the applicants offer it to an architectural salvage company or incorporate it into the design of the proposed building, it does not represent a historical resource, and there would be no impact from its removal.

3. NOISE

The project is located in an area where noise levels range from 60-65 dBA Ldn, due primarily to traffic noise. Proposed Units K and L face State Street and have private outdoor living space facing State Street. These units will require mitigation for interior spaces to reduce noise impacts to less than significant levels. Mitigation is also recommended for these units' outdoor patios facing State Street because they have exterior noise levels that exceed 60 dBA. It should be noted that the private outdoor living areas for these units are in addition to the required outdoor living space, which is provided in the central courtyard, and there would be a less than significant environmental impact related to noise for these units. Although mitigation is recommended, it is not required for environmental reasons if the Planning Commission determines that the noise levels at these outdoor living areas are consistent with the general plan.

4. TRANSPORTATION/CIRCULATION

The project (based on 10 residential units and 8,400 net square feet of commercial space calculated at a Medical Office rate) is expected to generate 25 a.m. peak hour trips, 36 p.m. peak hour trips and 362 average daily trips. The project is expected to result in a net reduction of a.m. and p.m. peak hour trips and average daily trips based on ITE rates for both the prior bank use and the previous, but non-conforming classroom/ATM use.

The project is also expected to result in a net reduction of a.m. and p.m. peak hour trips and average daily trips based on driveway counts performed at the site while the classroom/ATM use was operational. In order to provide information in response to traffic generation concerns raised by the Planning Commission, traffic generation numbers were also generated for two alternative scenarios.

Scenario 1 assumed that the existing building was occupied by an office (without an ATM), and that the proposed building would be occupied by office uses and 10 residential units. The evaluation of this scenario concluded that, when compared to traffic conditions that would have resulted from the use of the existing building as an office, the proposed project would generate an additional 86 average daily trips, 8 additional A.M peak hour trips, and 9 additional P.M peak hour trips. After distributing the net increase in peak hour traffic generated by the project site onto the surrounding street network, it was concluded that the project-generated traffic would result in a less than significant traffic impact to Mission Street intersections.

Scenario 2 assumed that the existing building was occupied by an office (without an ATM), and that the proposed building would be occupied by medical office-related uses and 10 residential units. The evaluation of this scenario concluded that, when compared to traffic conditions that would have resulted from the use of the existing building as an office, the proposed project would generate an additional 199 average daily trips, 4 additional A.M peak hour trips, and 11 additional P.M peak hour trips. After distributing the net increase in peak hour traffic generated by the project site onto the surrounding street network, it was concluded that the project-generated traffic would result in a less than significant traffic impact to Mission Street intersections.

Therefore, there would be no impact to traffic or the operation of intersections in the area.

A parking study was prepared for the proposed development and determined that the 55 proposed parking stalls would satisfy the project's parking demand (see discussion of Parking Modification above).

The Final Mitigated Negative Declaration has identified no significant and unavoidable impacts related to the proposed project. Pursuant to CEQA, and prior to approving the project, the Planning Commission must consider the Mitigated Negative Declaration. For each mitigation measure adopted as part of a Mitigated Negative Declaration, the decision makers are required to make the mitigation measures conditions of project approval and adopt a program for monitoring and reporting on the mitigation measures to ensure their compliance during project implementation [PRC Sec.21081.6]. The mitigation measures described in the proposed Final Mitigated Negative Declaration have been incorporated into the recommended conditions of approval for this project. In addition, a mitigation monitoring and reporting program (MMRP) is included as Exhibit E.

X. FINDINGS

The Planning Commission finds the following:

A. PARKING MODIFICATION (SBMC §28.92.110.A.1)

The modification is consistent with the purposes and intent of the zoning ordinance and is necessary to construct a housing development which is affordable to moderate income households. The parking provided on site will meet the project's parking demand.

B. CONDITIONAL USE PERMIT (SBMC §28.94)

For the underground parking in a residential zone (SBMC §28.94.030.H)

1. The use is deemed essential or desirable to the public convenience or welfare and is in harmony with the various elements or objectives of the Comprehensive General Plan because it supports mixed-use development in an area that is well-suited to such a development;
2. Such use will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved because the commercial parking is below grade and no equipment or facilities would be apparent to the above grade residential uses;
3. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided;
4. Adequate access and off-street parking, including parking for guests, is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time;
5. The appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping, open space and other features is compatible with the character of the area.

C. DEVELOPMENT PLAN APPROVAL (SBMC §28.87.300)

1. The proposed development complies with all of provisions of the Zoning Ordinance upon approval of the requested Zone Boundary Change;
2. The proposed development is consistent with the principles of sound community planning;
3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk and scale of the development are compatible with the neighborhood;

4. The proposed development will not have an unmitigated adverse impact upon the City and South Coast affordable housing stock;

5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources;

6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic;

7. Resources are available and any applicable traffic improvements will be in place at the time of project occupancy.

D. AMENDMENTS AND CHANGES TO ZONE BOUNDARY (SBMC §28.92.020)

The change from R-1 to R-3 is justified by public convenience, general welfare and good zoning practice. The proposed zone boundary change would ensure a buffer between commercial uses along State Street and lower density residential uses to the north.

E. THE TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

F. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)

1. There is compliance with all provisions of the City's Condominium Ordinance.

   The project complies with density requirements. Each unit includes laundry facilities, separate utility metering, adequate unit size and storage space, and the required private outdoor living space.

2. The proposed development is consistent with the General Plan of the City of Santa Barbara.

   The project can be found consistent with policies of the City's General Plan including the Housing Element, Conservation Element, Noise Element and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood.

3. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.

The project is an infill residential project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.

G. FINAL MITIGATED NEGATIVE DECLARATION ADOPTION

- The Planning Commission has considered the proposed Final Mitigated Negative Declaration together with comments received during the public review process.
- The Planning Commission finds on the basis of the whole record before it (including the initial study and comments received) that there is no substantial evidence that the project will have a significant effect on the environment.
- The Planning Commission finds that the Final Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
- The Planning Commission finds that the Final Mitigated Negative Declaration has been prepared in compliance with CEQA, and constitutes adequate environmental evaluation for the proposed project. The Planning Commission hereby adopts the Final Mitigated Negative Declaration for the project.
- The Planning Commission hereby adopts a mitigation monitoring and reporting program for measures required in the project or made a condition of approval to mitigate or avoid significant environmental effects.
- The location and custodian of the documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, California.

H. DEPARTMENT OF FISH AND GAME FEE FINDING

An Initial Study has been conducted by the lead agency, which has evaluated the potential for the proposed project to result in adverse effects, either individually or cumulatively, on wildlife resources or the habitat on which the wildlife depends. For this purpose, "wildlife" is defined as "all wild animals, birds, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability" (Section 711.2 Fish and Game Code). This project is subject to the Department of Fish and Game fee, unless otherwise determined by the Department of Fish and Game.

Exhibits:

A. Conditions of Approval
B. Reduced Tentative Map and Project Revisions
C. Applicant's letter, dated March 27, 2007
D. Final Mitigated Negative Declaration and Initial Study (excluding Exhibits)
E. Mitigation Monitoring and Reporting Program
F. Draft Planning Commission Minutes, March 1, 2007
G. Addendum to the Traffic and Parking Study prepared by Associated Transportation Engineers, dated March 13, 2007

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section 15303, for new construction of small structures.

Case Planner: Jaime Limón, Senior Planner
Email: jlimon@SantaBarbaraCA.gov

III. CONTINUED ITEM

ACTUAL TIME: 1:14 P.M.

APPLICATION OF JAN HOCHHAUSER, ARCHITECT FOR 1722 STATE STREET INVESTORS, LLC, 1722 STATE STREET, APN: 072-102-021, C-2 COMMERCIAL AND R-1 ONE FAMILY RESIDENCE ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND OFFICES (MST2005-00455) CONTINUED FROM MARCH 1, 2007

The project consists of demolition of a 7,200 net square foot commercial building and construction of a new mixed use building that includes approximately 8,400 net square feet of commercial condominium space and 10 residential condominium units above an approximately 23,900 square foot subterranean garage. The residential condominiums will include 6 three-bedroom and 4 two-bedroom units ranging in size from approximately 1,650 to 2,650 square feet. One of the proposed two-bedroom units would be affordable to middle-income homebuyers. Parking (55 spaces) would be located in the subterranean garage. Access to the underground parking garage would be provided by a single driveway located along State Street. Grading consists of 8,594 cubic yards cut and 255 cubic yards fill, resulting in 8,339 cubic yards of export.

Nine (9) of the proposed residential units would be market rate units, and one (1) would be an inclusionary affordable unit. Five (5) of the market rate units would have three-bedrooms and would range between approximately 2,300 and 2,550 net square feet in size. Four (4) of the market rate units would have two bedrooms and would range between approximately 2,000 and 2,300 net square feet in area. The affordable unit would have three bedrooms and would be approximately 1,580 net square feet.

A variety of commercial uses could be located in the proposed project, including a mix of specialty retail, general office and medical-dental office space.

The discretionary applications required for this project are:

1. A Zoning Map Amendment to change the zoning from R-1, One Family Residential, to R-3, Limited Multi-Family Residence Zone (SBMC §28.92.080.B);

2. A Modification to allow 55 parking spaces instead of the Santa Barbara Municipal Code required 57 spaces (SBMC §28.90.100.G & I and §28.92.110.A.1);

3. A Development Plan to allow Minor and Small Additions for the construction of approximately 1,200 square feet of nonresidential development (SBMC §28.87.300);

4. A Tentative Subdivision Map for a one-lot subdivision to create ten (10) residential condominium units and approximately 8,400 square feet of commercial condominium space (SBMC §27.07 and 27.13); and

5. A Conditional Use Permit to allow nonresidential parking in a residential zone (SBMC §28.94.030 H).

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Allison De Busk, Project Planner
Email: adebusk@SantaBarbaraCA.gov

Allison De Busk, Project Planner, gave the Staff presentation, joined by Steven Faulstitch, Housing Programs Supervisor.

Jan Hochhauser and Jay Blatter, Hochhauser Blatter Architects, gave the applicant presentation.

Staff answered Planning Commission questions on noise and environmental threshold issues, reduction of commercial space, condominium plans, restriction of residential parking permits, and the limitations of commercial use.

Mr. Hochauser and Mr. Blatter answered Planning Commission questions on the open space for Units F and G, changes in development configuration and residential square footage, and landscape coverage,

Scott Vincent, Assistant City Attorney, explained the tentative subdivision map as it relates to the subdivision of commercial space. Discussion was held on commercial condominium unit and parking parameters for this and future projects.

Chair Jacobs opened the public hearing at 2:09 P.M. and, with no one wishing to speak, the hearing was closed.

Commissioners appreciated the reductions made, but expressed concern about the loss of the affordable housing unit. Appreciated opening of the courtyard for public benefit, the reduction in building height, the inclusion of solar panels, and would like enhanced landscaping to soften the massing on State Street,

MOTION: Thompson/Bartlett **Assigned Resolution No. 015-07**
Adopt the Final Mitigated Negative Declaration and approve the Zoning Map Amendment, Tentative Subdivision Map, Development Plan, and Conditional Use Permit making the findings in the Staff Report, with the following amended conditions: 1) The paseo shall not

be gated; 2) The street light shall be a city standard dome light; 3) The 12' sidewalk shall consist of a 6" curb, a 4' parkway, a 6' walkway, and some planter space; 4) Eliminate the condition for the street-side balcony mitigation (H3); 5 Residential permit parking shall be prohibited.

This motion carried by the following vote:

Ayes: 5 Noes: 1 (White) Abstain: 0 Absent: 1 (Jostes)

Chair Jacobs announced the ten calendar day appeal period.

IV. NEW ITEMS:

ACTUAL TIME: 2:28 P.M.

APPLICATION OF TERI GREEN, GREEN & ASSOCIATES, AGENT FOR WENDY SNYDER, 1114 N. MILPAS STREET, APN 029-202-025, R-3 AND E-1, LIMITED MULTIPLE-FAMILY AND ONE-FAMILY RESIDENCE ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2004-00534)

The project consists of a proposal to construct three three-bedroom condominium units with six covered parking spaces on a 9,947 square foot parcel and requires approximately 448 cubic yards (c. y.) of cut and 344 c. y. of fill. A portion of the parcel exceeds 30% slope. The existing 1,543 square foot residence, 230 square foot storage building, and 160 square foot shed would be demolished.

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. **No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.**

Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

1. A Zoning Map Amendment to change the zoning from E-1, One-Family Residence, to R-3, Limited Multiple-Family Residence Zone (SBMC§28.92.080.B); and
2. Tentative Subdivision Map for a one-lot subdivision with three condominium units (SBMC§27.07).

Case Planner: Kathleen Kennedy, Associate Planner
Email: kkennedy@SantaBarbaraCA.gov

Jan Hubbell, Senior Planner, gave the Staff presentation for Kathleen Kennedy.

City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: February 21, 2007

AGENDA DATE: March 1, 2007

PROJECT ADDRESS: 1722 State Street (MST2005-00455)

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Allison De Busk, Associate Planner

I. PROJECT DESCRIPTION

The project consists of demolition of a 7,500 square foot commercial building and construction of a new mixed use building that includes 9,100 net square feet of commercial condominium space and 12 residential condominium units (totaling 23,606 square feet) above a 23,909 square foot subterranean garage. The residential condominiums will include 9 two-bedroom and 3 three-bedroom units ranging in size from 976 to 2,680 square feet. Two of the proposed residential units are affordable units: one two-bedroom and one three-bedroom unit. Parking (55 spaces) would be located in the subterranean garage. Grading consists of 8,594 cubic yards cut and 255 cubic yards fill, resulting in 8,339 cubic yards of export. A zone change is proposed, which was initiated by the Planning Commission on November 3, 2005, to change the R-1 (single family) portion of the property to the R-3 (multiple family) Zone.

II. REQUIRED APPLICATIONS

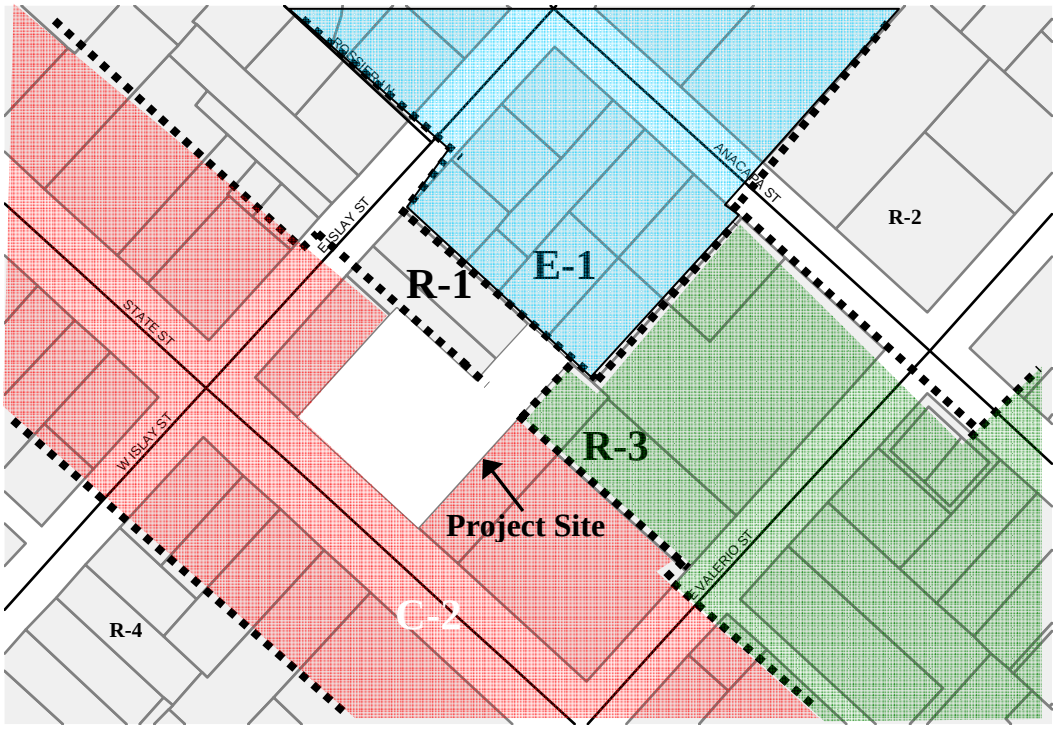
The discretionary applications required for this project are:

1. A Zoning Map Amendment to change the zoning from R-1, One Family Residential, to R-3, Limited Multi-Family Residence Zone (SBMC §28.92.080.B);
2. A Modification to allow 55 parking spaces instead of the Santa Barbara Municipal Code required 63 spaces (SBMC §28.90.100.G & I and §28.92.110.A.1);
3. A Modification of the minimum lot area required to allow for 9 two-bedroom units and 3 three-bedroom units on a 28,875 square foot lot instead of the required 29,280 square feet of lot area in order to accommodate two inclusionary (bonus density) housing units (SBMC §28.21.080.G and §28.92.110.A.2);
4. A Development Plan to allow Minor and Small Additions for the construction of a 1,600 square foot increase of nonresidential development (SBMC §28.87.300);
5. A Tentative Subdivision Map for a one-lot subdivision to create twelve (12) residential condominium units and 15,576 square feet of commercial condominium space (SBMC §27.07 and 27.13); and

6. A Conditional Use Permit to allow nonresidential parking in a residential zone (SBMC §28.94.030 H).

III. RECOMMENDATION

With approval of the requested modifications, the proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project contingent upon Council approval of the Zone Change and recommend that the City Council approve the Zone Change, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



APPLICATION DEEMED COMPLETE: September 8, 2006

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Jan R. Hochhauser	Property Owner:	1722 State Street Investors, LLC
Parcel Number:	027-102-021	Lot Area:	28,875 square feet
General Plan:	General Commerce & Offices	Zoning:	C-2 and R-1
Existing Use:	Photography and Videography Classroom	Topography:	4-5% slope toward State Street
Adjacent Land Uses: North - Residential/Commercial (C-2, R-1 zones) East - Residential (R-1, E-1 zones) South - Commercial/Office (C-2, R3 zones) West - State Street, Commercial (C-2 zone)			

B. PROJECT STATISTICS

Residential	Bedrooms	Size (Net)	Parking	Private Outdoor Living Spaces
Unit A	2	2,268 sq. ft.	2-car garage	1,275 sq. ft.
Unit B	2	2,093 sq. ft.	2-car garage	1,018 sq. ft.
Unit C	2	2,093 sq. ft.	2-car garage	1,018 sq. ft.
Unit D	2	2,093 sq. ft.	2-car garage	1,018 sq. ft.
Unit E	3	2,680 sq. ft.	2-car garage	1,548 sq. ft.
Unit F	2	2,349 sq. ft.	2-car garage	774 sq. ft.
Unit G	3	1,988 sq. ft.	2-car garage	472 sq. ft.
Unit H (Affordable)	2	976 sq. ft.	1 covered space	91 sq. ft.
Unit I (Affordable)	3	1,179 sq. ft.	1 covered space	100 sq. ft.
Unit J	2	1,771 sq. ft.	2-car garage	327 sq. ft.
Unit K	2	1,857 sq. ft.	2-car garage	327 sq. ft.
Unit L	2	2,259 sq. ft.	2-car garage	247 sq. ft.

Non-residential	Size (net)
First Floor Commercial	4,384 square feet
Second Floor Commercial	4,716 square feet
Parking	33 spaces

V. ZONING ORDINANCE CONSISTENCY

C-2/R-3 Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior -Rear	None None 10 feet	None None 10 feet	None None 10 feet
Building Height	60 feet (4 stories)	24 feet (2 stories)	43 feet maximum (3 stories)
Parking	Residential: 27 spaces Commercial: 36 spaces Total Rqd.: 63 spaces (Total Shared Parking Generation: 55 spaces)	45 spaces	Residential: 22 Commercial:33 Total: 55 *
Lot Area Required for Each Unit (Variable Density)	2-Bdrm = 2,320 sq. ft. 3-Bdrm = 2,800 sq. ft (9) 2,320 = 20,880 sq. ft. (3) 2,800 = 8,400 sq. ft. Total 29,280 sq. ft.	28,875 square feet	28,875 square feet * (Lot Area Modification requested for 405 sq. ft.)
Open Yard	10% of the lot (2,928 sq. ft.)	N/A	17.5% (5,122 sq. ft.)
Private Outdoor Living Space	2-Bd Units = 84 sq. ft. each 3-Bd Units = 96 sq. ft. each	N/A	All units exceed 100 sq. ft. with the exception of the 2 bdrm. affordable unit @ 91 sq. ft.
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	7,500 sq. ft. (26 %) 21,040 sq. ft. (73 %) 335 sq .ft. (01 %) 28,875 sq. ft. (100%)	18,570 sq. ft. (64 %) 4,120 sq. ft. (14 %) 6,185 sq .ft. (22 %) 28,875 sq. ft. (100%)

* Requires a Modification

A. CHANGE OF ZONE

A change of zone is a legislative process and City procedures require that the Planning Commission or City Council initiate the rezoning before the applicant can submit a formal application for rezoning. A zone change can be initiated by either an applicant, the Planning Commission or City Council. In this case, the property owner applied for the zone change and the Planning Commission initiated the process at their November 3, 2005 hearing, to change a portion of the subject property from R-1 (One Family Residential) to R-3 (Multiple Family Residential). This designation change is required in order to process the applicant's mixed-use project proposal. Currently, the 28,875 square-foot lot is split by two zoning designations; the eastern portion, totaling approximately 4,125 square feet, is zoned R-1, and the western portion adjacent to State Street, totaling 24,750 square feet, is zoned C-2. There are several areas of

the City where zone boundaries do not align with property lines, so it is not unusual that this property is split by two zones.

The surrounding property to the north is zoned R-1 and E-1 (One-Family Residential), the east is zoned R-3 (Multiple Family) and the south and west is zoned C-2 (Commercial).

The R-3 district would accommodate the mixed use project and still provide adequate separation of commercial uses from the area currently developed with single-family residences. The R-3 designation would match the designation of the adjacent property to the southeast, and would prohibit commercial development at the rear of the property should the actual development of the project not come to fruition. The rezoning of the rear portion of the site to the R-3 zone allows for a well-designed residential project compatible with the existing buildout of the surrounding adjacent residential neighborhood.

Staff recommends that the Planning Commission recommend to the City Council the approval of the zone change from R-1 to R-3.

B. CONDITIONAL USE PERMIT

The underground parking garage extends into the residentially zoned portion of the site. Because the parking garage will include commercial parking spaces in the R-3 zone, the commercial parking use must be permitted through issuance of a conditional use permit (CUP) per Section 28.94.030 ("driveways and parking areas for nonresidential uses in residential zones") of the Municipal Code, based upon the findings for approval outlined in Section VII. Given that the commercial parking is below grade, and no equipment or facilities would be apparent to the above grade residential uses, Staff finds that the parking configuration is appropriate and recommends approval of the CUP by the Planning Commission.

C. MEASURE E

The project includes the demolition of approximately 7,500 square feet of commercial space and construction of approximately 9,100 square feet of commercial space. Pursuant to the provisions of SBMC §28.87.300, the project would be allocated a total of 1,000 square feet of Measure E nonresidential square footage from the Minor Addition category and 600 square feet from the small addition category for the project parcel. Development Plan findings for this square footage are included in Section VII below.

D. MODIFICATIONS

Parking Modification: The residential parking requirement for the project is two covered spaces per residential unit and one guest space for every four units. Because the total square footage of the residential area exceeds the square footage of the proposed commercial area, the project does not qualify for the one space per unit provision for mixed-use developments. The commercial requirement for the project is one space per 250 square feet of space. Therefore, the project requires 27 spaces for the twelve residential units (24 spaces for residents and 3 spaces for guests) and 36 parking spaces for the proposed 9,100 square feet of commercial use, for a total of 63 spaces. A parking demand study was prepared by Associated Transportation

Engineers (ATE) to look at the shared parking demand of the project. Shared parking recognizes and factors in the peak parking demands that occur during the day and evening for various land uses. The ATE report determined that 50 spaces would be required at peak times for a mix of commercial uses and the 12 residences. The report also looked at a worst case scenario of a medical-dental office as the entire commercial use, along with the 12 residences. The peak shared parking demand using this scenario was calculated as 55 spaces. The project proposes 55 spaces, which will accommodate parking for the worst case land use category assumption. Based on the conclusion of the report, Staff supports the parking modification.

Lot Area Modification: Variable density is allowed in the C-2 (Commercial) Zone District. Based on the existing lot area of 28,875 square feet, a maximum of 10 two-bedroom units and 2 three-bedroom units would be allowed on this property, as was originally proposed by the applicant. However, per the City's Affordable Housing Policies, the average number of bedrooms in the inclusionary affordable units must equal or exceed the average number of bedrooms in the market-rate units of the development. Because the average number of bedrooms in the market rate units is 2.3, the inclusionary units are required to meet or exceed that number. Thus, during the review process, Staff indicated that one of the inclusionary units would be required to be configured as a two bedroom unit and one as a three bedroom unit. The bedroom count change was incorporated into the project by the applicant. It is Staff's opinion that the small lot area modification for the provision of two affordable units with unit sizes and amenities that exceed City requirements is appropriate. The City's Inclusionary Ordinance entitles the property owner to bonus density (via a lot area modification) for required inclusionary housing units (SBMC, § 28.43.050.A).

VI. ISSUES

A. DESIGN REVIEW

This project was conceptually reviewed by the Historic Landmarks Commission (HLC) on December 14, 2005 (meeting minutes are attached as Exhibit D). The HLC stated that there was general support for the project and that the third story of the building was acceptable due to the appropriate stepping back of the building. Direction was given regarding minor alterations to be presented at the required future preliminary and final hearings prior to Building Permit submittal.

B. COMPLIANCE WITH THE GENERAL PLAN

Before a condominium project and a tentative subdivision map can be approved, they must be found consistent with the City's General Plan. The project site is located in the Upper East neighborhood, south of Mission Street, where motels and offices are found. The Land Use Element states that, in "the neighborhood below approximately Valerio Street, apartment structures can be seen together with professional offices, churches and schools. This type of development results from a mixture of commercial offices, hospital office, and multiple dwelling zones…" "Because of its conveniently close proximity to downtown, further redevelopment to higher-density residential uses will probably occur in this area".

1. **Land Use Element**

The subject site has a General Plan designation of General Commerce and Offices. The residential portion of the mixed-use development would be subject to the density requirements of the R-3/R-4 Multiple Family Residential Zones, which allow 12 dwelling units to the acre. However, the General Plan Land Use and Housing Elements recognize that, in zones where variable density standards apply, development may exceed the limit of 12 units per acre without causing an inappropriate increase in the intensity of activities. The proposed project would result in a density of approximately 18 units per acre, which, based on the above discussion, would be consistent with the Land Use and Housing Elements of the General Plan.

2. **Housing Element**

The City Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. This proposal, with two and three bedroom units and affordable units, would satisfy that goal.

Neighborhood Compatibility

In accordance with Housing Element Policy 3.3, which requires new development to be compatible with the prevailing character of the neighborhood, the proposed building would be compatible in scale, size and design with the surrounding neighborhood.

The surrounding neighborhood is comprised of a mix of office, residential and commercial buildings, with a wide range of heights. Along State Street, the uses are a mixture of offices and commercial uses with residential uses predominantly to the rear (east) of State Street. The three- story element of the building is confined to the State Street frontage. The rear of the building adjacent to the neighboring residential area drops to two-stories, in keeping with the present residential character. Additionally, the apparent height of the building as viewed from the adjacent residential areas is lessened due to the natural topography that situates the adjacent homes at a higher elevation than the project site.

In addition, one of the goals of the Urban Design Guidelines is compatibility of new development with the character of the City, the surrounding neighborhood, and adjacent properties. The HLC considers the Urban Design Guidelines in reviewing development proposals. As discussed above, the HLC is supportive of the site plan, and the size, bulk and scale of the project.

3. **Circulation Element**

The Circulation Element contains goals and policies that promote housing in and adjacent to the downtown to facilitate the use of alternative modes of transportation and to reduce the use of the automobile. For example, Circulation Element Implementation Strategy 13.1.1 encourages "the development of projects that combine and locate residential uses near areas of employment and services." This project provides housing as well as commercial space in the downtown and is, therefore, consistent with this goal. Transit stops are located within easy walking distance from the site.

C. ENVIRONMENTAL REVIEW

Environmental review of the proposed project has been conducted pursuant to the California Environmental Quality Act (CEQA) and related Guidelines. An Initial Study and Mitigated Negative Declaration were prepared to evaluate the project's potential impacts on the physical environment. The analysis identified potentially significant but mitigable environmental effects in the following issue areas: air quality (short-term), biological resources, geophysical conditions, hazards, noise (long-term), traffic/circulation (long-term) and water environment. Also evaluated in the document as less than significant impacts are aesthetics, air quality (long-term), cultural resources, noise (short-term), public services and traffic/circulation (short-term).

A Draft Mitigated Negative Declaration (MND) was prepared and released for public review. During the public review period from January 18, 2007, to February 7, 2007, public comment on the draft MND was taken. No Environmental Hearing was held by the Planning Commission because one was not requested by the public. Staff received two letters of concern regarding the project during the public comment period. Concerns related to water quality and runoff, the size of the project, "canyonization", traffic and cumulative impacts were raised. Responses to these issues are included in the response to public comments, which is incorporated into the Final Mitigated Negative Declaration (Exhibit D).

The analysis concludes that no significant environmental impacts would result from the project as mitigated. Below is a brief summary of the Final Mitigated Negative Declaration evaluation.

1. AESTHETICS

The project site is located in an urban setting in the Upper East neighborhood of the City. Views of the site from public vantage points are primarily from the adjacent street and sidewalks. Existing development along this portion of the State Street corridor includes one-, two- and three-story buildings. There is a mix of office, commercial and residential development in the project vicinity. The site is currently developed with a two-story structure, paved parking areas and a limited amount of landscaping. The proposed new building would be three stories and would measure 43 feet above existing grade. Two of the three existing ficus trees on the site would be removed. The Historic Landmarks Commission (HLC) has reviewed the project and has made generally positive comments. The size, height, architecture and siting of the proposed building would result in a visual change to the site; however, this is considered a less than significant environmental impact.

2. AIR QUALITY

This project will not result in long-term air quality impacts. The primary concerns related to air quality impacts are pollutant emissions from vehicle exhaust or other stationary sources, particulates and nuisance dust associated with grading and construction. Long-term emissions are much less than the Santa Barbara County Air Pollution Control District threshold of significance for air quality impacts; therefore, long term project air quality impacts are less than significant. The MND has incorporated mitigation measures to minimize short-term impacts from construction emissions and dust.

3. BIOLOGICAL RESOURCES

The project site is located in an urbanized portion of the City, where biological resources are limited. Vegetation on the site is primarily ornamental landscaping, which will be removed as part of the project. No impacts to native plans, animals, their habitats or wildlife movement opportunities would result from this project. There are currently three mature ficus trees on the site, two of which are proposed to be removed. Mitigation measures are included to require four replacement trees that will provide a similar canopy to the ficus trees and construction fencing to protect the remaining ficus tree. There is also a large oak tree located just east of the project site and a portion of the oak's canopy overhangs onto the project site. Mitigation measures are recommended to minimize any damage to this oak tree.

4. CULTURAL RESOURCES

The project site is located adjacent to a relic creek and is in the Prehistoric Watercourse, American Period 1870-1900, and Early 20th Century 1900-1920 cultural sensitivity zones, based on the City Master Environmental Assessment (MEA) *Cultural Resources Sensitivity Map.* A Phase 1 Archaeological Survey was conducted in 2006. A systematic survey for archaeological resources was not possible given the existing site development. Therefore, although prehistoric resources have not been documented within a ¼ mile radius of the project site, on-site monitoring is required during initial site demolition and grading activities.

No known historic, ethnic or religious resources are known or expected to exist on the site. The project would have no impact related to historic, ethnic or religious resources.

5. GEOPHYSICAL CONDITIONS

Project impacts related to ground shaking, liquefaction, seiche, tsunami, landslides, mudslides or excessive grading are considered less than significant. Potential impacts due to subsidence or expansive soils would be minimized to less than significant levels with incorporation of grading and foundation recommendations included in the Preliminary Foundation Investigation prepared by Pacific Materials Laboratory for the project.

6. HAZARDS

A Phase I Environmental Site Assessment was prepared for the project site to identify the possibility of soil and ground water contamination. According to the analysis in that report, it does not appear that soils at the project site are contaminated, and impacted groundwater at the site would be located at depths of 80-90 feet below the ground surface. Mitigation measures have been identified to reduce any potential impact from this contamination to less than significant levels. The site is not located within a High Fire Hazard Area.

7. NOISE

The project is located in an area where noise levels range from 60-65 dBA Ldn, due primarily to traffic noise. Proposed Units K and L face State Street and have private outdoor living space facing State Street. These units will require mitigation for both interior and exterior spaces to reduce noise impacts to less than significant levels. Short-term construction noise would be adverse, but less than significant. Mitigation measures have been recommended to further minimize any construction noise impacts.

8. POPULATION AND HOUSING

The project would not involve substantial employment or housing growth that would increase population or housing demand. Growth-inducing impacts would not be significant.

9. PUBLIC SERVICES

Public services in the project vicinity are in place. Impacts to fire and police protection, schools, roads and utilities would be less than significant. Impacts to solid waste would be less than significant, and recommended mitigation measures addressing trash enclosures and construction materials recycling and salvage would further reduce any impacts.

10. RECREATION

The project may result in a very small increase in the demand for recreational facilities, but is considered an incremental increase in the number of potential users for existing facilities. There are various recreational facilities in the project area including the Alameda Park and Alice Keck Park Memorial Gardens. Project impacts related to recreational demand would be less than significant.

11. TRANSPORTATION/CIRCULATION

The project is expected to generate 28 a.m. peak hour trips, 67 p.m. peak hour trip and 347 average daily trips. The project is expected to result in a net reduction of a.m. and p.m. peak hour trips and average daily trips based on ITE rates for both the prior bank use and the current classroom/ATM use. Therefore, there would be no impact to traffic or the operation of intersections in the area.

Short term construction traffic would not result in a significant impact to the traffic network because of the temporary nature of the trips generated and the size of the project. Standard mitigations recommended to minimize any adverse impact include restrictions on the hours permitted for construction trips and approval of routes for construction traffic.

Project impacts relative to emergency access are potentially significant because there is not a 20-foot wide access way to within 150 feet of the furthest exterior wall of the building. Upon Fire Department approval of an access modification, this potential impact will be reduced to a less than significant level.

A parking study was prepared for the proposed development and determined that the 55 proposed parking stalls would satisfy the project's parking demand (see discussion of Parking modification above).

12. WATER ENVIRONMENT

The existing onsite drainage sheet flows southward to State Street. A drainage analysis was prepared for the project, which indicates that post-development run-off would decrease slightly from existing conditions. No drainage impacts are anticipated. The project site is not located in a flood zone. Potentially significant long-term water quality impacts would be reduced to less than significant levels with incorporation of Best Management Practices (BMPs). Standard erosion and dust control measures have been included in the project conditions to minimize potentially significant short term construction impacts to water quality.

The Final Mitigated Negative Declaration has identified no significant and unavoidable impacts related to the proposed project. Pursuant to CEQA, and prior to approving the project, the Planning Commission must consider the Mitigated Negative Declaration. For each mitigation measure adopted as part of a Mitigated Negative Declaration, the decision makers are required to make the mitigation measures conditions of project approval and adopt a program for monitoring and reporting on the mitigation measures to ensure their compliance during project implementation [PRC Sec.21081.6]. The mitigation measures described in the proposed Final Mitigated Negative Declaration have been incorporated into the recommended conditions of approval for this project. In addition, a mitigation monitoring and reporting program (MMRP) is included as Exhibit E.

VII. FINDINGS

The Planning Commission finds the following:

A. LOT AREA MODIFICATION (SBMC §28.92.110.A.2; 28.43.050.A)

The lot area modification is consistent with the purposes and intent of the Zoning Ordinance and policies of the Housing Element, and is necessary to construct a mixed-use development that provides two affordable residential units for moderate-income households.

B. PARKING MODIFICATION (SBMC §28.92.110.A.1)

The modification is consistent with the purposes and intent of the zoning ordinance and is necessary to construct a housing development which is affordable to moderate income households. The parking provided on site will meet the project's parking demand.

C. CONDITIONAL USE PERMIT (SBMC §28.94)

For the underground parking in a residential zone (SBMC§28.94.030.H)

1. The use is deemed essential or desirable to the public convenience or welfare and is in harmony with the various elements or objectives of the Comprehensive General Plan because it supports mixed-use development in an area that is well-suited to such a development;
2. Such use will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved because the commercial parking is below grade and no equipment or facilities would be apparent to the above grade residential uses;
3. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided;
4. Adequate access and off-street parking, including parking for guests, is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time;
5. The appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping, open space and other features is compatible with the character of the area.

D. AMENDMENTS AND CHANGES TO ZONE BOUNDARY (SBMC §28.92.020)

The change is justified by public necessity convenience, general welfare or good zoning practice.

E. DEVELOPMENT PLAN APPROVAL (SBMC §28.87.300)

1. The proposed development complies with all of provisions of the Zoning Ordinance;
2. The proposed development is consistent with the principles of sound community planning;
3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood;
4. The proposed development will not have a significant unmitigated adverse impact upon the City and South Coast affordable housing stock;
5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources;

6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic;

7. Resources will be available and traffic improvements will be in place at the time of project occupancy.

F. THE TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

G. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)

1. There is compliance with all provisions of the City's Condominium Ordinance.

   The project complies with density requirements. Each unit includes laundry facilities, separate utility metering, adequate unit size and storage space, and the required private outdoor living space.

2. The proposed development is consistent with the General Plan of the City of Santa Barbara.

   The project can be found consistent with policies of the City's General Plan including the Housing Element, Conservation Element, and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood.

3. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.

   The project is an infill residential project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.

H. FINAL MITIGATED NEGATIVE DECLARATION ADOPTION

- The Planning Commission has considered the proposed Final Mitigated Negative Declaration together with comments received during the public review process.

- The Planning Commission finds on the basis of the whole record before it (including the initial study and comments received) that there is no substantial evidence that the project will have a significant effect on the environment.
- The Planning Commission finds that the Final Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
- The Planning Commission finds that the Final Mitigated Negative Declaration has been prepared in compliance with CEQA, and constitutes adequate environmental evaluation for the proposed project. The Planning Commission hereby adopts the Final Mitigated Negative Declaration for the project.
- The Planning Commission hereby adopts a mitigation monitoring and reporting program for measures required in the project or made a condition of approval to mitigate or avoid significant environmental effects.
- The location and custodian of the documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, California.

I. DEPARTMENT OF FISH AND GAME FEE FINDING

An Initial Study has been conducted by the lead agency, which has evaluated the potential for the proposed project to result in adverse effects, either individually or cumulatively, on wildlife resources or the habitat on which the wildlife depends. For this purpose, "wildlife" is defined as "all wild animals, birds, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability" (Section 711.2 Fish and Game Code). This project is subject to the Department of Fish and Game fee, unless otherwise determined by the Department of Fish and Game.

Exhibits:

A. Conditions of Approval
B. Reduced Plan Set
C. Applicant's letter, dated September 1, 2006
D. Final Mitigated Negative Declaration
E. Mitigation Monitoring and Reporting Program

City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

March 1, 2007

CALL TO ORDER:

Chair Charmaine Jacobs called the meeting to order at 1:04 P.M.

ROLL CALL:

Present:

Chair Charmaine Jacobs
Vice-Chair George C. Myers
Commissioners Bruce Bartlett, John Jostes, Stella Larson, George C. Myers, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Bettie Weiss, City Planner
Jan Hubbell, Senior Planner
N. Scott Vincent, Assistant City Attorney
Allison De Busk, Project Planner
Chelsey Swanson, Assistant Planner
Steve Foley, Supervising Transportation Planner
Chris Hanson, Plan Check Supervisor
Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

Ms. Hubbell made the following announcements:

1. 1528 State Street has been appealed from the Historic Landmark Commission, mostly on issues related to the Staff Hearing Officer's approval, and will be heard by the City Council on March 13, 2007. Commissioner White will represent the Planning Commission.

2. 1776 Eucalyptus Hill Road has been appealed and will be heard by the City Council on March 20, 2007. Commissioner Thompson will represent the Planning Commission.

3. 3408-3412 State Street has been appealed and will be heard by the City Council on March 27, 2007. Commissioner Jostes will represent the Planning Commission

4. 1443 San Miguel Avenue has been appealed and will be heard by the City Council on April 10, 2007. Commissioner Myers will represent the Planning Commission.

5. 1533 West Valerio Street has been appealed to City Council and the date is pending.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Jacobs opened the public hearing at 1:07 P.M. and welcomed students from Dr. Paul Wack's UCSB class on Principles of Environmental Planning. With no one wishing to speak, the hearing was closed.

II. NEW ITEMS:

ACTUAL TIME: 1:08 P.M.

A. **APPLICATION OF JAN HOCHHAUSER, ARCHITECT FOR 1722 STATE STREET INVESTORS, LLC, PROPERTY OWNER, 1722 STATE STREET, APN: 027-102-021, C-2 COMMERCIAL ZONE AND R-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND OFFICES (MST2005-00455)**

The project involves the construction of a 56,615 square foot three-story building that would provide both residential and commercial uses. The project would provide 12 residential condominium units (23,606 total square feet), and 9,100 square feet of commercial condominium space. Parking for the residential units and commercial uses would be provided in a 23,909 square foot below-grade parking area. The project proposes to provide 22 parking spaces for the residential uses and 33 spaces for the commercial uses, for a total of 55 spaces. Access to the underground parking garage would be provided by a single driveway located on State Street.

Ten (10) of the proposed residential units would be market rate units, and two would be inclusionary middle-income affordable units. Eight (8) of the market rate units would have two-bedrooms and would range between 1,771 and 2,349 square feet in size. Two (2) of the market rate units would have three bedrooms and would range between 1,988 and 2,680 square feet in area. Of the two affordable units, one would have two bedrooms (976 square feet) and the other would have three bedrooms (1,179 square feet).

A variety of commercial uses could be located in the proposed project, including a mix of specialty retail, general office and medical-dental office space.

The existing 7,500 square foot commercial building and parking lot would be demolished as part of the project.

The discretionary applications required for this project are:

1. A Zoning Map Amendment to change the zoning from R-1, One Family Residential, to R-3, Limited Multi-Family Residence Zone (SBMC §28.92.080.B);
2. A Modification to allow 55 parking spaces instead of the Santa Barbara Municipal Code required 63 spaces (SBMC §28.90.100.G & I and §28.92.110.A.1);
3. A Modification of the minimum lot area required to allow for 9 two-bedroom units and 3 three-bedroom units on a 28,875 square foot lot instead of the required 29,280 square feet of lot area in order to accommodate two inclusionary (bonus density) housing units (SBMC §28.21.080.G and §28.92.110.A.2);
4. A Development Plan to allow Minor and Small Additions for the construction of a 1,600 square foot increase of nonresidential development (SBMC §28.87.300);
5. A Tentative Subdivision Map for a one-lot subdivision to create twelve (12) residential condominium units and 15,576 square feet of commercial condominium space (SBMC §27.07 and 27.13); and
6. A Conditional Use Permit to allow nonresidential parking in a residential zone (SBMC §28.94.030 H).

The Planning Commission will consider approval of the Mitigated Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Allison De Busk, Associate Planner
Email: adebusk@SantaBarbaraCA.gov

Allison De Busk, Associate Planner, gave the Staff presentation.

Jan Hochhauser, Architect, gave the applicant presentation.

Staff and Mr. Hochhauser answered Planning Commission questions on Floor Area Ratio (FAR), project square footage, clarification on the project's net versus gross square footage, and comparable recently approved projects. Additional questions were answered about landscaping, mechanical equipment on roof, solar panels, solar ordinance compliance, windows and openings along the property line, shared-use parking, plate heights, and residential open space over commercial space. Other

inquiries addressed concerned fire access, storage, Built Green considerations, undergrounding utility lines, pedestrian walking experience, and commercial versus residential space.

Chair Jacobs opened the public hearing at 2:18 P.M.

Dennis Whelan spoke in support of the project and asked about the future of the screen on the existing building.

With no one else wishing to speak, the public hearing was closed at 2:22 P.M.

Commissioner's comments:

1. Commission expressed appreciation for development of the project over the past 18 months and the incorporation of underground parking.
2. Expressed concern over the size, bulk, and scale of project. Suggested reducing the number of bedrooms and the size of the State Street side units, specifically units K and L. Many of the Commissioners felt that the units are far too large, especially units A, F and L. Would like to see some mass pulled away from State Street.
3. The project will need to address Charter Section 1507.
   Many of the Commissioners felt the traffic and parking analysis was flawed and felt that the project will generate more traffic than at the present time. Concern was expressed over adding traffic to Mission Street.
4. Commended the use of solar and would like to see the project raised to a 2 or 3 star Built Green status. There was some concern expressed with impacts of the solar panels on neighbors.
5. Most Commissioners could not support the proposed parking modification and felt that more study is needed. One Commissioner felt that parking should be reduced and supported the modification for parking.
6. Several Commissioners would like to see more than the two affordable units included and suggested adding at least one more. Also, would like to see more integration and improvement in circulation among all units.
7. Would like to see the courtyard space lightened and designed to encourage residential use and interaction; suggested breaking up the ridgeline. A Condition of Approval should stipulate that the courtyard should never be gated. Consideration should be given to having more than just sky views in the courtyard. Commissioners liked the courtyard but felt it wasn't quite there yet. The courtyard pushes the building mass outward, and the streetscape pays the price.
8. Two Commissioners expressed concern with windows being too close to the property line to the north and south and the impact on any future neighboring development. Concerns were for units G, F, and E. Would like to see potential for light studied.

9. Some Commissioners could not support the Negative Declaration due to questions about the traffic analysis.
10. Concerned with view loss on the north side of the building. Some Commissioners would like to see more attention to views in the Negative Declaration.
11. Would like to see project get closer to zoning requirement and away from the need for a parking modification. Suggested reducing the commercial space on the second floor that could reduce parking demand.
12. Would like to have Historic Landmarks Commission review the reduction of the plate heights wherever possible.
13. Suggestions were made to include existing grillwork in the project.
14. Suggested adding a condition that states that the sidewalk is a parkway sidewalk and add considerations for pedestrian amenities. Need for more consideration to pedestrian streetscape, including more windows, landscaping and courtyard visibility.
15. Page two of the Negative Declaration Response to Comments needs to correctly reflect the area requesting a zoning modification.
16. Some Commissioners expressed concern over the number of elevators and the contribution of the elevators to building mass. Other Commissioners felt the number of elevators need to be on the high side to accommodate the elderly, frail, and families.
17. Would like to see the affordable housing units appear less like secondary units, especially with regard to size, location, and private outdoor living space.
18. One Commissioner sees mid-State Street as an invitation for walking and street animation. Pedestrians like amenities such as public restrooms, shading, and water.

Ms. Hubbell cautioned the Commission on variable density and inclusionary requirements and affordable housing requirements. Guidance was also given to the Commission on allowed density and use of bonus density. Ms. Hubbell stated that there were no policies that addressed mid-block State Street views and therefore did not heighten Staff's concerns. Topography continues to rise behind parcel and vegetation hides all but a minor glimpse of the mountains. This is definitely not an environmental issue; it may be a design issue.

Mr. Hochhauser asked for greater understanding on the balance of affordable units, elevators and parking. Commissioners provided input on the lack of support for the parking modification and lot area modification. In consideration of feedback received, Mr. Hockhauser asked for a continuance.

Chair Jacobs gave the applicant feedback on the general vision for the mid-State Street area that bridges the downtown commercial corridor with a residential neighborhood to the north, along with the Neighborhood Preservation study that had been done in that area.

MOTION: Jostes/Larson
Continued the project to April 19, 2007

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Jacobs called a recess at 3:48 P.M. and reconvened the meeting at 4:06 P.M.

MOTION: White/Larson
Reconsider the prior action of the Commission of 1722 State Street.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

MOTION: White/Myers
Continue the 1722 State Street project to April 5, 2007.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

ACTUAL TIME: 4:10 P.M.

B. **APPLICATION OF EVERETT WOODY, ARCHITECT FOR JEFF & JULIE FRIEDMAN FAMILY TRUST, PROPERTY OWNER, 1014 GARDEN STREET, 029-221-026, R-3/ C-2 MULTIPLE FAMILY RESIDENCE AND COMMERCIAL ZONES, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL, 12 UNITS PER ACRE (MST2007-00018)**

The proposed project involves a proposal for a change in zone from R-3/C-2 to C-2, and a setback modification, both intended to abate two existing zoning violations. A recently permitted two-unit residential condominium project currently under construction does not meet the Solar Ordinance in the R-3 portion of the lot. A zone change to C-2 will abate this violation. The building was also permitted with an architectural column located up to the interior property line and within the interior yard setback. This encroachment was not previously recognized or approved as a modification to the interior yard. The discretionary applications required for this project are:

1. Initiation of a Rezone and Recommendation by the Planning Commission to City Council to change a parcel zoned R-3/C-2 to C-2 (SBMC, §28.92.020); and

2. Modification to allow a building encroachment within an interior yard setback (SBMC §28.21.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301, Existing Facilities, and 15305, Minor Alterations in Land Use Limitations.

Case Planner: Chelsey Swanson, Assistant Planner
Email: cswanson@SantaBarbaraCA.gov

Chelsey Swanson, Assistant Planner, gave the Staff presentation.

The applicant was given the opportunity for a presentation and declined.

Staff answered Planning Commission questions on the solar ordinance and violation, along with clarification of the zoning amendment.

Commissioner Larson disclosed that she knew the applicant and sought Staff opinion on abstaining from participation. Scott Vincent, Assistant City Attorney gave Ms. Larson assurance that knowledge of an applicant is not a conflict of interest.

Chair Jacobs opened the public hearing at 4:25 P.M. and with no one wishing to speak closed the public hearing.

MOTION: White/Myers **Assigned Resolution No. 010-07**
Approved the setback modification as outlined in the Staff Report. Initiated and recommended to City Council a rezone of the subject property, 1014 Garden Street, from R-3/C-2 to R-O.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

MOTION: Bartlett/White
Requested staff consideration of a Solar Ordinance amendment to no longer require that residentially-zoned properties adjacent to commercially-zoned properties meet the solar requirements.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

III. DISCUSSION ITEM:

ACTUAL TIME: 4:35 P.M.

PLANNING COMMISSION/STAFF HEARING OFFICER STANDARD CONDITIONS OF APPROVAL ANNUAL REVIEW / CONSTRUCTION RELATED CONDITIONS WORKSHOP. Rescheduled from February 15, 2007

Staff's annual review of proposed changes to the Planning Commission/Staff Hearing Officer Standard Conditions of Approval Menu, including discussion on construction related conditions. Proposed revisions to the Conditions of Approval are intended to provide a more efficient and concise document. A discussion will be held with the Planning Commission.

Case Planner: Jan Hubbell, Senior Planner
Email: jhubbell@SantaBarbaraCA.gov

Jan Hubbell, Senior Planner, gave the Staff presentation and included Bettie Weiss, City Planer/Staff Hearing officer; Steve Foley, Supervising Transportation Planner; and Chris Hansen, Plan Check Supervisor.

Staff answered Planning Commission questions on restrictions on nighttime construction, erosion control, the narrowing of a street during construction, the landscape bond, and remediation.

One Planning Commissioner suggested consideration of conditions to address the driving of pile foundations. Suggested Staff consider video documentation prior to the driving of pile foundations to document impacts on adjoining properties from vibration.

Ms. Weiss asked Staff to clarify if the standard menu of conditions included developing Negative Declaration and mitigation measures. Ms. Hubbell responded that the menu applies most thoroughly to exempt projects, and additional mitigation measures are added when doing projects with Negative Declarations and Environmental Impact Reports (EIR). Staff recommends that this menu be given to anyone preparing an EIR so that mitigation measures can be included in the report and will be consistent with condition language and timing.

Ms. Hubbell stated that, if conditions of approval are not being met, the approval can be taken away, or the work can be stopped if construction is in progress. Mr. Vincent added that the conditions of approval have many checks along the process that include elements of review at each stage.

Chair Jacobs opened the public hearing at 5:08 P.M. and, with no one wishing to speak, closed the public hearing.

Staff answered additional Planning Commission questions on maintenance bonds, compliance enforcement, elimination of the sewer lateral inspection condition, undergrounding utility poles, and green plan inclusion.

Commissioner's comments:

1. Supported the late hour construction condition in center of town, but felt that the enforcement should have its own fee.
2. Commissioners were appreciative and supportive of Staff's development of the conditions menu. Positive feedback was given on providing the conditions menu to EIR preparers.
3. Expressed faith in how the City is managing conditions and support for how Staff uses grading ordinance and erosion control to protect grading in the rainy season.
4. Would like to see examples of mitigation and monitoring reports in the future.
5. Suggested inclusion of e-cars as alternatives for transportation.
6. Suggested the inclusion of tenants in notification.
7. Suggested fees for use of public right of ways in the downtown area.

Ms. Weiss stated she liked the shorter condition list and suggested adding a condition for early involvement of the Historic Landmarks Committee in Landmark or Structure of Merit designation.

Ms. Hubbell suggested taking the conditions for construction and considering the development of a construction ordinance.

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

1. Commissioner Larson reported that the public restroom by Borders is now open to the public and encouraged public use.

2. Commissioner Jacobs will defer her report on the Arts Commission Arts Symposium to next week.

B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

C. Action on the review and consideration of the items listed in I.B.2. of this Agenda.

MOTION: Jostes/White Continue the draft minutes and resolutions of January 18, 2007 to March 8, 2007.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0. Absent: 0

VII. ADJOURNMENT

MOTION: White/Jostes Adjourn the meeting of March 1, 2007

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Jacobs adjourned the meeting at 5:45 P.M.

Submitted by,

_____

Julie Rodriguez, Planning Commission Secretary

ATTACHMENT 5

CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT
FINAL MITIGATED NEGATIVE DECLARATION – MST2005-00455

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date, this Final Mitigated Negative Declaration has been prepared for the following project:

PROJECT LOCATION: 1722 State Street

PROJECT PROPONENT: Jan R. Hochhauser, Hochhauser Blatter Architecture and Planning

PROJECT DESCRIPTION: The project involves the construction of a 54,238 square foot (net) three-story building that would provide both residential and commercial uses. The project would provide 10 residential condominium units (21,929 total net square feet), and 8,400 net square feet of area to be used for commercial condominiums. Parking for the residential units and commercial uses would be provided in a 23,909 net square foot below-grade parking area. The project proposes to provide 20 parking spaces for the residential uses, and 35 spaces for the commercial uses, for a total of 55 spaces. Access to the underground parking garage would be provided by a single driveway located along State Street.

Nine (9) of the proposed residential units would be market rate units, and one (1) would be an inclusionary middle-income affordable unit. Four (4) of the market rate units would have two-bedrooms and would range between 1,997 and 2,291 net square feet in size. Five (5) of the market rate units would have three bedrooms and would range between 2,300 and 2,554 net square feet in area. The affordable unit would have three bedrooms and contain approximately 1,580 net square feet.

A variety of commercial uses could be located in the proposed project, including a mix of specialty retail, general office and medical-dental office space.

Required Permits: In order for the project to proceed, the following discretionary approvals are required by the Planning Commission:

1. A Zoning Map Amendment to change the zoning from R-1, One Family Residential, to R-3, Limited Multi-Family Residence Zone (SBMC §28.92.080.B);
2. A Modification to allow 55 parking spaces instead of the Santa Barbara Municipal Code required 57 spaces (SBMC §28.90.100.G & I and §28.92.110.A.1);

3. A Development Plan to allow Minor and Small Additions for the construction of a 1,200 square foot increase of nonresidential development (SBMC §28.87.300);

4. A Tentative Subdivision Map for a one-lot subdivision to create ten (10) residential condominium units and approximately 8,400 net square feet of commercial condominium space (SBMC §27.07 and 27.13); and

5. A Conditional Use Permit to allow nonresidential parking in a residential zone (SBMC §28.94.030 H).

MITIGATED NEGATIVE DECLARATION FINDING:

Based on the attached Initial Study prepared for the proposed project, it has been determined that, with implementation of identified required mitigation measures, the proposed project will not have a significant effect on the environment.

Janice M. Hubbell
Environmental Analyst

3/29/07
Date

1722 STATE STREET

FINAL MITIGATED NEGATIVE DECLARATION RESPONSE TO COMMENTS

MARCH 20, 2007

INTRODUCTION:

An Initial Study was prepared for the subject project because the California Environmental Quality Act (CEQA) requires environmental assessment of the proposal. The Environmental Analyst found that, although the proposed project could potentially have significant adverse impacts related to air quality (short-term), biological resources, geophysical conditions, hazards, noise (long-term), transportation/circulation (long-term) and water resources, mitigation measures described in the Initial Study and agreed to by the applicant would reduce potential impacts to less than significant levels. In addition, recommended mitigation measures were identified to further reduce less than significant impacts associated with aesthetics, air quality (short-term), biological resources, cultural resources, noise (short-term), public services and traffic/circulation (short-term) issues.

A Draft Mitigated Negative Declaration was prepared. A public review period was held from January 18, 2007 to February 7, 2007. Two comment letters were received during the comment period:

1. California Regional Water Quality Control Board
2. Jackie Quinn

Responses to the comments received on the Draft Mitigated Negative Declaration are provided below, and the comment letters received are attached.

California Regional Water Quality Control Board (letter dated February 7, 2007)

This comment letter indicates that the proposed project should implement Low Impact Design measures to reduce runoff from the project site and to minimize potential impacts to the quality of runoff water. The existing project site consists almost entirely of impervious surface area, including a parking lot. The hydrology analysis for the proposed project concluded that the project would result in a small net reduction in runoff water volume when compared to existing conditions. The project would also eliminate the existing on-site parking lot and provide required parking beneath the proposed structure. The use of covered parking would eliminate a surface water pollution source that presently exists on the project site.

Conditions of approval for the proposed project will require that it comply with the City's Storm Water Management Program (SWMP). Compliance with the SWMP would include the implementation of runoff water control best management practices, such as the use of permeable paving materials, storm drainage interceptors or clarifiers, or other approved measures to minimize storm water pollutants from hard-surfaced areas prior to discharge into the public storm drain system. With the implementation of these requirements, the proposed project would not result in significant runoff water quality impacts.

- Jackie Quinn (letter dated February 7, 2007)

The comment letter expresses concern regarding the size of the proposed project. This comment does not address the review of the environmental impacts that may result from the implementation of the project. The proposed project would rezone a portion of the project site to "R-3," similar to the existing zoning of adjacent property to the south. The proposed "R-3" zoning would also be compatible with the commercial (C-2) zoning on adjacent parcels to the north and south, and would provide a buffer between the existing C-2 and R-1 zoning designations. The revised project proposal does not require a lot area modification to allow an affordable housing unit. The project density could be accommodated whether or not the rear portion of the lot is rezoned to R-3. The overall project size (square footage and height) has been reduced in response to Planning Commission concerns expressed at the March 1, 2007 hearing. The design of the proposed project would provide front yard setbacks greater than or similar to other buildings in the project area along State Street, and the height of the building is consistent with zoning requirements and is similar to several other nearby buildings along State Street. Based on these and other factors considered by the Initial Study, it was concluded that with the implementation of proposed mitigation measures, the proposed project would not result in significant aesthetic or other environmental impacts. Therefore, the size of the proposed project would not result in significant environmental impacts.

The comment letter requests that the City conduct an environmental analysis of future development projects in the State Street area in the subject project's vicinity, similar to analysis prepared for the Upper State Street area. The Upper State Street Study is a City Council directed effort in response to multiple substantial development proposals in the Upper State Street area (approximately Alamar Avenue on the east to Calle Real on the west). The USSS is focused on roadway improvements and amendments to development and design standards that could occur within the existing City policy framework. The area of State Street where the subject project is located is not experiencing the same development pressures as the Upper State Street area, and at this time there is no basis to undertake a planning study comparable to the USSS for this area. The Initial Study prepared for the subject project did, however, review the cumulative environmental effects of the subject project in light of past, present, and potential future development in the surrounding area. The conclusions of the Initial Study are that, with the implementation of proposed mitigation measures, potential project-specific and cumulative environmental impacts of the proposed project would be reduced to a less than significant level. There is no basis under the requirements of CEQA to require the proposed project to conduct a planning evaluation of the State Street area in the subject project's vicinity. However, the request for such a planning evaluation will be provided to decision-makers for their consideration.

The comment letter requests an explanation of the conclusion that the proposed project would result in fewer traffic trips than the traffic generated by existing and previous occupants of the building located on the project site. The table provided on page 33 of the Initial Study, and that is provided below, includes estimates of the number of average daily trips and peak hour trips that would have resulted from the former use of the project site building as a bank, and trip generation characteristics resulting from the use of the existing building as a classroom and ATM facility. Those trip generation estimates are compared to the traffic trip generation estimates for the proposed project. All traffic generation estimates were based on published

trip generation data for similar land uses. As shown on the table, the proposed mixed use project would generate fewer average daily trips and fewer peak hour trips than the former and existing uses of the building located on the project site.

Land Use	Average Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Bank	622	31	132
Proposed Project	347	28	67
Difference	**-275**	**-3**	**-65**
Classrooms/ATMs	770	44	77
Proposed Project	347	28	67
Difference	**-423**	**-16**	**-10**

During their review of the proposed project on March 1, 2007, the Planning Commission requested that additional traffic evaluation scenarios be provided. In response, several traffic evaluations based on different existing and proposed building use assumptions have been provided for information purposes. The Planning Commission also provided direction to the project applicant regarding changes to the project design that have resulted in a reduction in the number of residential units from 12 to 10, and a reduction in net commercial area square footage from 9,238 square feet to 8,400 square feet. The additional traffic evaluations also reflect these changes to the proposed project. The additional traffic evaluation scenarios included:

- A scenario that the existing building was formerly occupied by an office rather than a bank or classroom, and that the proposed building would be occupied by office-related uses along with 10 residential units.

- A scenario that assumed that the existing building was formerly occupied by an office rather than a bank or classroom, and that the proposed building would be occupied by medical office-related uses along with 10 residential units.

- A scenario based on baseline traffic conditions determined by counts taken at the project site driveway when the existing building was used as a classroom facility, and assumptions that the proposed building would be occupied by medical office-related uses along with 10 residential units.

The net traffic generation characteristics of the proposed project compared to the baseline conditions considered by the additional traffic evaluations are summarized in the table provided below.

Land Use	Average Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Office	163	21	25
Proposed Project	249	29	34
Net Difference	**+86**	**+8**	**+9**
Office	163	21	25
Proposed Project	362	25	36
Net Difference	**+199**	**+4**	**+11**
Classrooms	770	44	77
Proposed Project	362	25	36
Net Difference	**-408**	**-19**	**-41**

The additional traffic evaluations concluded that the analysis scenarios that would result in a net increase in traffic generation when compared to assumed baseline conditions would not result in a significant traffic impact when the additional traffic is distributed to the street network located in the project area, including intersections along Mission Street.

CONCLUSION

The environmental analysis demonstrates that, with the identified mitigation measures agreed to by the applicant, the project as proposed would not result in significant environmental impacts. The project therefore qualifies for a Mitigated Negative Declaration and no further analysis of alternatives is required as part of the environmental document.

Attachments: Public Comment letters received

CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

FINAL INITIAL STUDY/ ENVIRONMENTAL CHECKLIST MST2005-00455

PROJECT: 1722 State Street

~~February 15, 2007~~

Revised March 20, 2007

This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) is to be prepared or if preparation of an Environmental Impact Report (EIR) is required to further analyze impacts. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the EIR on the effects determined to be potentially significant.

APPLICANT/ PROPERTY OWNER

Applicant: Jan R. Hochhauser, Hochhauser Blatter Architecture and Planning

Owner: 1722 State Street Investors, LLC.

PROJECT ADDRESS/LOCATION

The 28,875 square foot (0.66 acre) project site is located on the northern side of State Street, between Valerio Street to the south and Islay Street to the north, and is commonly known as 1722 State Street. The site is in the Upper East neighborhood of the City of Santa Barbara. See **Exhibit A-Vicinity Map.**

PROJECT DESCRIPTION (See **Exhibit B-Project Plans**)

Project Components. The applicant proposes to construct a 69,799 square feet (gross) building that would provide both residential and commercial uses. The project would provide 12 residential condominium units (29,837 total square feet), and 15,576 square feet of area to be used for commercial condominiums. Parking for the residential units and commercial uses would be provided in a 24,386 square foot below-grade parking area. The project proposes to provide 22 parking spaces for the residential uses, and 33 spaces for the commercial uses, for a total of 55 shared spaces. Access to the underground parking garage would be provided by a single driveway located along State Street.

The height of the proposed building would vary, but the structure would have a maximum height of 43 feet above existing grade. The portion of the building adjacent to State Street and along the project site's southern property line would be three stories. Proposed commercial uses would be provided on the first and second floors of the building adjacent to State Street. Two residential units would be provided on the third floor adjacent to State Street, and the other 10 residential units would be provided on the first, second and third floors of the remaining building area. A total of 5,122 square feet of common open space area would be provided for the residential uses on the project site.

Ten (10) of the proposed residential units would be market rate units, and two would be inclusionary affordable units. Eight (8) of the market rate units would have two-bedrooms and would range between 1,771 and 2,349 net square feet in size. Two (2) of the market rate units would have three bedrooms and would range between 1,988 and 2,680 net square feet in area. Of the two affordable units, one would have two bedrooms (976 net square feet) and the other would have three bedrooms (1,179 net square feet).

A variety of commercial uses could be located in the proposed project, including a mix of specialty retail, general office and medical-dental office space. The project would provide a net total of 9,100 square feet of

commercial floor space.

Please Note: The project description was revised on March 15, 2007 as follows: The project consists of a 54,238 net square foot building comprised of approximately 8,400 net square feet of commercial area and 10 residential condominiums totaling 21,929 square feet. Nine (9) of the proposed residential units would be market-rate units, and would consist of four two-bedroom units (ranging in size from 1,997 square feet to 2,291 square feet) and five three-bedroom units (ranging in size from 2,300 square feet to 2,554 square feet). One residential unit would be a middle-income affordable unit containing three bedrooms and 1,580 square feet. *As the revised project description results in a smaller project, the only portion of the Initial Study that has been updated to reflect this new project description is the Transportation/Circulation Section. The review of potential environmental impacts for issue areas such as long-term air emissions, noise from project-related traffic, and the project's water and sewer demand, determined that the previously proposed project would not result in significant impacts. Impacts related to these issues areas would be decreased by the proposed reduction in project size, therefore, no additional analysis is required. Other environmental issue areas evaluated by the MND would not be affected by the proposed reduction in project size.*

Construction. The applicant estimates that project construction would require approximately 18 months to complete after the commencement of demolition activities through building construction and landscaping. Project construction activities would include three major phases: Demolition, grading and construction.

Demolition. Demolition activities include the removal of the existing ~~7,500~~ 7,200 net square foot, two-story structure, and the removal of other on-site improvements (paving, concrete walks and curbs, etc). It is estimated that demolition activities would require approximately ten (10) working days to complete.

Grading. The project would require approximately 8,594 cubic yards of cut and approximately 255 cubic yards of fill. Approximately 8,339 cubic yards of soil would be exported from the project site. It is estimated that grading operations would require approximately 12-15 working days to complete.

Construction. Construction activities would include pouring concrete for foundations, building framing, and general construction activities. Construction activities would continue for the remainder of the project's 18-month construction duration.

Required Permits. The proposed project requires the following discretionary approvals:

1. A Zoning Map Amendment to change the zoning from R-1, One Family Residential, to R-3, Limited Multi-Family Residence Zone (SBMC §28.92.080.B);
2. A Modification to allow 55 parking spaces instead of the Santa Barbara Municipal Code required 57 spaces (SBMC §28.90.100.G & I and §28.92.110.A.1);
3. A Development Plan to allow Minor and Small Additions for the construction of a 1,200 square foot increase of nonresidential development (SBMC §28.87.300);
4. A Tentative Subdivision Map for a one-lot subdivision to create twelve (12) residential condominium units and 15,576 square feet of commercial condominium space (SBMC §27.07 and 27.13); and
5. A Conditional Use Permit to allow nonresidential parking in a residential zone. (SBMC §28.94).

ENVIRONMENTAL SETTING

Existing Site Characteristics

Existing Development. The project site is occupied by a two-story ~~7,500~~ 7,200 net square foot building that was originally developed as bank. The interior of the building has been converted into offices and classrooms for the

Brooks Institute. Automatic teller machines are located on the western side (front) of the building facing State Street. The remaining portions of the project site are paved and a limited amount of landscaping is provided.

Topography. The project site has an elevation of approximately 150 feet above sea level, is generally level and slopes gently to the south. The project site is approximately eight feet lower in elevation than adjoining properties to the east. A retaining wall along the eastern project site property line provides the grade separation between the project site and adjacent properties.

Seismic/Geologic Conditions. The project site is underlain by Quaternary-aged older dissected sediments. Soil borings to a maximum depth of eight feet on the project site did not encounter groundwater. In the downtown area, groundwater depths generally range between 200 and 400 feet below the ground surface, although areas with perched groundwater at shallower depths may be encountered. The inferred location of the potentially active Mesa Fault is approximately 5,000 feet south of the project site. The soils report prepared for the project determined that the potential for liquefaction to affect the project site is very low, and that project site soils have a very low potential for expansion and are non-compressible (PML, 2005).

Flooding/Drainage. The project site is located beyond the mapped boundaries of the 500-year flood plain.

Biological Resources. The project site is located within an urban area and has been previously developed. Vegetation on the project site consists primarily of ornamental landscaping. Three large ficus trees are located in the northwest corner of the project site adjacent to the State Street sidewalk. A large oak tree is located on the parcel east of and adjacent to the project site. A portion of this tree extends across the property line onto the project site.

Archaeological Resources. The project site was the subject of a Phase I Archaeological investigation (MAC, 2006). Due to structures and paving that cover most of the project site, no archaeological or historical resources were identified by the survey. The project site is considered to have a moderate potential to contain buried prehistoric artifacts and a low potential for 20th-century historical deposits, such as historic trash pits.

Noise. Noise sources affecting the project site are primarily traffic along State Street and Islay Street. The measured noise level along Islay Street near the project site was 56 dBA Leq, and the measured noise level along State Street adjacent to the project site was 69 dBA Leq (Dudek, 2006).

Hazards. The Phase I Site Assessment prepared for the project site (Rincon, 2005) indicates that groundwater beneath the property has been impacted with gasoline constituents originating from one or more upgradient offsite sources. Based on soil samples collected from four groundwater monitoring wells located on the project site, soil beneath the site has not been impacted by gasoline constituents. Recent groundwater sampling indicates that concentrations of ethylene dichloride are above the Santa Barbara County Fire Prevention Division investigation levels for this contaminant.

PROPERTY CHARACTERISTICS

Assessor's Parcel Number:	027-102-021	**General Plan Designation:**	General Commercial and Offices
Existing Land Use:	~~7,500~~ 7,200 former bank building currently use for photography and videography classrooms	**Parcel Size:**	28,875 square feet (0.66 acre)
Zoning:	Approximately 24,750 sq. ft. of the project site is zoned C-2 Approximately 4,125 square feet of the site is zoned R-1	**Proposed Land Use:**	69,799 sq. ft. Mixed Use building. • 12 residential units (29,837 gross sq. ft.) • Commercial Office space (15,576 gross sq. ft.) • 55 underground parking spaces (24,386 gross sq. ft.)
Slope:	Less than 4-5% southward towards State Street		
SURROUNDING LAND USES:			
North:	Commercial and Residential (C-2 and R-1)		
South:	Commercial/Office (C-2 and R-3)		
East:	Residential (R-1 and E-1)		
West:	State Street, Commercial (C-2)		

PLANS AND POLICY DISCUSSION

Land Use and Zoning Designations

The project site is designated "General Commercial and Offices" by the General Plan Land Use Element. The site is zoned "C-2" (Commercial Zone) and "R-1" (Single-Family Residential). Residential development is permitted in the C-2 zone consistent with the requirements of the R-4 zone. A variety of commercial and office uses are permitted in the C-2 zone. The R-1 zone designation does not allow multi-family unit development as proposed by the project. Therefore, a zone change to R-3 has been requested. The proposed project would be consistent with the requirements of the R-3 zone.

General Plan Policies

Land Use Element. The project site has a General Plan designation of "General Commerce and Offices." The residential portion of the proposed mixed-use development would be subject to the density requirements of the R-3/R-4 Multiple Family Residential Zones, which allows 12 dwelling units to the acre. The General Plan Land Use and Housing Elements recognize, however, that in zones where variable density standards apply, development may exceed the limit of twelve units per acre without causing an inappropriate increase in the intensity of activities. The proposed project would result in a density of approximately 18 units per acre and is potentially consistent with the Land Use and Housing Elements of the General Plan.

Housing Element. The Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. The proposed project would provide two and three bedroom units, including market-rate and affordable units. Therefore, the proposed project is potentially consistent with this goal of the Housing Element.

Neighborhood Compatibility. Housing Element Policy 3.3 requires new development to be compatible with the prevailing character of the neighborhood. The neighborhood surrounding the proposed project site is comprised of a mix of one- and two-story office, residential and commercial structures. The land uses along State Street consist of a mixture of offices and commercial businesses. The three-story portion of the proposed building that would be located along the project site's State Street frontage would provide office and commercial uses on the first and second floors. Residential uses would be provided on the third floor of the building adjacent to State Street. The rear (eastern) portion of the proposed building would be two stories in height, which would be consistent with the adjacent residential neighborhood. Additionally, as viewed from the adjacent residential areas to the east, the height of the rear (eastern) portion of the proposed building would appear to be reduced due to the existing topography of the project site, which is approximately eight feet lower than the adjacent residential properties.

A goal of the Urban Design Guidelines is compatibility of new development with the character of the City, the surrounding neighborhood, and adjacent properties. The Historic Landmarks Commission (HLC) considers the Urban Design Guidelines in reviewing development proposals. The HLC reviewed the proposed project on December 14, 2005, and indicated that there was general support for the project. The three story portion of the building along State Street was considered acceptable due to the proposed building design and the appropriate stepping back of the upper portions of the structure. Therefore, the proposed building is potentially consistent with the scale, size and design with the surrounding neighborhood.

Circulation Element. The Circulation Element contains goals and policies that promote housing in and adjacent to the downtown to facilitate the use of alternative modes of transportation and to reduce the use of the automobile. For example, Circulation Element Implementation Strategy 13.1.1 encourages "the development of projects that combine and locate residential uses near areas of employment and services." The proposed project provides housing as well as commercial space in the downtown area, and transit stops are located within walking distance of the project site. Therefore, the proposed project is potentially consistent with the requirements of the Circulation Element.

Noise Element. The City's Noise Element includes policies intended to achieve and maintain a noise environment that is compatible with the variety of human activities and land uses in the City. The proposed project would not cause a substantial long-term increase in existing noise levels at the project site or in adjacent neighborhoods, and traffic generated by the project would not result in a substantial increase in noise along adjacent streets. Short-term construction noise would be minimized through implementation of standard mitigation measures. As such, the proposed project is potentially consistent with the applicable guidelines of the Noise Element.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

A Mitigation Monitoring and Reporting Program has been ~~will be~~ prepared for the subject project in compliance with Public Resources Code §21081.6. The mitigation measures suggested in the Initial Study may be refined or augmented by decision-makers. Monitoring and reporting requirements are adopted as conditions of project approval.

ENVIRONMENTAL CHECKLIST

The following checklist contains questions concerning potential changes to the environment that may result if this project is implemented. If no impact would occur, **NO** should be checked. If the project might result in an impact, check **YES** indicating the potential level of significance as follows:

Significant: Known substantial environmental impacts. Further review needed to determine if there are feasible mitigation measures and/or alternatives to reduce the impact.

Potentially Significant: Unknown, potentially significant impacts that need further review to determine significance level and whether mitigable.

Potentially Significant, Mitigable: Potentially significant impacts that can be avoided or reduced to less than significant levels with identified mitigation measures agreed-to by the applicant.

Less Than Significant: Impacts that are not substantial or significant.

1. AESTHETICS Could the project:	NO	YES *Level of Significance*
a) Affect a public scenic vista or designated scenic highway or highway/roadway eligible for designation as a scenic highway?		Less than Significant
b) Have a demonstrable negative aesthetic effect in that it is inconsistent with Architectural Board of Review or Historic Landmarks Guidelines or guidelines/criteria adopted as part of the Local Coastal Program?		Less than Significant
c) Create light or glare?		Less than Significant

Visual Aesthetics - Discussion

Issues. Issues associated with visual aesthetics include the potential blockage of important public scenic views, project on-site visual aesthetics and compatibility with the surrounding area, and changes in exterior lighting.

Impact Evaluation Guidelines. Aesthetic quality, whether a project is visually pleasing or unpleasing, may be perceived and valued differently from one person to the next, and depends in part on the context of the environment in which a project is proposed. The significance of visual changes is assessed qualitatively based on consideration of the proposed physical change and project design within the context of the surrounding visual setting. First, the existing visual setting is reviewed to determine whether important existing visual aesthetics are involved, based on consideration of existing views, existing visual aesthetics on and around the site, and existing lighting conditions. Under CEQA, the evaluation of a project's potential impacts to scenic views is focused on views from public (as opposed to private) viewpoints. The importance of existing views is assessed qualitatively based on whether important visual resources such as mountains, skyline trees, or the coastline, can be seen, the extent and scenic quality of the views, and whether the views are experienced from public viewpoints. The visual changes associated with the project are then assessed qualitatively to determine whether the project would result in substantial effects associated with important public scenic views, on-site visual aesthetics, and lighting.

Significant visual aesthetics impacts may potentially result from:

- Substantial obstruction or degradation of important public scenic views, including important views from scenic highways; extensive grading and/or removal of substantial amounts of vegetation and trees visible from public areas without adequate landscaping; or substantial loss of important public open space.
- Substantial negative aesthetic effect or incompatibility with surrounding land uses or structures due to project size, massing, scale, density, architecture, signage, or other design features.
- Substantial light and/or glare that poses a hazard or substantial annoyance to adjacent land uses and sensitive receptors.

Visual Aesthetics – Existing Conditions and Project Impacts

1.a) Scenic Views

The project site is located in an urban environment in the Upper East neighborhood of the City of Santa Barbara. The site is occupied by an existing two-story structure that is located adjacent to State Street. Paved parking areas and a limited amount of landscaping occupy the remainder of the project site. Existing development in the project vicinity includes a mix of office, commercial and residential uses. Most of the structures near the project

site are one and two stories in height, although three-story structures are located in the project site vicinity. Much of the existing development along State Street does not provide a front yard setback area.

Views of the project site are provided primarily from the adjacent street and sidewalks. Views of the Santa Ynez Mountains from view points along State Street adjacent to the project site are very limited due to intervening structures and vegetation.

The proposed project would result in the demolition of the existing on-site structure and the development of a new two- and three-story building. The height of the proposed structure would vary, but the building would have a maximum height of 43 feet above existing grade.

A proposed project would result in a substantial visual impact if it would result in the obstruction of an important public scenic view. An "important" public scenic view is generally considered to be a view of a feature generally considered to be visually attractive, such as the mountains or ocean; that is visible from a prominent location widely used and accessible to the general public; and that has certain visual qualities such as magnitude, intactness and distinctiveness.

Views of the Santa Ynez Mountains from the project area are substantially limited due to existing buildings and vegetation, although one narrow view corridor that is provided from the southern side of State Street does offer views across the project site towards the mountains. This view corridor is only available from a very limited area along the street, and may be substantially obscured when deciduous trees in the project area have their leaves. Due to the very narrow size of the view corridor, it is likely to be overlooked by most vehicle passengers traveling along State Street, and is not a prominent visual feature for pedestrians. While the mountain views provided by the view corridor may be considered attractive, the corridor is not widely used by the public because of its isolated location along a very small portion of State Street. The proposed building would result in the loss of the narrow view corridor across the project site; however, this visual impact is not significant because the project would not substantially change existing skyline views as seen from State Street, nor would it significantly obstruct or change an important scenic views of the mountains and hillside areas of the City. The project would increase building mass adjacent to State Street, but the size, height and location of the proposed structure would be consistent with other development located in the vicinity. ~~Therefore~~, Potential impacts to scenic views would be *less than significant*.

1.b) On-Site Aesthetics

The proposed project would result in the demolition of the existing building on the project site, which has a monolithic appearance and provides little in the way of architectural detailing. The proposed project design incorporates Mediterranean style architecture, including a plaster exterior wall finish and a red tile roof. The proposed building would provide varied roof lines, a variety of window styles, arches, balcony openings, and separations between major portions of the structure.

Front yard setbacks along State Street for the first and second floors of the proposed building would vary from zero to four feet, consistent with other buildings in the project area. The third floor of the building along State Street would be stepped back from the street by approximately 15 feet. Therefore, the architectural design of the proposed building helps to reduce its overall mass and appearance as it would be viewed from State Street. Parking for the proposed project would be located below grade beneath the proposed building. Therefore, parking areas would not be visible from State Street or surrounding properties.

Landscaping on the project site is presently very limited and generally consists of small ornamental plants, although three large ficus trees are located in the front of the project site adjacent to State Street. Two of the three ficus trees would be removed by the proposed project. Removal of the two trees would result in an adverse, but less than significant aesthetic impact. Adverse visual impacts resulting from the removal of the ficus trees would also be reduced by the proposed project's design, which would provide a landscape planter in northwest corner of the project site, as well as new street tree wells along State Street, that could be used to provide replacement trees. Proposed mitigation measure B-1 (Tree Replacement) requires that the project

provide at least four replacement trees that upon maturity would provide a large canopy area, similar to the existing ficus trees.

The architectural plans for the proposed project were reviewed by the HLC, and it was concluded that there was general support for the project's design. The project would be required to receive final review and approval by the HLC for consistency with design guidelines, views, visual aesthetics and compatibility, and lighting. Therefore, based on the current project design, as well as required review by HLC, the proposed project's onsite aesthetics impacts are considered *less than significant*.

1.c) Lighting

Lighting on the project site is provided around the existing building and in the parking areas. The proposed project would provide outdoor lighting typical for commercial and residential areas, although placing the required parking area below the proposed building would limit the need for on-site safety/security lighting. Interior lighting provided within the building would not be a substantial source of new light in the project area. A lighting plan has not been provided for the proposed project, however, all proposed exterior lighting would be required to comply with the requirements of the City's Outdoor Lighting and Design Ordinance (SBMC §22.75), which limits exterior lighting placement, height, and requires that lighting be hooded and directed so that it is not directed offsite. Compliance with this ordinance, as enforced by HLC review of the lighting plan, would ensure that impacts from exterior lighting are *less than significant*.

Visual Aesthetics – Recommended Mitigation

A-1 **Design Review.** Prior to building permit issuance, proposed project grading and landform alteration, structural design, landscaping, and lighting plans shall receive preliminary and final review and approval by the Historic Landmarks Commission. The required review and approval will ensure project consistency with design guidelines related to views, visual aesthetics and compatibility, and lighting.

A-2 **Lighting.** Lighting design shall conform with City Lighting Ordinance requirements, including shielding and direction to the ground to avoid off-site lighting and glare effects. The proposed lighting plan shall be approved by the Historic Landmarks Commission.

Visual Aesthetics - Residual Impacts

Project-related impacts to visual resources and aesthetics would be less than significant and would be further reduced with implementation of the measures identified above.

2. AIR QUALITY Could the project:		**NO**	**YES** *Level of Significance*
a)	Violate any air quality standard or contribute to an existing or projected air quality violation?		Less than Significant
b)	Expose sensitive receptors to pollutants?		Potentially Significant, Mitigable
c)	Create objectionable odors?	X	
Is the project consistent with the County of Santa Barbara Air Quality Attainment Plan? Yes			

Air Quality - Discussion

Issues. Air quality issues involve pollutant emissions from vehicle exhaust and industrial or other stationary sources that contribute to smog, particulates and nuisance dust associated with grading and construction processes, and nuisance odors.

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen (NO_x) and reactive organic compounds (ROC) with sunlight over a period of several hours. Primary sources of ozone precursors in the South Coast area are vehicle emissions. Sources of particulate matter (PM_{10}) include demolition, grading, road dust, and vehicle exhaust, as well as agricultural tilling and mineral quarries.

The City of Santa Barbara is part of the South Coast Air Basin. The City is subject to the California Ambient Air Quality Standards (CAAQS), which are more stringent than the national standards, for six pollutants: photochemical ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and lead. The Santa Barbara County Air Pollution Control District (SBCAPCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan. Presently, the County of Santa Barbara is in non-attainment with the CAAQS for ozone (O_3) and particulate matter (PM_{10}). An area is in nonattainment for a pollutant if the applicable CAAQS for that pollutant has been exceeded more than once in three years. There are also heavily congested intersections within the City that may approach the California 1-hour standard of 20 parts per million for carbon monoxide (CO) during peak traffic hours.

Impact Evaluation Guidelines. A project may create a significant air quality impact from the following:

- Exceeding an APCD pollutant threshold; inconsistency with District regulations; or exceeding population forecasts in the adopted County Clean Air Plan.
- Exposing sensitive receptors, such as children, the elderly, or sick people to substantial pollutant exposure.
- Substantial unmitigated nuisance dust during earthwork or construction operations.
- Creation of nuisance odors inconsistent with APCD regulations.

Long-Term (Operational) Impact Guidelines. The City of Santa Barbara uses the SBCAPCD thresholds of significance for evaluating air quality impacts. The APCD has determined that a proposed project will not have a significant air quality impact on the environment if operation of the project will:

- Emit (from all project sources, both stationary and mobile) less than 240 pounds per day for ROC and NO_x, and 80 pounds per day for PM_{10};
- Emit less than 25 pounds per day of ROC or NO_x from motor vehicle trips only;
- Not cause a violation of any California or National Ambient Air Quality Standard (except ozone); and not exceed the APCD health risks public notification thresholds adopted by the APCD Board; and
- Be consistent with the adopted federal and state air quality plans for Santa Barbara.

Short-Term (Construction) Impacts Guidelines. Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM_{10}). Substantial dust-related impacts may be potentially significant, but are generally considered mitigable with the application of standard dust control mitigation measures. Standard dust mitigation measures are applied to projects with either significant or less than significant effects.

Exhaust from construction equipment also contributes to air pollution. As a guideline, SBCAPCD Rule 202.F.3 identifies a substantial effect associated with projects having combined emissions from all construction equipment that exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period.

Cumulative Impacts and Consistency with Clean Air Plan: If the project-specific impact exceeds the significance threshold, it is also considered to have a considerable contribution to cumulative impacts. When a project ~~is~~ not accounted for in the most recent Clean Air Plan (CAP) growth projections, then the project's impact may also be considered to have a considerable contribution to cumulative air quality impacts. The Santa Barbara County Association of Governments and Air Resources Board on-road emissions forecasts are used as a basis for vehicle emission forecasting. If a project provides for increased population growth beyond that forecasted in the most recently adopted CAP, or if the project does not incorporate appropriate air quality mitigation and control measures, or is inconsistent with APCD rules and regulations, then the project may be found inconsistent with the CAP and may have a significant impact on air quality.

Air Quality – Existing Conditions and Project Impacts

2.a-b) Air Pollutant Emissions

Long-Term (Operational) Emissions. Long-term project-related air pollutant emissions would result primarily from vehicle trips generated by the project and from stationary sources required for the operation of the project (space heating, cooling, water heaters, etc). Depending on their size and air emission characteristics, stationary sources may require permits from the Santa Barbara County Air Pollution Control District (SBCAPCD).

The proposed project would generate approximately 347 average daily vehicle trips. It is estimated that project-generated vehicle trips would result in NOx emissions of approximately 4.40 pounds per day, and approximately 3.46 pounds of ROC per day (URBEMIS 8.7). Therefore, project-related mobile emission would be below the threshold of significance of 25 pounds per day. Long-term operation of emissions sources such as heaters and consumer products would result in approximately 0.16 pounds of NOx per day, and approximately 0.60 pounds of ROC per day. Therefore, the proposed project's long term combined mobile and stationary emissions would be substantially below the significance threshold of 240 pounds per day.

Long-term emissions resulting from the proposed project would be substantially below significance thresholds adopted by the SBAPCD and City of Santa Barbara. Therefore, the proposed project would have a *less than significant* long-term air quality impact.

Short-Term (Construction) Emissions. Development of the proposed project would require the use of construction equipment for demolition, grading, excavation, transport of soils from the site, paving, and landscaping activities. The use of this equipment would have the potential to cause localized nuisance dust impacts and contribute to particulate matter (PM10) emissions in the air basin. Standard mitigation measures, including site watering, covering of transported soil and stockpiles, and planting, paving, or other treatment of graded areas are considered adequate to reduce project-related dust generation impacts to a *less than significant* level.

The existing building located on the project site that would be demolished has the potential to contain materials that contain asbestos. SBAPCD regulations require that prior to obtaining a demolition permit, the building must be surveyed to identify the presence of regulated asbestos containing material (any material containing greater than one percent friable asbestos). If regulated asbestos containing material is identified, that material must be removed by a licensed asbestos contractor in accordance with applicable APCD, state and federal regulations before the building is demolished. Compliance with these regulations would reduce the potential for the uncontrolled release of asbestos fibers to the environment to a less than significant level. Asbestos containing waste that is removed from the project site buildings must be placed in a package or container that prevents spilling or breaking during transport, and that is appropriately labeled as containing asbestos material. If more than 50 pounds of asbestos containing waste is to be transported from the project site, it must be hauled to a permitted treatment, storage or disposal site by a registered waste hauler. The removal of asbestos containing

materials prior to building demolition as required by federal, state and local regulations would be adequate to reduce potential asbestos-related hazards to the environment, public and workers to a *less than significant* level.

Project-related construction equipment would also emit NOx and ROC emissions. Based on the small size of the project site, the limited amount of equipment that could be operated on the site, and the limited duration for proposed construction activities (particularly demolition and grading operations), emissions of NOx and ROC would be *less than significant*. Recommended mitigation measures related to the use of ultra low sulphur diesel fuel, bio-diesel, and diesel particulate filters on construction equipment would further minimize construction related emissions.

Sensitive Receptors. Sensitive receptors are defined as children, elderly, or ill people that can be more adversely affected by air pollutants. Land uses typically associated with sensitive receptors include schools, parks, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources are of particular concern for potential impacts to sensitive receptors, as is construction dust and particulate matter. The proposed project would not result in significant stationary source emissions; however, construction dust and particulates could affect sensitive receptors that may exist in the project vicinity. A survey of parcels adjacent to the project site did not; however, identify sensitive receptors such as those identified above. Nuisance dust and particulate emissions would be reduced to a *less than significant* level through application of dust control, and NOx and ROC emission reduction mitigation measures. The less than significant amounts of these pollutants would not result in significant short-term air quality impacts to sensitive receptors that may be located in the vicinity of the project site.

2.c) Odors

The proposed project would include residential, retail and office uses. These types of uses would not be a substantial source of objectionable odors. Therefore, potential odor-related impacts would be *less than significant*.

Consistency with the Clean Air Plan

The proposed project includes a zone change that would change the existing "R-1" zoning designation of a 4,125 square foot portion of the 28,875 square foot project site to "R-3." The requested zone change would increase the project's residential unit density consistent with adopted variable density zoning requirements. In this case, two units would be provided on the rezoned portion of the site, which is a net increase of one unit above that allowed by the existing zoning. Therefore, the direct and indirect emissions resulting from the proposed project are minimal and are accounted for in the CAP emission growth assumptions. Additionally, the project would be consistent with projected residential growth rates for the South Coast, which anticipates the development of approximately 1,000 units per year. The proposed project would also be consistent with CAP policies that promote higher residential densities in urban areas to support regional transit systems, as the project's location on State Street provides opportunities for project residents to use existing transit systems. Appropriate air quality mitigation measures, including construction dust suppression, would be applied to the project, consistent with CAP and City policies. Therefore, the proposed project would be consistent with the CAP.

Air Quality – Required Mitigation

AQ-1 Construction Dust Control - Watering. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include

wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

AQ-2 **Construction Dust Control – Tarping.** Trucks transporting fill material to and from the site shall be covered from the point of origin.

AQ-3 **Construction Dust Control – Gravel Pads.** Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.

AQ-4 **Construction Dust Control – Disturbed Area Treatment.** After clearing, grading, earth moving or excavation is complete, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:

A. Seeding and watering until grass cover is grown.

B. Spreading soil binders.

C. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind.

D. Other methods approved in advance by the Air Pollution Control District.

AQ-5 **Construction Dust Control – Paving.** All roadways, driveways, sidewalks, etc., should be paved as soon as possible. Additionally, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Air Quality – Recommended Mitigation

AQ-6 **Construction Ozone Precursors.** The following shall be adhered to during project grading and construction to reduce NOx and PM 2.5 emissions from construction equipment:

A. **Diesel Engines.** Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible.

B. **Engine Size.** The engine size of construction equipment shall be the minimum practical size.

C. **Equipment Use Management.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

D. **Equipment Maintenance.** Construction equipment shall be maintained in tune per the manufacturer's specifications.

E. **Engine Timing.** Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.

F. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

G. **Low Sulfur Fuel.** All diesel-powered equipment shall use ultra low sulfur diesel fuel.

H. **Diesel Emission Reduction.** Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.

I. **Diesel Equipment Reduction.** Diesel powered equipment should be replaced by electric equipment whenever feasible.

J. **Engine Idling Limitations.** Idling of heavy-duty diesel trucks during loading and unloading should be limited to five minutes; auxiliary power units should be used whenever possible.

K. **Minimize Employee Trips.** Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

L. **Bio-diesel.** To the extent feasible, diesel-powered construction equipment and vehicles used on site shall be fueled using bio-diesel fuels.

Air Quality - Residual Impacts

Implementation of Mitigation Measures AQ-1 through AQ-5 would reduce the significant effects of dust generation during construction to a less than significant level. Less than significant construction-related NOx and ROC emissions would be further reduced by implementation of Mitigation Measure AQ-6. Project-related operational impacts would be less than significant and no mitigation is required.

3. BIOLOGICAL RESOURCES Could the project result in impacts to:		**NO**	**YES** *Level of Significance*
a)	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	X	
b)	Locally designated historic, Landmark or specimen trees?		Potentially Significant, Mitigable
c)	Natural communities (e.g. oak woodland, coastal habitat, etc.).	X	
d)	Wetland habitat (e.g. marsh, riparian, and vernal pool)?	X	
e)	Wildlife dispersal or migration corridors?	X	

Biological Resources - Discussion

Issues: Biological resources issues involve the potential for a project to substantially affect biologically-important natural vegetation and wildlife, particularly species that are protected as rare, threatened, or endangered by federal or state wildlife agencies and their habitat, native specimen trees, and designated landmark or historic trees.

Impact Evaluation Guidelines. Existing native wildlife and vegetation on a project site are qualitatively assessed to identify whether they constitute important biological resources, based on the types, amounts, and quality of the resources within the context of the larger ecological community. If important biological resources exist, project effects to the resources are qualitatively evaluated to determine whether the project would substantially affect these important biological resources. Significant biological resource impacts may potentially result from substantial disturbance to important wildlife and vegetation in the following ways:

- Elimination or substantial reduction or disruption of important natural vegetative communities and wildlife habitat or migration corridors, such as oak woodland, coastal strand, riparian, and wetlands.
- Substantial effect on protected plant or animal species listed or otherwise identified or protected as endangered, threatened or rare.
- Substantial loss or damage to important native specimen trees or designated landmark or historic trees.

Biological Resources – Existing Conditions and Project Impacts

3.a,c,d,e) Native Plants, Wildlife and Habitat

The project site is located in a portion of the City that is almost entirely urbanized and biological resources are limited. Vegetation on the project site consists primarily of ornamental landscaping. No endangered, threatened or rare species or their habitats currently listed nor candidates for State or Federal protection are present at this site. The project site does not support any contiguous natural communities, nor does it function as an important wildlife movement or dispersal area. The proposed project would *not result in impacts* to native plants, animals, their habitats or wildlife movement opportunities.

3.b) Specimen Trees

On-Site Trees. Mature native and non-native specimen trees provide numerous benefits to the environment, including visual beauty, shade, soil stability, air quality, and localized habitat for urban-adapted wildlife species, such as birds. City policies address the protection and replacement of mature trees. Three mature ficus trees are located in the northwest corner of the project site. Two of the three trees would be removed by the proposed project. The removal of the two trees would result in a *significant impact*, and construction operations have the potential to damage the tree that is to remain.

The project site plan indicates that a landscape planter would be provided in the northwest corner of the project site, and that five new street tree wells would be provided. Other planters located on the project site could also facilitate planting of replacement trees. The type of replacement trees that would be provided by the project has not been specified; however, impacts resulting from the removal of two specimen trees can be reduced to a *less than significant* level by providing replacement trees at a ratio of at least 2:1. The replacement trees should be species that, when mature, will provide a large canopy similar to the existing ficus trees. Potential impacts from construction activities to the ficus tree that is to be retained can also be reduced to a *less than significant* level by providing adequate protection during the proposed project's construction period.

Off-Site Tree. A large oak tree is located adjacent to the eastern perimeter of the project site, and a portion of the tree's canopy overhangs onto the project property. Proposed excavations and new residential units would be located beneath the tree's dripline, and the location of the proposed building would require that several of the tree's lower limbs be removed. An evaluation of potential project-related impacts to the oak tree determined that, due to the existing retaining wall and elevation difference between the project site and the adjacent property (the adjacent property is approximately eight feet higher than the project site), it is unlikely that the tree's roots are located on the proposed project site. Therefore, proposed excavations and paving material placed on the project site would not adversely affect the tree (Spiewak, 2006). The evaluation also concluded that the removal of several tree branches (branches with a diameter of 5-inches and 8-inches, and several smaller branches) by a qualified tree worker would not result in significant impacts to the health of the tree. Impacts to this off-site tree resulting from the project are considered *less than significant*, and would be further reduced by the recommended mitigation measure that requires that proposed tree work be done by a qualified tree worker, and also that the appropriate measures be implemented to protect the tree from other construction-related impacts.

Biological Resources – Required Mitigation

B-1 **Tree Replacement.** The project's landscape plan shall include the use of trees that when mature, will provide a large tree canopy similar to the ficus trees removed from the project site. At least four such replacement trees shall be provided by the project. The proposed landscape plan shall be submitted to the ~~ABR~~ HLC for review and approval.

B-2 **On-Site Tree Protection.** A temporary construction fence shall be provided around the ficus tree that is to be retained on the project site. To the extent possible, the construction fence shall be installed outside the dripline of the tree.

Biological Resources – Recommended Mitigation

B-3 Off-Site Tree Protection. The following tree protection measures shall be implemented during the construction of the proposed project.

a. A qualified tree worker who practices proper pruning standards in accordance with the International Society of Arboriculture, Best Management Practices (ISA Certified Tree Worker or Certified Arborist) shall be used to raise the crown on the west side of the oak tree adjacent to the project site by removing the lowest 8-inch and 5-inch diameter limbs and several smaller branches.

b. Construction equipment and materials shall not be parked or stored beneath the dripline of the off-site oak tree located adjacent to the eastern boundary of the project site. The canopy of the oak tree shall be protected from paint overspray, plaster and other construction-related materials.

Biological Resources - Residual Impacts

Implementation of the identified required mitigation measures would reduce impacts to on-site trees to a less than significant level. Implementation of the identified recommended mitigation measure would further reduce less than significant impacts to the off-site tree.

4. CULTURAL RESOURCES Could the project:		**NO**	**YES** *Level of Significance*
a)	Disturb archaeological resources?		Potentially Significant, Mitigable
b)	Affect a historic structure or site designated or eligible for designation as a National, State or City landmark?	~~X~~	Less than Significant
c)	Have the potential to cause a physical change which would affect ethnic cultural values or restrict religious uses in the project area?	X	

Cultural Resources - Discussion

Issues. Archaeological resources are subsurface deposits dating from Prehistoric or Historical time periods. Native American culture appeared along the channel coast over 10,000 years ago, and numerous villages of the Barbareno Chumash flourished in coastal plains now encompassed by the City. Spanish explorers and eventual settlements in Santa Barbara occurred in the 1500's through 1700's. In the mid-1800's, the City began its transition from Mexican village to American city, and in the late 1800's through early 1900's experienced intensive urbanization. Historic resources are above-ground structures and sites from historical time periods with historic, architectural, or other cultural importance. The City's built environment has a rich cultural heritage with a variety of architectural styles, including the Spanish Colonial Revival style emphasized in the rebuilding of Santa Barbara's downtown following a destructive 1925 earthquake.

Impact Evaluation Guidelines. Archaeological and historical impacts are evaluated qualitatively by archeologists and historians. First, existing conditions on a site are assessed to identify whether important or unique archaeological or historical resources exist, based on criteria specified in the State CEQA *Guidelines* and City Master Environmental Assessment *Guidelines for Archaeological Resources and Historical Structures and Sites*, summarized as follows:

- Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information.

- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with an important prehistoric or historic event or person.

If important archaeological or historic resources exist on the site, project changes are evaluated to determine whether they would substantially affect these important resources.

Cultural Resources – Existing Conditions and Project Impacts

4.a) Archaeological Resources

The project site is located adjacent to a relic creek and is considered to have a moderate potential to contain buried archaeological resources. A Phase I archaeological survey of the site has been prepared (MAC, 2006); however, due to existing structures and paving that cover almost the entire project site, a systematic survey for existing archaeological resources was not possible. Although previous surveys in the project area have not documented prehistoric resources within a ¼-mile radius of the project site, the parcel is considered sensitive for the potential presence of buried prehistoric artifacts. *Potentially significant* impacts to previously undetected archaeological resources would be reduced to a less than significant level by implementing proposed mitigation measures, which require on-site monitoring of initial site demolition and grading and additional measures should archaeological resources be discovered, which ensure appropriate protection of said resources.

The project site also has low potential to contain early 20th century trash pits associated with the circa 1920 occupation of former residences in the project area. While residential trash deposits dating from the early 20th century may contain information relating to the residential development of Santa Barbra, they are generally not considered to be significant unless they have some unique content or integrity of deposit, or can be shown to be associated with a specific important person or event in Santa Barbara history. Proposed mitigation measures would reduce *potentially significant* impacts to trash deposits to a less than significant level in the unlikely event of discovery on the project site.

4.b) Historic Resources

The existing structure on project the site does not have historic merit. The building was originally constructed in the early 1960's for use as a bank. Since that time, it has undergone some minor alterations, primarily on the interior of the structure. A decorative screen located along the front elevation of the building is its primary architectural feature. Although an interesting detail on an otherwise blank façade, this screen has been considered by the City's Urban historian and was determined not to be significant. ~~No impacts~~ A *less than significant* impact to historic structures would occur as a result of the proposed project.

4.c) Ethnic/Religious Resources

There is no evidence that the site involves any ethnic or religious use or importance. The project would have no impact on historic, ethnic or religious resources.

Cultural Resources – Recommended Mitigation

CR-1 **Archaeological Monitoring Contract.** Submit to the Planning Division a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all ground disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance in the areas identified in the Phase 1 Archaeological Resources Report prepared for this site by MacFarlane Archaeological Consultants, dated March 9, 2006. The contract shall be subject to the review and approval of the Planning Division and shall require submittal of a final report to the City.

CR-2 **Discovery Procedures and Mitigation.** Standard discovery measures shall be implemented per the City Master Environmental Assessment throughout grading and construction:

If archaeological resources are encountered or suspected, work shall be halted or redirected by the archaeologist immediately, and the Planning Division shall be notified. The archaeologist shall assess the nature, extent and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, preparation of further site studies and/or mitigation.

If the discovery consists of possible human remains, the Owner shall contact the Santa Barbara County Coroner immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. The Owner shall retain a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, the Owner shall retain a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

CR-3 Final Report. A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Planning Division within 180 days of completion of the monitoring or prior to the issuance of the Certificate of Occupancy, whichever is earlier.

Cultural Resources – Residual Impacts

The above measures would ensure consistency with policies requiring protection of archaeological resources and reduce the potential for impacts to archaeological and historical resources to a less than significant level.

5. GEOPHYSICAL CONDITIONS Could the project result in or expose people to:		***NO***	***YES*** ***Level of Significance***
a)	Seismicity: fault rupture?	X	
b)	Seismicity: ground shaking or liquefaction?		Less than significant
c)	Seismicity: seiche or tsunami?	X	
d)	Landslides or mudslides?	X	
e)	Subsidence of the land?		Potentially Significant, Mitigable
f)	Expansive soils?		Potentially Significant, Mitigable
g)	Excessive grading or permanent changes in the topography?		Less than significant

Geophysical Conditions - Discussion

Issues: Geophysical impacts involve geologic and soil conditions and their potential to create physical hazards affecting persons or property; or substantial changes to the physical condition of the site. Included are earthquake-related conditions such as fault rupture, ground-shaking, liquefaction (a condition in which saturated soil looses shear strength during earthquake shaking); or seismic sea waves; unstable soil or slope conditions, such as landslides, subsidence, expansive or compressible/collapsible soils; or erosion; and extensive grading or

topographic changes.

Impact Evaluation Guidelines. Potentially significant geophysical impacts may result from:

- Exposure to or creation of unstable earth conditions due to seismic conditions, such as earthquake faulting, groundshaking, liquefaction, or seismic waves.
- Exposure to or creation of unstable earth conditions due to geologic or soil conditions, such as landslides, settlement, or expansive, collapsible/compressible, or expansive soils.
- Extensive grading on slopes exceeding 20%, substantial topographic change, destruction of unique physical features; substantial erosion of soils, overburden, or sedimentation of a water course.

Geophysical Conditions – Existing Conditions and Project Impacts

5.a-c) Seismic Hazards

Fault Rupture: The nearest mapped fault is located approximately one mile from the project site. Fault rupture as a result of a seismic event is not anticipated, and therefore, potential impacts associated with fault rupture from the proposed development would *not be significant*.

Ground Shaking and Liquefaction: The project site is located in a seismically active area of southern California. Significant ground shaking as a result of a local or regional earthquake is likely to occur during the life of the project. Compliance with existing building regulations would reduce any ground shaking impacts to structures built on the project site to a *less than significant* level and no mitigation measures are required. The project site is considered to have a low potential for liquefaction (PML, 2005). Implementation of building foundation preparation recommendations provided by the soil report prepared for the proposed project, and compliance with existing building construction regulations would reduce any liquefaction impacts to a *less than significant* level and no additional mitigation measures are required.

Seiche or Tsunami. The project site is located at an elevation of approximately 150 feet above sea level and not within a tsunami run-up zone as identified by the City's Seismic Safety-Safety Element. There are not open water bodies near the project site that could result in potential seiche-related impacts. Therefore, *no impacts* involving tsunami and seiche would affect the project site.

5.d-f) Geologic or Soil Instability

Landslides. The project site is flat and would not be subject to landslide hazards. The project would not alter the existing retaining wall located along the eastern perimeter of the project site and would not affect the stability of the grade separation change between the project site and properties to the east. *No impacts* associated with landslides are anticipated.

Subsidence. The potential for subsidence on the site is low. Settlement of soils on the project site is considered a *potentially significant* impact but would be reduced to a less than significant level by implementing recommendations provided by the project site soil report. No additional mitigation measures are required.

Expansive Soils. Soils on the project are not considered to be expansive and foundation recommendations provided by the project site soil report would reduce potential impacts to a *less than significant* level. No additional mitigation measures are required.

5.g) Topography; Grading

Grading. The proposed project would result in approximatley 8,594 cubic yards of cut and 255 cubic yards of fill. The majority of the site grading is required to excavate the proposed underground parking garage. Proposed grading operations would not result in long-term slope stability impacts. Compliance with existing grading regulations provided by the City's Grading Ordinance would result in potential grading-related impacts being

less than significant and no mitigation measures are required.

Geophysical Conditions – Required Mitigation

G-1 Geotechnical Recommendations. Site preparation and project construction related to soil conditions shall be in accordance with the recommendations contained in the Preliminary Foundation Investigation prepared by Pacific Materials Laboratory, dated July 27, 2005. Compliance shall be demonstrated on plans submitted for grading and building permits.

Geophysical Conditions – Residual Impacts

Implementation of the required site preparation and structural design measures would mitigate potential geologic hazards to a less than significant level.

6. HAZARDS Could the project involve:		**NO**	**YES** *Level of Significance*
a)	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?		Potentially Significant, Mitigable
b)	The creation of any health hazard or potential health hazards?		Potentially Significant, Mitigable
c)	Exposure of people to existing sources of potential health hazards?		Potentially Significant, Mitigable
d)	Increased fire hazard in areas with flammable brush, grass, or trees?	X	

Hazards - Discussion

Issues: Hazardous materials issues involve the potential for public health or safety impacts from exposure of persons or the environment to hazardous materials or risk of accidents involving combustible or toxic substances.

Impact Evaluation Guidelines. Significant impacts may result from the following:

- Siting of incompatible projects in close proximity to existing sources of safety risk, such as pipelines, industrial processes, railroads, airports, etc.
- Exposure of project occupants or construction workers to unremediated soil or groundwater contamination.
- Exposure of persons or the environment to hazardous substances due to improper use, storage, or disposal of hazardous materials.
- Siting of development in a high fire hazard areas or beyond adequate emergency response time, with inadequate access or water pressure, or otherwise in a manner that creates a fire hazard

Hazards – Existing Conditions and Project Impacts

6.a,b,c) Public Health and Safety

Hazardous Materials and Safety Risks.

Hazards – Existing Conditions and Project Impacts

6.a,b,c) Public Health and Safety

Hazardous Materials and Safety Risks.

Contaminated Groundwater. A Phase I Environmental Site Assessment was prepared for the project site to identify the possible presence of recognized environmental conditions associated with possible soil and ground water contamination at the project site (Rincon, 2005). The assessment determined that there are five sites located within ¼-mile of the project site that have environmental listings. One of the listed sites is 1727 State Street, which generates and stores small quantities of hazardous waste. The other four sites are existing or former gasoline stations at 1800, 1853, 1936 and 1935 State Street.

The site at 1727 State Street is listed as a non-release site and only generates/stores small quantities of hazardous wastes. Therefore, the Environmental Site Assessment concluded that the listed site "would not be expected to be affecting the subject property."

All four of the gasoline stations in the project vicinity are listed as release sites. Based on the review of existing documentation, it has been determined that groundwater beneath the proposed project site has been impacted with gasoline constituents originating from an upgradient source. Recent monitoring at the 1800 State Street site (former Chevron/existing Exxon Service Station) indicates that ethylene dichloride (EDC) is in the groundwater beneath the project site at levels exceeding the Santa Barbra County Fire Prevention Division (SBC FPD) Investigation Level for EDC of 0.5 micrograms per liter (μg/l). In addition, low levels of di-isopropyl ether (DIPE) just slightly exceeding the SBC FPD Investigation Level for DIPE (3.0 μg/l) have been detected. Monitoring wells upgradient of the 1800 State Street site for the 1853 State Street site (former Shell station) have also detected the presence of EDC in groundwater. Based on monitoring well reports, the EDC and DIPE in the groundwater beneath the project site appears to be originating from either one or both of the nearby upgradient (1800 and 1853 State Street) sites. Soil samples collected during the installation of the monitoring wells at the 1800 State Street site did not detect the presence of gasoline constituents. Therefore, it does not appear that soils at the proposed project site have been impacted.

The groundwater beneath the project site that has been impacted by gasoline constituents is approximately 80-90 feet below the ground surface. Due to this depth, it is unlikely that the impacted water would result in a potential health risk to future occupants of the proposed project. However, the SBC FPD will require Chevron to conduct soil gas sampling at the project site to determine if EDC is volatilizing, and if there would be a potential for EDC vapors to collect in the underground parking area or proposed residences and commercial areas. If there is a potential for the project to be affected by EDC vapor, the project would have the potential to result in a significant health-related impact. To evaluate the potential for project-related health impacts, a health risk assessment will be required to quantitatively evaluate the potential for significant health risk effects to project occupants. If the health risk analysis concludes that potential EDC exposure would have the potential to result in a potential cancer risk greater than one in one million, measures to reduce health risks resulting from EDC vapor exposure would be required. The most likely mitigation measure would be the installation of a vapor barrier beneath the proposed structure, which is a very effective method for controlling vapor migration. If mitigation measure is required, the installation of an approved vapor barrier must be indicated on building plans for the proposed project (Rezjek, 2006).

Implementation of the proposed project would require the relocation of the four monitoring wells (MW-10, 12, 14 and 15) located on the project site. Each monitoring well would be relocated during the demolition and rough grading stage of the proposed project. Installation of the relocated monitoring wells in accordance with the requirements of the SBC FPD would result in the potential for conflicts between the proposed project and relocated wells to be less than significant. The relocated monitoring wells would be maintained on the project site until EDC concentrations in groundwater beneath the project site are below the California Maximum Contaminant Level for EDC (0.5 μg/l). When no longer needed, the wells would be removed and abandoned in accordance with applicable regulations.

On-Site Hazardous Material Use. Residential uses proposed for the project site would not be a substantial source of hazardous materials or waste that would have the potential to result in significant environmental impacts. Proposed commercial uses may include medical/dental offices, which would have the potential to result in the generation of medical waste. The storage, handling and disposal of medical waste is regulated by the California Medical Waste Act, which is enforced by the County of Santa Barbara Public Health Department. Should commercial area provided on the project site be used for medical offices, the implementation of existing regulations would be adequate to ensure that potential medical waste impacts to on-site occupants and uses adjacent to the project site are at a *less than significant* level. No additional mitigation measures are required.

6.d) Fire Hazard

The project site is not located in a City designated high fire hazard area and vegetation on or near the project site does not result in significant fire risk. The project would be subject to Fire Department and City Ordinance requirements for adequate access, structural design and materials and adequate water for fire protection. Adherence to the standard requirements of the Fire Department and Uniform Fire Code with respect to building design would ensure that fire hazard impacts for the proposed project would be *less than significant*.

Hazards – Required Mitigation

H-1. **Groundwater Contamination.** Prior to the issuance of a demolition permit for the proposed project, the applicant shall provide evidence to the City that the SBC FPD has reviewed required soil vapor testing results, and if necessary, a health risk evaluation prepared for the proposed project. If required, proposed building plans shall include measures approved by the SBC FPD to reduce potential health risk impacts to occupants of the proposed building to a less than significant level. All approved vapor control mitigation measures shall be depicted on proposed building plans prior to the approval of a building permit.

H-2 **Monitoring Well Relocation.** The location of proposed replacement monitoring wells, as approved by the SBC FPD, shall be depicted on a final site plan. The final site plan shall be submitted to the City for review and approval prior to the issuance of a demolition permit for the proposed project.

Hazards – Residual Impacts

Implementation of the proposed mitigation measures would reduce potential impacts associated with impacted ground water beneath the project site to a less than significant level. Compliance with State and local requirements for the management and disposal of medical waste that may be generated by occupants of commercial space provided by the proposed project would ensure that potential waste generation/disposal impacts are at a less than significant level. No mitigation measures are required.

7. NOISE Could the project result in:		**NO**	**YES** ***Level of Significance***
a)	Increases in existing noise levels?		Less than Significant
b)	Exposure of people to severe noise levels?		Potentially Significant, Mitigable

Noise - Discussion

Issues: Noise issues are associated with siting of a new noise-sensitive land use in an area subject to high ambient background noise levels, siting of a noise-generating land use next to existing noise-sensitive land uses, and/or short-term construction-related noise.

The primary source of ambient noise in the City is vehicle traffic noise. The City Master Environmental Assessment (MEA) *Noise Contour Map* identifies average ambient noise levels within the City.

Ambient noise levels are determined as averaged 24-hour weighted levels, using the Day-Night Noise Level (L_{dn}) or Community Noise Equivalence Level (CNEL) measurement scales. The L_{dn} averages the varying sound levels occurring over the 24-hour day and gives a 10 decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since L_{dn} is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dB(A) which average out over the 24-hour period. CNEL is similar to L_{dn} but includes a separate 5 dB(A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and L_{dn} values usually agree with one another within 1 dB(A). The Equivalent Noise Level (L_{eq}) is a single noise level, which, if held constant during the measurement time period, would represent the same total energy as a fluctuating noise. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. In general, a change in noise level of less than three decibels is not audible. A doubling of the distance from a noise source will generally equate to a change in sound level of six decibels.

Guidance for appropriate long-term background noise levels for various land uses are established in the City General Plan Noise Element Land Use Compatibility Guidelines. Building codes also establish maximum average ambient noise levels for the interiors of structures.

High construction noise levels occur with the use of heavy equipment such as scrapers, rollers, graders, trenchers and large trucks for demolition, grading, and construction. Equipment noise levels can vary substantially through a construction period, and depend on the type of equipment, number of pieces operating, and equipment maintenance. Construction equipment generates noise levels of more than 80 or 90 dB(A) at a distance of 50 feet, and the shorter impulsive noises from other construction equipment (such as pile drivers and drills) can be even higher, up to and exceeding 100 dB(A). Noise during construction is generally intermittent and sporadic, and after completion of the initial demolition, grading and site preparation activities, tends to be quieter.

The Noise Ordinance (Chapter 9.16 of the Santa Barbara Municipal Code) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations, and provides criteria for defining nuisance noise in general.

Impact Evaluation Guidelines. A significant noise impact may result from:

- Siting of a project such that persons would be subject to long-term ambient noise levels in excess of Noise Element land use compatibility guidelines as follows:
    - Residential: Normally acceptable maximum exterior ambient noise level of 60 dB(A); maximum interior noise level of 45 dB(A).
    - Schools: Normally acceptable maximum exterior ambient noise level of 65 dB(A); maximum interior noise level of 45 db(A).
    - Office Buildings: Normally acceptable maximum exterior ambient noise level of 75 dB(A); maximum interior noise level of 50 db(A).
    - Commercial - Wholesale: Normally acceptable maximum exterior ambient noise level of 80 dB(A).
- Substantial noise from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

Noise – Existing Conditions and Project Impacts

7.a-b) Increased Noise Level; Exposure to High Noise Levels

Long-Term Operational Noise. The project site is located in an area subject to average ambient noise levels of 60-65 dBA Ldn, as shown on the City's Master Environmental Assessment noise contour maps. An Environmental Noise Study for the project site was prepared in 2006 by Dudek, and was submitted by the applicant. The analysis included measurements of existing noise levels at locations along State and Islay Streets, which are the primary sources of noise in the project area. The measured noise level adjacent to the project site approximately 40 feet from the center of State Street was 69 dBA Leq. The measured noise level adjacent to the project site approximately 20 feet from the center of Islay Street was 56 dBA Leq. Calculated noise levels at the two measurement locations were within one dB of the measured noise levels.

Exterior Noise. The common outdoor living area to be provided by the proposed project would be a ground-level courtyard located near the center of the project site, behind (east of) the building adjacent to State Street. The proposed building would provide substantial noise shielding from existing and future traffic noise along State Street. The estimated noise level within the courtyard area resulting from future (2030) traffic conditions on State and Islay Streets is approximately 44 dB, which is substantially lower than the maximum exterior noise criteria of 60 dBA CNEL.

Estimated future (2030) traffic noise levels at the required private outdoor living areas for proposed units A-J range between 46 and 57 dB CNEL. These noise levels would be within the City's adopted maximum exterior noise criteria of 60 dB CNEL, and no noise control mitigation is required for these units. Proposed units K and L would be located on the third floor of the building facing State Street, and estimated future traffic noise levels at the units' exterior balconies would be 64 dB CNEL~~, which exceeds the exterior noise threshold standard, creating a potentially significant impact~~. These balcony areas are provided in addition to the City's Municipal Code required common outdoor living area. Noise control mitigation for these ~~required~~ additional outdoor living areas ~~would be required~~ is recommended to reduce exterior noise impacts ~~to a less than significant level~~.

Interior Noise. A detailed interior noise analysis was not conducted as part of the noise study prepared for the proposed project, however, a preliminary evaluation was provided. Future (2030) traffic noise conditions along State Street in the vicinity of the project site are projected to be approximately 70 dBA CNEL. Standard construction materials and techniques for a multiple family development would typically result in a minimum exterior to interior noise attenuation of 15 dB. Therefore, with windows open or closed, the two proposed residential units facing State Street would have interior noise levels exceeding the 45 dB CNEL threshold standard, a *potentially significant* impact. To comply with the interior noise level requirement, an interior noise analysis will be required for the two proposed third-floor units (Units K and L) adjacent to State Street. Based on a preliminary review, the dwelling units would most likely require sound-rated windows, and such windows would also need to be closed to achieve an interior noise level of 45 db CNEL. Air conditioning or mechanical ventilation would be required so that the occupants could keep the windows closed at their discretion. Other residential units provided by the proposed project would experience lower interior noise levels due to shielding provided by the building adjacent to State Street. These units would comply with the interior noise standards and no mitigation would be required.

Project-Generated Traffic Noise. An evaluation of traffic that would be generated by the proposed project was prepared by Associated Transportation Engineers (2006). The evaluation determined that the former/current use of the existing project site building generates between 622 and 770 average daily vehicle trips (see section 11.0, Transportation/Circulation below). The study also determined that the proposed project would generate approximately 347 average daily trips. Therefore, the proposed project would result in a net decrease in vehicle traffic on roadways adjacent to the project site when compared to traffic volumes generated by the existing building. Therefore, the proposed project would not result in increased traffic noise impacts to land uses located adjacent to streets located in the project area.

Short-Term Construction Noise. Uses adjacent to the project site include offices and residences. Residences are considered to be a noise sensitive receptor. The highest construction-related noise levels would generally occur during the demolition and grading phases of the project, which would also include the relocation of the four project site ground monitoring wells. Demolition and grading operations are scheduled to last approximately 10 and 15 days, respectively, and have the potential to result in noise levels of 80-90 dBA measured at a distance of 50 feet from the noise source. Noise from the construction of the proposed building would result in noise levels that are generally lower than demolition and grading operations, but noise impacts to surrounding uses would still have the potential to occur. The entire construction process for the proposed project is scheduled to last approximately 18 months.

Noise from demolition, grading and construction operations would result in elevated noise levels that would have the potential to result in adverse, but *less than significant* impacts to surrounding noise-sensitive uses. Project-related demolition and grading operations would likely result in peak noise levels and would occur over a period of approximatley one month. The implementation of routine construction site noise controls would be capable of reducing temporary peak construction noise impacts to sensitive receptors located adjacent to the project site.

Proposed construction activities would also generate short-term traffic as workers, equipment and materials are brought to the project site. The increase in traffic on roadways near the project site would result in an incremental increase in existing traffic noise conditions, however, construction-related traffic would not result in a substantial increase in daily traffic volumes and would not result in a significant increase in traffic noise levels. Therefore, construction-related traffic would be *less than significant*.

Noise – Required Mitigation

~~N-1 **Exterior Noise Reduction.** A minimum five (5) foot high wall extending upward from the exterior balcony floor shall be provided for units "K" and "L". The wall height requirement is relative to the patio floor elevation.~~

N-1 **Interior Noise Reduction**. Prior to the issuance of a building permit, a final interior noise assessment for proposed units facing State Street (units "K" and "L") shall be provided to the City. The assessment shall identify noise attenuation measures to be provided to ensure that interior noise levels do not exceed 45 dBA CNEL. Noise control measures may include, but are not limited to:

- The use of sound-rated windows.
- Installation of a ventilation system/air conditioning system.

Noise – Recommended Mitigation

N-2 **Exterior Noise Reduction.** A minimum five (5)-foot high wall extending upward from the exterior balcony floor shall be provided for units "K" and "L" to reduce noise levels on these balconies to less than 60 dB. The wall height requirement is relative to the patio floor elevation.

N-3 **Construction Notice.** At least 30 days prior to commencement of construction, the contractor shall provide written notice to all property owners and building occupants within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.

N-4 **Construction Hours.** Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1st); Martin Luther King Jr.'s Birthday (3rd Monday in January); President's Day (3rd Monday in February); Memorial Day (Last

Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Thanksgiving Day (4th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.

Occasional night work may be approved for the hours between 5 p.m. and 8 a.m. weekdays by the Chief of Building and Zoning (per Section ~~9.13.015~~ 9.16.015 of the Municipal Code). In the event of such night work approval, the applicant shall provide written notice to all property owners and occupants within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of night work. Night work shall not be permitted on weekends and holidays.

N-5 **Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

N-6 **Sound Barriers.** Prior to the approval of a demolition permit, the applicant shall ~~prepare and~~ submit a sound control plan, prepared by a qualified Noise Consultant, that identifies noise attenuation measures and/or devises, such as the use of noise shields and blankets, to reduce noise impacts to the office uses located north of and adjacent to the project site. If noise control devises are provided, they shall be maintained on the project site throughout all proposed demolition and grading operations.

Noise – Residual Impact

Implementation of the required mitigation measures would reduce future traffic noise levels at ~~required outdoor and~~ interior living areas for units "K" and "L" to below ~~60 dB CNEL and~~ 45 dB CNEL, ~~respectively~~, consistent with the City's adopted threshold requirements. With the implementation of proposed exterior living area and construction noise control mitigation measures, less than significant ~~short-term~~ noise impacts ~~to adjacent noise-sensitive land uses~~ would be minimized.

8. POPULATION AND HOUSING Could the project:	NO	YES Level of Significance
a) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?		Less than Significant
b) Displace existing housing, especially affordable housing?	X	

Population and Housing - Discussion

Impact Evaluation Guidelines. Issues of potentially significant population and housing impacts may involve:

- Growth inducement, such as provision of substantial population or employment growth or creation of substantial housing demand; development in an undeveloped area, or extension/ expansion of major infrastructure that could support additional future growth.
- Loss of a substantial number of housing units, especially loss of more affordable housing.

Population and Housing – Existing Conditions and Project Impacts

8.a) Growth-Inducing Impacts

The project site is located in an existing developed urban area already served by urban infrastructure. No

extensions of infrastructure or urban services would be necessary to serve the project site. The proposed residential units are intended to meet existing demand for ownership housing units within the community and would not induce growth. Growth inducing impacts as a result of the project would be *less than significant*.

8.b) Housing Displacement

The project would not result in the displacement of any housing. *No adverse housing-related impacts* would result from the project.

Population and Housing - Mitigation

No mitigation is required.

Population and Housing – Residual Impact

Impacts would be less than significant.

9. PUBLIC SERVICES Could the project have an effect upon, or result in a need for new or altered services in any of the following areas:		**NO**	**YES** *Level of Significance*
a)	Fire protection?		Less than Significant
b)	Police protection?		Less than Significant
c)	Schools?		Less than Significant
d)	Maintenance of public facilities, including roads?		Less than Significant
e)	Other governmental services?		Less than Significant
f)	Electrical power or natural gas?		Less than Significant
g)	Water treatment or distribution facilities?		Less than Significant
h)	Sewer or septic tanks?		Less than Significant
i)	Water distribution/demand?		Less than Significant
j)	Solid waste disposal?		Less than Significant

Public Services - Discussion

Issues: This section evaluates project effects on fire and police protection services, schools, road maintenance and other governmental services, utilities, including electric and natural gas, water and sewer service, and solid waste disposal.

Impact Evaluation Guidelines. The following may be identified as significant public services and facilities impacts:

- Creation of a substantial need for increased police department, fire department, road maintenance, or government services staff or equipment.
- Generation of substantial numbers of students exceeding public school capacity where schools have been designated as overcrowded.
- Inadequate water, sewage disposal, or utility facilities.

- Substantial increase in solid waste disposal to area sanitary landfills.

Public Services – Existing Conditions and Project Impacts

9a-b, d-g. Facilities and Services

The project site is located in an urban area where all public services are available. In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with fire protection, police protection, library services, public facilities, governmental facilities, electrical power, and natural gas. The CTI Report specifically analyzed whether there were deficiencies, existing or anticipated, for each of the public services. The CTI report determined that police and fire protection services, and library services are being provided at acceptable levels to the City. In addition, the CTI Report determined that electricity, natural gas, telephone, and cable telecommunication services are being provided at acceptable service levels and utility companies did not identify any deficiencies in providing service in the future. Finally, the CTI Report determined that demand for City buildings and facilities will continue to be impacted by growth, although no appropriate/acceptable levels of service have been established.

The project site has access to existing roads and would be served with connections to existing public services for gas, electricity, cable, and telephone that are available at the site. The project would not result in a substantially increased demand on fire or police protection services, library services, or City buildings and facilities than created by the existing on-site use and than that was anticipated in the CTI Report. Therefore, impacts to fire protection, police protection, library services, City buildings and facilities, electrical power, natural gas, telephone, and cable telecommunication services would be *less than significant*.

9.c) Schools

The project site is served by the Santa Barbara Elementary and High School Districts for elementary and high school. The project would provide an increase of 12 residential units, which could generate additional students.

The project would also result in a minor increase in area employees. It is expected that most of the project-site employees would already reside in the area, however, some portion of new employees may migrate to the project region. The commercial portion of the proposed project may generate new elementary and secondary students to the extent that new employment created by the project results in new residents to the area. Unlike the residential portion of this project that falls into a defined school attendance area, students generated by the commercial portion of the proposed project could live and attend a school in any area of the South Coast. Some students generated by the commercial portion of this project could also live outside the boundaries of the Santa Barbara School Districts or attend private schools.

None of the school districts in the South Coast have been designated "overcrowded" as defined by California State law. School impact fees would be applied to the project in accordance with State law. Project impacts to schools would be *less than significant*.

9.h,i) Water and Sewer

Water Demand. The City of Santa Barbara's water supply comes from the following sources, with the actual share of each determined by availability and level of customer demand: Cachuma Reservoir and Tecolote Tunnel, Gibraltar Reservoir and Mission Tunnel, 300 Acre Feet per Year (AFY) of contractual transfer from Montecito Water district, groundwater, State Water Project entitlement, desalination, and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by displacing demand that would otherwise have to be supplied by additional sources. In 1994, based on the comprehensive review of the City's water supply in the Long Term Water Supply Alternatives Analysis (LTWSAA), the City Council approved the Long Term Water Supply Program (LTWSP). The LTWSP outlines a strategy to use the above sources to meet the projected demand of 17,900 AFY (including 1,500 AFY of demand projected to be met with conservation) plus a 10 percent safety margin for a total of 19,700 AFY. Therefore, the target for the amount of water the system will actually have to supply, including the safety margin, is 18,200 AFY. The 2003 Water

Supply Management Report documents an actual system demand of 13,460 AFY and a theoretical commitment of 16,170 AFY. Of the total system production, 95% was potable water and 5% was reclaimed water.

In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with water supply, treatment, and distribution system, and specifically analyzed and determined that there were no existing or anticipated deficiencies for the next 20-year planning period based on a growth rate of 0.7% per year.

The proposed project would receive water service from the City of Santa Barbara. The project is within the anticipated growth rate for the City and, therefore, the City's long-term water supply and existing water treatment and distribution facilities would adequately serve the proposed project.

The water demand resulting from the use of the existing 7,500 square foot building on the project site as a classroom facility, the estimated water use if the existing building were used as commercial space, and the estimated water use that would result from the proposed project is summarized in the following table.

Land Use	Water Use Factor	Units	Estimated Water Use (AFY)
Existing Usage	413 GPD [1]	N/A	0.46 AFY
Existing Sq. Ft. (Commercial)	103.9 GPD/1,000 sq. ft.	7.5 sq. ft.	0.87
Proposed Commercial	103.9 GPD/1,000 sq. ft.	15.576 sq. ft.	1.81 AFY
Proposed Residences	250 GPD/unit	12 units	3.36 AFY
Total Proposed Water Use	--	--	**5.17 AFY**
Net Change from Existing Conditions	--	--	**+ 4.71 AFY**
Net Change if Existing Building is Used as General Commercial			**+ 4.3 AFY**

GPD = Gallons per day; AFY = Acre feet per year

[1] Source: City of Santa Barbara, Water Consumption History for 1722 State Street, Three Year Usage Average

The use of 5.17 acre feet of water per year by the proposed project would not result in a significant water supply impact. Therefore, the water demand resulting from the proposed project would result in a *less than significant* impact to the City water supply, treatment, and distribution facilities.

Waste Water Generation. The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day (MGD), and the current average daily flow is 8.5 MGD. Waste water generation by residential and commercial uses is generally related to potable water use, and waste water generation is commonly estimated to be approximately 90% of the project's potable water demand. Therefore, approximately 4.65 AFY (0.004 MGD) of the proposed project's water demand would be returned as waste water. There would be adequate treatment capacity at the Treatment Plant to accommodate waste water generated by the proposed project. Therefore, the waste water generation/disposal resulting from the proposed project can be accommodated by the existing City sewer system and sewage treatment plant, and would result in a *less than significant* impact.

9.j) Solid Waste Generation/ Disposal

Solid waste generated in the City of Santa Barbara is collected and transported to the Tajiguas Landfill for disposal. The Tajiguas Landfill is operated by the County of Santa Barbara, and is located approximately 26 miles west of the City. Final approvals by the Regional Water Quality Control Board and California Integrated Waste Management Board were obtained in 2003 to expand the landfill. Based on current solid waste disposal trends, it is anticipated the recent landfill expansion will provide approximately 18 years of the solid waste disposal capacity. A Multi-Jurisdictional Task Group was established in June 2001 by the County Board of Supervisors and the Santa Barbara City Council to provide the communities in Santa Barbara County with a forum to discuss and plan long-term solid waste management strategies and facilities.

The County of Santa Barbara has developed impact significance thresholds related to the impacts of development on remaining landfill capacity. The County thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2% annual increase (approximately 4,000 tons per year) in solid waste generation over the 15-year period.

The County's threshold for project-specific impacts to the solid waste system is 196 tons per year (this figure represents 5% of the expected average annual increase in solid waste generation [4000 tons/year]). Source reduction, recycling, and composting can reduce a project's waste stream by as much as 50%. If a proposed project generates 196 or more tons per year after reduction and recycling efforts, impacts would be considered significant and unavoidable.

Proposed projects with a project specific impact as identified above (196 tons/year or more) would also be considered cumulatively significant, as the project specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already extremely limited, any increase in solid waste of 1% or more of the expected average annual increase in solid waste generation [4000 tons/year], which equates to 40 tons per year (TPY), is considered an adverse cumulative impact.

Long-Term (Operational). Based on the following waste generation rates, it is estimated that the proposed project would generate approximately 50 tons of solid waste per year.

Attached Residential: 2.65 people/unit * 12 units * 0.95 tons/year =	30.21 tons/year
Commercial/Medical: 15,576 s.f. * 0.0013 tons/year =	20.25 tons/year
Total	50.46 tons/year

With application of source reduction, reuse, and recycling, landfill disposal of solid waste could be reduced to approximately 25.23 TPY. The project-specific and cumulative impacts are considered *less than significant* because the 196 TPY project-specific threshold and the 40 TPY cumulative threshold would not be exceeded.

Short-Term (Demolition and Construction). The solid waste generation/disposal thresholds adopted by the County do not apply to short-term construction projects. While project-related demolition and grading would result in the generation of waste material, this impact would not exceed an adopted threshold or result in a significant waste disposal impact. The implementation of recommended mitigation measures to reduce, re-use, and recycle construction and demolition waste to the extent feasible would further minimize the potential for short-term waste disposal impacts. It is anticipated that the implementation of a City-approved construction and demolition waste recovery/diversion plan would divert approximately 70% of the project's construction and demolition waste from landfill disposal.

Public Services – Recommended Mitigation

PS-1 **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers shall be provided on the project site and screened from view from surrounding properties and the street. Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.

PS-2 **Construction Materials Recycling.** Recycling and/or reuse of construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of an appropriately sized container for collection of demolition/construction materials.

PS-3 **Construction and Demolition Material Salvage.** Prior to the approval of a demolition permit for the proposed project, a construction and demolition waste management plan shall be developed and submitted to the City's Environmental Analysis for review and approval.

Public Services – Residual Impacts

Implementation of the identified recommended mitigation measures would further reduce less than significant impacts.

10. RECREATION Could the project:		**NO**	**YES** *Level of Significance*
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?		Less than Significant
b)	Affect existing parks or other public recreational facilities?		Less than Significant

Recreation - Discussion

Issues: Recreational issues are associated with increased demand for recreational facilities, or loss or impacts to existing recreational facilities.

Impact Evaluation Guidelines. Recreation impacts may be significant if they result in:

- Substantial increase in demand for park and recreation facilities in an area under-served by existing public park and recreation facilities.
- Substantial loss or interference with existing park space or other public recreational facilities such as hiking, cycling, or horse trails.

Recreation – Existing Conditions and Project Impacts

10.a) Recreational Demand

There are more than 1,800 acres of natural open space, park land and other recreational facilities in the City. In addition, there are 28 tennis courts, 2 public outdoor swimming pools, beach volleyball courts, sport fields, lawn bowling greens, a golf course, 13 community buildings and a major skateboard facility. The City also offers a wide variety of recreational programs for people of all ages and abilities in sports, various classes, tennis, aquatics and cultural arts.

In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with recreation and parks. Population characteristics including income, age, population growth, education and ethnicity affect recreation interests and participation levels.

The CTI Report determined that there is an uneven distribution of parkland in the City, such that some areas of the City may currently be underserved with neighborhood parks, but overall the City has adequate passive, community, beach, regional, open space, and sports facility parks.

The development of the proposed residences would create an increase in the demand for park and recreational opportunities. As indicated above, the City of Santa Barbara has ample parkland, albeit unevenly distributed throughout the City, and adequate recreation facilities. The proposed project would introduce additional residents into the Upper East neighborhood where existing nearby parks include Alameda Park and the Alice Keck Park Memorial Garden. In this case, sufficient neighborhood and community parks are located near the project site. Residents would also have access to other community, beach, regional, open space, and sports facility parks, and all City recreation programs. Therefore, the increase in park and recreational demands associated with the residences would be a *less than significant* impact.

10.b) Existing Recreational Facilities

The proposed project is nearby but not adjacent to existing park facilities. The proposed residential and commercial uses would not result in population increases that would have the potential to result in a substantial increase in the use of existing recreation facilities. Short-term construction and long-term operation of the project would not result in impacts that have the potential to interfere with the use or enjoyment of existing parks or recreational facilities. Therefore, the project would have a *less than significant* impact on recreational facilities.

Recreation - Mitigation

None required.

Recreation – Residual Impacts

Impacts are less than significant.

11. TRANSPORTATION/CIRCULATION Could the project result in:		**NO**	**YES** *Level of Significance*
a)	Increased vehicle trips? Long-Term	X	
	Short Term		Less than Significant
b)	Hazards to safety from design features (e.g. sharp curves, inadequate sight distance or dangerous intersections)?		Less than Significant
c)	Inadequate emergency access or access to nearby uses?		Potentially Significant, Mitigable
d)	Insufficient parking capacity on-site or off-site?		Less than Significant
e)	Hazards or barriers for pedestrians or bicyclists? Long-Term	X	
	Short-Term		Less than Significant

Transportation - Discussion

Issues: Transportation issues include traffic, access, circulation, safety, and parking. Vehicle, bicycle and pedestrian, and transit modes of transportation are all considered, as well as emergency vehicle access. The City General Plan Circulation Element contains policies addressing circulation, traffic, and parking in the City.

Impact Evaluation Guidelines. A proposed project may have a significant impact on traffic/ circulation/ parking if it would:

Vehicle Traffic

- Cause an increase in traffic that is substantial in relation to the existing traffic load and street system capacity (see traffic thresholds below).
- Cause insufficiency in transit system.
- Conflict with the Congestion Management Plan (CMP) or Circulation Element or other adopted plan or policy pertaining to vehicle or transit systems.

Circulation and Traffic Safety

- Create potential hazards due to addition of traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or that supports uses that would be incompatible with substantial increases in traffic.
- Diminish or reduce safe pedestrian and/or bicycle circulation.
- Result in inadequate emergency access on-site or to nearby uses.

Parking

- Result in insufficient parking capacity for the projected amount of automobiles and bicycles.

Traffic Thresholds of Significance: The City uses Levels of Service (LOS) "A" through "F" to describe operating conditions at signalized intersections in terms of volume-to-capacity (V/C) ratios, with LOS A (0.50-0.60 V/C) representing free flowing conditions and LOS F (0.90+ V/C) describing conditions of substantial delay. The City General Plan Circulation Element establishes the goal for City intersections to not exceed LOS C (0.70-0.80 V/C).

For purposes of environmental assessment, LOS C at 0.77 V/C is the threshold Level of Service against which impacts are measured. An intersection is considered "impacted" if the volume to capacity ratio is .77 V/C or greater.

Project-Specific Significant Impact: A project-specific significant impact results when:

(a) Project peak-hour traffic would cause a signalized intersection to exceed 0.77 V/C, or

(b) The V/C of an intersection already exceeding 0.77 V/C would be increased by 0.01 (1%) or more as a result of project peak-hour traffic.

For non-signalized intersections, delay-time methodology is utilized in evaluating impacts.

Significant Cumulative Contribution: A project would result in a significant contribution to cumulative traffic impacts when:

(a) Project peak-hour traffic together with other cumulative traffic from existing and reasonably foreseeable pending projects would cause an intersection to exceed 0.77 V/C, or

(b) Project would contribute traffic to an intersection already exceeding 0.77 V/C.

Transportation – Existing Conditions and Project Impacts

11.a) Traffic

Long-Term Traffic. A Revised Traffic and Parking Study (April, 2006) was prepared by Associated Transportation Engineers for the proposed project. The traffic analysis compares the potential traffic generation of the proposed project to the traffic generation characteristics of the former and existing uses of the building located on the project site. When the application for the proposed project was deemed complete, and when the environmental review for the project was initiated, the existing use of the building located on the project site was as classroom facility. Although this use had been established without appropriate land use permits from the City,

the use existed for several years and resulted in the generation of traffic on streets in the project area. Based on the requirements of CEQA Guidelines section 15125 (Environmental Setting), the appropriate environmental baseline to be used for the evaluation of potential traffic impacts that may result from the proposed project are the conditions that existed when the classroom use was in operation. In recognition of the fact that the school-related use existed without appropriate land use permits, the environmental review also included, for comparison purposes, an evaluation of potential project-related traffic impacts compared to conditions that existed when the building was occupied by a bank. The evaluation of the proposed project's traffic impacts when compared to the previous bank and classroom uses of the existing building is provided below. The following analysis is also based on the original design of the proposed project.

The existing project site building is a 7,500 square foot structure that was originally developed as a bank. Based on published traffic generation rates, it was estimated that the former use of the building as a bank generated approximately 622 average daily trips, 31 AM peak hour trips and 132 PM peak hour trips. The average daily trip and PM peak hour trip estimates include a 47% reduction in traffic generation or "pass-by" factor. Pass-by trips already exist on the adjacent street system and would combine a stop at the bank building with another trip, such as driving to or from work. The existing building is currently used as a classroom by the Brooks Institute of Photography, and also includes two functioning automatic teller machines (ATMs). Traffic generated by the existing classrooms and ATMs was estimated based on published traffic generation rates and peak hour traffic counts conducted at the project site. Based on these factors, it was estimated that the existing use of the building generates approximately 770 average daily trips, 44 AM peak hour trips and 77 PM peak hour trips.

Trip generation estimates for the proposed project were calculated based on published traffic generation factors, and it was assumed that the project would provide 12 condominium units, 1,400 square feet of specialty retail, 4,850 square feet of general office, and 2,988 square feet of medical-dental office. The estimates of the types of commercial uses that may occupy the proposed building, and the area the different types of uses may occupy, are considered reasonable estimates of future conditions that may exist at the project site. Based on the future building uses projections, it was estimated that commercial uses occupying the proposed project would generate approximately 277 average daily trips, 23 AM peak hour trips and 61 PM peak hour trips. The residential units provided by the project would generate approximatley 70 average daily trips, five (5) AM peak hour trips and six (6) PM peak hour trips. The combined total traffic generation for the project would be approximatley 347 average daily trips, 28 AM peak hour trips and 67 PM peak hour trips. A comparison of trip generation characteristics for the proposed project and the former/existing uses of the existing on-site building are summarized on the following table.

Land Use	Average Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Bank	622	31	132
Proposed Project	347	28	67
Difference	**-275**	**-3**	**-65**
Classrooms/ATMs	770	44	77
Proposed Project	347	28	67
Difference	**-423**	**-16**	**-10**

The proposed project would result in a reduction of 275 average daily trips, three AM peak hour trips and 65 PM peak hour trips when compared to previous bank operations at the project site. Compared to the existing use of the building for classroom/ATM purposes, the proposed project would result in a reduction of 423 average daily trips, 16 AM peak hour trips and 10 PM peak hour trips. Since the proposed project would result in a reduction in AM and PM peak hour traffic when compared to former and existing uses of the on-site building, the proposed project would result in *no impact* to the operation of intersections located in the project area.

During their review of the proposed project, the Planning Commission requested that additional traffic evaluation scenarios be provided. In response, several traffic evaluations based on different existing and proposed building use assumptions have been provided for information purposes. The Planning Commission also provided direction to the project applicant regarding changes to the project design that have resulted in a reduction in the number of residential units (from 12 to 10), and a reduction in net commercial area square footage (by approximately 900 square feet, from 9,238 square feet to 8,400 square feet). The additional traffic evaluations also reflect these changes to the proposed project. The additional traffic evaluations are provided in a traffic study addendum dated March 13, 2007 that is attached to this MND as Exhibit J.

Additional Traffic Evaluation Scenario 1. This scenario assumes that the existing 7,200 net square foot building was formerly occupied by an office rather than a bank or classroom. It also assumes that the proposed building would be occupied by office-related uses along with 10 residential units. The purpose of this scenario is to evaluate the project based on similar traffic generation assumptions for baseline and proposed project conditions. The evaluation of this scenario concluded that when compared to traffic conditions that would have resulted from the use of the existing building as an office, the proposed project would generate an additional 86 average daily trips, eight additional A.M peak hour trips, and nine additional P.M peak hour trips (see the table provided below). After distributing the net increase in peak hour traffic generated by the project site onto the surrounding street network, it was concluded that the project-generated traffic would result in a *less than significant* traffic impact to Mission Street intersections.

Additional Traffic Evaluation Scenario 2. This scenario also assumes that the existing building was formerly occupied by an office rather than a bank or classroom. It also assumes that the proposed building would be occupied by medical office-related uses along with 10 residential units. The purpose of this scenario is to evaluate the project based on a similar comparison of traffic generation assumptions for baseline and proposed project conditions, while recognizing reasonable worst-case traffic generation conditions of the proposed project and being consistent with the parking demand analysis prepared. The evaluation of this scenario concluded that when compared to traffic conditions that would have resulted from the use of the existing building as an office, the proposed project would generate an additional 199 average daily trips, four additional A.M peak hour trips, and eleven additional P.M peak hour trips (see the table provided below). After distributing the net increase in peak hour traffic generated by the project site onto the surrounding street network, it was concluded that the project-generated traffic would result in a *less than significant* traffic impact to Mission Street intersections.

Additional Traffic Evaluation Scenario 3. This scenario is based on baseline traffic conditions determined by counts taken at the project site driveway when the existing building was used as a classroom facility. It also assumes that the proposed building would be occupied by medical office-related uses along with 10 residential units. The purpose of this scenario is to evaluate the project based on actual baseline conditions, to reflect changes that have been made to the design of the proposed project, and to include reasonable worst case traffic generation conditions for the project. The evaluation of this scenario concluded that when compared to traffic conditions that formerly existed at the project site, the proposed project would generate 408 fewer average daily trips, 19 fewer A.M peak hour trips, and 41 fewer P.M peak hour trips (see the table provided below). Therefore, project-generated traffic would result in *no traffic impact* to Mission Street intersections.

Land Use	Average Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Office	163	21	25
Proposed Project	249	29	34
Net Difference	**+86**	**+8**	**+9**
Office	163	21	22
Proposed Project	362	25	36
Net Difference	**+199**	**+4**	**+11**
Classrooms (Driveway Count)	770	44	77
Proposed Project	362	25	36
Net Difference	**-408**	**-19**	**-41**

Short-Term Construction Traffic. It is estimated that the proposed project's construction process would last approximately 18 months. The most intensive construction operations (i.e., removing demolition material and excess soil) would occur during the project's demolition and grading phases, which would occur over a period of approximately 10 and 15 working days, respectively. Project-related construction activities would require approximately four to 20 construction workers on the project site, depending on the construction phase (GRD Construction, 2006). Staging, equipment and materials storage would occur onsite when feasible. A temporary staging area has been proposed adjacent to the project site in the State Street right-of-way, however, the use of the public right-of-way for project construction staging is generally not permitted by the City. Locations for construction worker parking have not yet been identified. Traffic resulting from the use of a remote construction worker parking area would also have the potential to contribute to temporary increases in traffic in the project area.

The project would generate construction-related traffic over a period of approximatley 18 months, and the amount of temporary traffic generated would vary depending on the stage of construction. The project's location along State Street would minimize the potential for construction traffic to impact surrounding residential streets. Temporary construction traffic generated by the proposed project would be *less than significant*. Implementation of standard construction traffic mitigation measures, such as restrictions on the hours permitted for construction trips and approval of routes for construction traffic would further reduce this less than significant impact.

11.b Access/Circulation

The project's access drive and ramp that would connect the proposed subterranean parking area to State Street would meet parking design standards required by SBMC 28.90.045. Adequate line of sight distance from the State Street ingress/egress driveway would also be provided. Traffic safety impacts of the project would be *less than significant*.

11.c Emergency Access

The Fire Department has reviewed the site plan for the proposed project and indicated that the proposed project does not comply with the Department's commercial access standard that requires a 20-foot wide access to within 150 feet of the furthest exterior wall of the proposed building. This access standard would not be met along the southern perimeter of the project site, thus creating a *potentially significant* impact. The Fire Department has requested that the project applicant apply for a modification from the access standard. Potential reasons for

approval of a site access modification would be providing fire sprinklers in accordance with NFPA 13 standards, providing a mixed-use fire alarm, and providing a new fire hydrant in front of the project site. Approval of a modification of the access standard requirement would reduce the proposed project's potential emergency access impacts to a *less than significant* level.

11.d. Parking

The proposed project would provide 55 parking spaces in an underground parking garage. Based on the Municipal Code parking requirements for each of the uses that would be provided by the project, ~~63~~ 57 parking spaces would be required. The parking requirement is based on the following requirements:

- Two spaces for each of the ten (10) residential unit: 20 spaces required.
- One additional guest space for every four residential units: 3 spaces required.
- One parking space for each 250 square feet of the proposed 8,400 square feet of commercial use floor space: 34 spaces required.

ATE has estimated the peak parking demand of the proposed uses based upon ITE parking generation reports and the Urban Land Institute's Shared Parking Manual for mixed use projects. The use of shared parking recognizes that the peak parking demand for different types of uses occurs at different times of day, and that parking spaces can be shared by different uses at different times of the day and evening. The shared parking demand estimate assumes that all of the proposed commercial space would be occupied by medical-dental offices, which have a higher parking demand than retail and office uses. The shared parking analysis also assumes that ~~22~~ 20 parking spaces would be reserved for the ~~12~~ 10 proposed residential units. The ATE study concludes that the peak parking demand for the proposed project would occur ~~at 11:00 AM~~ during the mid-day, and would result in a demand for ~~55~~ 50 spaces. ~~Based on the study results, the proposed project was designed to provide a total of 55 parking spaces.~~ Since the project would accommodate the peak parking requirements of the proposed project, the proposed shared parking arrangement and requested parking modification would result in a *less than significant* parking-related impact.

11.e. Circulation Safety

The proposed project would result in *less than significant* impacts associated with long-term hazards or barriers for pedestrians or bicyclists, as adequate site distance would be provided from the project's driveway. City policy generally prohibits the staging of construction activities within the public right-of-way. Implementation of standard construction traffic mitigation measures to this effect would further reduce this less than significant impact.

Transportation – Required Mitigation

T-1 **Fire Department Access Modification.** Prior to the approval of a building permit, a modification of Fire Department access standards shall be submitted to the Fire Department for review and approval. A copy of an approved access modification shall be provided on the cover sheet of proposed building plans.

Transportation – Recommended Mitigation

T-2 **Construction Traffic.** The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic and noise on adjacent streets and roadways. The route of construction-related traffic shall be established to minimize trips through residential neighborhoods and minimize congestion.

T-3 **Construction Parking.** Construction parking and vehicle/equipment/materials storage shall be provided as follows:

A. During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation and Parking Manager.

B. On-site or off-site storage shall be provided for construction materials, equipment, and vehicles. Storage of construction materials within the public right-of-way is prohibited.

Transportation – Residual Impact

The proposed project would not increase traffic levels along streets or at intersections located in the project area. No long-term traffic impacts would result and no mitigation measures are required. Potential short-term less than significant impacts resulting from a temporary increase in traffic/parking demand and safety/circulation caused by construction operations can be further reduced by implementation of recommended mitigation measures that minimize the potential for traffic- and parking-related impacts to surrounding neighborhoods. Potentially significant impacts associated with Fire Department access can be minimized by implementing structural and building code requirements. Implementation of such measures to the satisfaction of the Fire Department would reduce potential access impacts to a less than significant level.

12. WATER ENVIRONMENT Could the project result in:		**NO**	**YES** *Level of Significance*
a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	X	
b)	Exposure of people or property to water related hazards such as flooding?	X	
c)	Discharge into surface waters?		Potentially Significant, Mitigable
d)	Change in the quantity, quality, direction or rate of flow of ground waters?	X	
e)	Increased storm water drainage?		Less than Significant

Water – Discussion

Issues: Water resources issues include changes in offsite drainage and infiltration/groundwater recharge; storm water runoff and flooding; and water quality.

Impact Evaluation Guidelines: A significant impact would result from:

Water Resources and Drainage

- Substantially changing the amount of surface water in any water body or the quantity of groundwater recharge.
- Substantially changing the drainage pattern or creating a substantially increased amount or rate of surface water runoff that would exceed the capacity of existing or planned drainage and storm water systems.

Flooding

- Locating development within 100-year flood hazard areas; substantially altering the course or flow of flood waters or otherwise exposing people or property to substantial flood hazard.

Water Quality

- Substantial discharge of sediment or pollutants into surface water or groundwater, or otherwise degrading water quality, including temperature, dissolved oxygen, or turbidity.

Water Resources – Existing Conditions and Project Impacts

12.a,e) Drainage and Surface Runoff Rate

Drainage. The project site is developed with an existing building and parking areas. The project site is predominantly covered by impervious surfaces, with the exception of several small landscaped areas. Drainage from the site sheet flows southward to State Street.

The proposed project would result in the development of a new mixed use building. A preliminary drainage analysis prepared by Penfield and Smith (May 2005) compared existing and proposed stormwater runoff conditions for 25- and 100-year storm events based on the requirements of the Santa Barbara County Flood Control District. The drainage study concluded that under existing project site conditions, storm runoff from the site is 1.60 cubic feet per second (cfs) during a 25-year storm, and 2.13 cfs during a 100-year storm. Under proposed conditions, storm runoff from the site would be 1.55 cfs during a 25-year storm, and 2.10 cfs during a 100-year storm. Therefore, the proposed project would result in an incremental decrease in storm water runoff from the project site. Runoff rates in residential areas are assumed to be slightly lower than runoff rates in commercial areas, predominately due to the additional landscape area that is typically provided in residential areas.

The proposed project would not result in an increase in the amount or velocity of runoff leaving the project site during a 25- or 100-year storm event when compared to existing conditions. Therefore, the proposed project would result in *no drainage impacts* and no mitigation measures are required.

12.b) Flooding

The project site is not located within a 100-year or 500-year flood plain as shown on the Flood Insurance Rate maps published by FEMA. *No flood-related impacts* are anticipated and no mitigation measures are required.

12.c) Drainage into Surface Waters and Water Quality

Short-term Impacts. The proposed project would result in demolition and grading activities that would expose and disturb project site soils, resulting in *potentially significant* erosion-related water quality impacts. Construction activities also have the potential to result in discharges of petroleum-based products, construction materials and other substances that have *potentially significant* impacts to the quality of runoff water. Numerous federal, state and local regulatory programs have been established to minimize impacts to water quality resulting from construction operations. Compliance with applicable regulations and the mitigation requirements provided below will reduce the potential for the proposed project to result in short-term construction-related water quality impact to a less than significant level.

Long-term Impacts. The residential and commercial uses proposed for the project site would not be a substantial source of runoff of pollutants. Project site parking would be located beneath the proposed structure, which would minimize the potential for runoff water to collect oil, grease and other pollutants commonly associated with parking lot runoff. Additionally, runoff from the parking garage that is generated would be directed to a proposed grease/oil separator filter prior to discharge from the project site. Compliance with standard City requirements would reduce the project's *potentially significant* long-term water quality impacts to a less than significant level. These requirements include the preparation of an operation and maintenance plan for the use of storm drain surface water pollutant interceptors, stenciling of storm drain warnings of the direct connection of the drainage system to creeks and the ocean, and implementation of water quality protection best management practices (BMPs).

12.d) Groundwater

The proposed project would not result in significant changes in the quantity, quality, direction or rate of flow of groundwater, and there are no direct groundwater extractions proposed by the project. Due to the 80-90 feet depth of groundwater below the project site, it is unlikely that construction activities will encounter groundwater. Therefore, there would be *no project-related impacts* to groundwater and no mitigation measures are required.

Water Resources – Required Mitigation

W-1 **Erosion Control/Water Quality Protection Plan.** Prior to the issuance of a demolition permit for the proposed project, the applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the *Procedures for the Control of Runoff into Storm Drains and Watercourses* and the Building and Safety Division *Erosion/Sedimentation Control Policy* (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.

At minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation and/or maintenance of each of the following water resource protection strategies:

- Paving and Grinding
- Sandbag Barriers
- Spill Prevention/Control
- Solid Waste Management
- Storm Drain Inlet Protection
- Stabilize Site Entrances and Exits
- Illicit Connections and Illegal Discharges
- Water Conservation
- Stockpile Management
- Liquid Wastes
- Street Sweeping and Vacuuming
- Concrete Waste Management
- Sanitary/Septic Waste Management
- Vehicle and Equipment Maintenance
- Vehicle and Equipment Cleaning
- Vehicle and Equipment Fueling

W-2 **Minimization of Storm Water Pollutants of Concern.** The applicant shall implement approved plans incorporating long-term storm water best management practices (BMPs) to minimize identified storm water pollutants of concern including automobile oil, grease and metals. The applicant shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The owners association shall maintain approved facilities in working order for the life of the project, and shall inspect annually and submit report to City annually.

W-3 **Storm Drain System Stenciling and Signage.** Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design

treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report to City annually.

W-4 **Trash Storage Area Design.** Project trash container areas shall incorporate approved long-term structural storm water best management practices (BMPs) to protect water quality: Trash containers shall have drainage from adjoining roofs and pavement diverted around the areas; and trash container areas shall be screened or walled to prevent off-site transport of trash. The applicant shall submit project plans to the satisfaction of Public Works Engineering and Solid Waste that incorporate long-term structural best management practices for trash storage areas to protect storm water quality. The owners association shall maintain these structural storm water quality protections in working order for the life of the project, and shall inspect at least annually and report to City annually.

Water Resources – Residual Impact

Implementation of the identified mitigation measures would reduce potential short- and long-term water quality impacts to a less than significant level.

MANDATORY FINDINGS OF SIGNIFICANCE.		*YES*	*NO*
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildfire population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?		X
c)	Does the project have potential impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X
d)	Does the project have potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

a) Biological and Cultural Resources.

The project site is located in a portion of the City that is almost entirely urbanized and biological resources are limited. Vegetation on the project site consists primarily of ornamental landscaping. No endangered, threatened or rare species or their habitats currently listed nor candidates for State or Federal protection are present at this site. The proposed project would not result in impacts to native plants, animals, their habitats or wildlife movement opportunities. Potential impacts resulting from the removal of two mature trees from the project site can be reduced to a less than significant level by providing replacement trees. Proposed mitigation measure B-1 requires that at least four replacement trees be provided, and mitigation measure B-2 requires the protection of the mature tree that is to remain on the project site during the construction of the project.

Previous archaeological resource surveys of the project site and within a ¼-mile of the site area have not documented prehistoric resources. However, the project site is considered sensitive for the potential presence of buried prehistoric artifacts. Potentially significant impacts to previously undetected archaeological resources would be reduced to a less than significant level by implementing proposed mitigation measures CR-1 and 2, which require on-site monitoring of initial site demolition and grading and additional measures should archaeological resources be discovered.

With the implementation of proposed mitigation measures, project-related impacts to biological and cultural resources would be *less than significant*.

b) Short-Term vs. Long-Term Environmental Goals.

The proposed project would not result in significant long-term impacts related to environmental issue areas such as air quality, public services, or traffic. Potential long-term impacts of the project related to the loss of mature trees, geologic and other hazards can be reduced to a less than significant level with the implementation of proposed mitigation measures. Other potential short- and long-term impacts of the proposed project can also be reduced to a less than significant level. Therefore, with the implementation of proposed mitigation measures, the proposed project's long-term impacts would be *less than significant*. A preliminary review of proposed project's consistency with applicable policies of the General Plan concluded that it would be potentially consistent with the long-term environmental protection goals that have been adopted by the City.

c) Cumulative Impacts.

The proposed project would not result in air emissions that would exceed the threshold adopted by the APCD related to cumulative air quality impacts. Traffic generated by the proposed project would be reduced when compared to the existing and previous uses of the existing on-site building, therefore, the project would not result in significant cumulative traffic-related impacts. The proposed project would not result in the substantial use of available potable water supplies or available waste water treatment capabilities, and would not result in significant cumulative public service/utility impacts. Other impacts of the proposed project can also be reduced to a less than significant level and would not substantially contribute to cumulative environmental impacts. Therefore, the proposed project's cumulative impacts would be *less than significant*.

d) Other Environmental Effects.

The groundwater beneath the project site that has been impacted by gasoline constituents is approximately 80-90 feet below the ground surface and is unlikely to result in a potential health risk to future occupants of the proposed project. However, the SBC FPD will require soil gas sampling at the project site to determine if there is a potential for harmful vapors to collect in the underground parking area or proposed residences and commercial areas. If there is a potential for the project to be adversely affected by the impacted ground water, a health risk assessment will be required to quantitatively evaluate the potential for significant health risk effects to project occupants. If the health risk analysis concludes that potential cancer risk greater than one in one million may result, measures to reduce potential health risks would be required. The most likely mitigation measure would be the installation of a vapor barrier beneath the proposed structure, which is a very effective method for controlling vapor migration. Therefore, potential health-related effects to occupants of the proposed building can be reduced to a less than significant level.

Proposed units K and L would be located on the third floor of the building facing State Street, and estimated future traffic noise levels at the units' exterior balconies would be 64 dB CNEL, which exceeds the City's exterior noise threshold standard. Noise control mitigation (Measure N-1) for these required outdoor living areas has been proposed to reduce exterior noise impacts to a less than significant level.

Proposed units K and L would also have interior noise levels exceeding the City's 45 dB CNEL threshold standard. To comply with the interior noise level requirement, proposed mitigation measure N-2 requires the preparation of an interior noise analysis. Based on a preliminary review, the dwelling units would most likely require sound-rated windows, and such windows would also need to be closed to achieve an interior noise level

of 45 dB CNEL. Air conditioning or mechanical ventilation would be required so that the occupants could keep the windows closed at their discretion. Other residential units provided by the proposed project would experience lower interior noise levels and would comply with the interior noise standards.

With the implementation of proposed mitigation measures, project-related impacts to human beings would be *less than significant*.

INITIAL STUDY CONCLUSION

On the basis of this initial evaluation it has been determined that the proposed project's potentially significant environmental impacts can be feasibly reduced to a less than significant level by identified mitigation measures, and a Mitigated Negative Declaration is the appropriate environmental review document.

Case Planner: Alli De Busk

Environmental Analyst: Janice M. Hubbell Date: 3/29/07

EXHIBITS:

A. Vicinity Map

B. Project Plans

C. Preliminary Foundation Investigation, Pacific Materials Laboratory, July 27, 2005.

D. Environmental Noise Study, Dudek, August 8, 2006.

E. Draft Phase 1 ESA, Rincon, July 27, 2005.

F. Oak Tree Evaluation, Bill Spiewak, February 27, 2006.

G. Revised Traffic and Parking Study, Associated Transportation Engineers, August 1, 2006.

H. Preliminary Construction Plan, GRD Construction, July 31, 2006.

I. Preliminary Drainage Analysis, Penfield and Smith, May, 2006.

J. Addendum to the Traffic and Parking Study, Associated Transportation Engineers, March 13, 2007.

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY

The following sources used in the preparation of this Initial Study are located at the Community Development Department, Planning Division, 630 Garden Street, Santa Barbara and are available for review upon request.

California Environmental Quality Act (CEQA) & CEQA Guidelines

General Plan Circulation Element

General Plan Conservation Element

2003 Housing Element

General Plan Land Use Element

General Plan Noise Element w/appendices

General Plan Map

General Plan Seismic Safety/Safety Element

General Plan Update 2030: Conditions, Trends and Issues Report

Master Environmental Assessment

Santa Barbara Municipal Code

1722 State Street; MST2005-00455

MITIGATION MONITORING AND REPORTING PROGRAM

PURPOSE

The purpose of the **1722 State Street** Mitigation Monitoring and Reporting Program (MMRP) is to ensure compliance with all mitigation measures identified in the Initial Study to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project. The implementation of this MMRP shall be accomplished by City staff and the project developer's consultants and representatives. The program shall apply to the following phases of the project:

- Plan and specification preparation
- Pre-construction conference
- Construction of the site improvements
- Post Construction

I. RESPONSIBILITIES AND DUTIES

A qualified representative of the developer, approved by the City Planning Division and paid for by the developer, shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of this mitigation monitoring and reporting program to the City. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.

It is the responsibility of the contractor to comply with all mitigation measures listed in the attached MMRP matrix. Any problems or concerns between monitors and construction personnel shall be addressed by the PEC and the contractor. The contractor shall prepare a construction schedule subject to the review and approval of the PEC. The contractor shall inform the PEC of any major revisions to the construction schedule at least 48 hours in advance. The PEC and contractor shall meet on a weekly basis in order to assess compliance and review future construction activities.

A. PRE-CONSTRUCTION BRIEFING

The PEC shall prepare a pre-construction project briefing report. The report shall include a list of all mitigation measures and a plot plan delineating all sensitive areas to be avoided. This report shall be provided to all construction personnel.

The pre-construction briefing shall be conducted by the PEC. The briefing shall be attended by the PEC, construction manager, necessary consultants, Planning Division Case Planner, Public Works representative and all contractors and subcontractors associated with the project. Multiple pre-construction briefings shall be conducted as the work progresses and a change in contractor occurs.

The MMRP shall be presented to those in attendance. The briefing presentation shall include project background, the purpose of the MMRP, duties and responsibilities of each participant, communication procedures, monitoring criteria, compliance criteria, filling out of reports, and duties and responsibilities of the PEC and project consultants.

It shall be emphasized at this briefing that the PEC and project consultants have the authority to stop construction and redirect construction equipment in order to comply with all mitigation measures.

Once construction commences, field meetings between the PEC and project consultants, and contractors shall be held on an as-needed basis in order to create feasible mitigation measures for unanticipated impacts, assess potential effects, and resolve conflicts.

II. IMPLEMENTATION PROCEDURES

There are three types of activities which require monitoring. The first type pertains to the review of the Conditions of Approval and Construction Plans and Specifications. The second type relates to construction activities and the third to ongoing monitoring activities during operation of the project.

A. MONITORING PROCEDURES

The PEC and required consultant(s) shall monitor all field activities. The authority and responsibilities of the PEC and consultant(s) are described in the previous section.

B. REPORTING PROCEDURES

The following three (3) types of reports shall be prepared:

1. Schedule

   The PEC and contractor shall prepare a monthly construction schedule to be submitted to the City prior to or at the pre-construction briefing.

2. General Progress Reports

   The PEC shall be responsible for preparing written progress reports submitted to the City. These reports would be expected on a weekly basis during grading, excavation and construction, activities. The reports would document field activities and compliance with project mitigation measures, such as dust control and sound reduction construction.

3. Final Report

   A final report shall be submitted to the Planning Division when all monitoring (other than long term operational) has been completed and shall include the following:

   a. A brief summary of all monitoring activities.

   b. The date(s) the monitoring occurred.

   c. An identification of any violations and the manner in which they were dealt with.

d. Any technical reports required, such as noise measurements.

e. A list of all project mitigation monitors.

C. MMRP MATRIX

The following MMRP Matrix describes each initial study mitigation measure, monitoring activities and the responsibilities of the various parties, along with the timing and frequency of monitoring and reporting activities. For complete language of each condition, the matrix should be used in conjunction with the mitigation measures described in full in the Initial Study.

The MMRP Matrix is intended to be used by all parties involved in monitoring the project mitigation measures, as well as project contractors and others working in the field. The Matrix should be used as a compliance checklist to aid in compliance verification and monitoring requirements. A copy of the MMRP matrix shall be kept in the project file as verification that compliance with all mitigation measures has occurred.

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

Mitigation Measure	Monitoring Requirement	Responsible Entity	Monitor	Action By Monitor	Mitigation Frequency	Monitoring Frequency	Compliance Check	Verif-Ication
A-1	Design Review – Prior to building permit issuance, proposed project grading and landform alteration, structural design, landscaping, and lighting plans shall receive preliminary and final review and approval by the Architectural Board of Review.	Applicant	ABR/ Planning Division	Check construction plans to ensure compliance with ABR approved plans		Once, at design review	Planning Division	
A-2	Lighting – Lighting design shall conform with City Lighting Ordinance requirements, including shielding and direction to the ground to avoid off-site lighting and glare effects. The proposed lighting plan shall be approved by the Architectural Board of Review.	Applicant	ABR/ Planning Division	Check construction plans to ensure compliance with ABR approved plans		Once, at design review	Planning Division	
AQ-1	Construction Dust Control – Watering – During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.	Applicant/ Contractor	PEC	Check in field	Throughout grading and construction	Daily	PEC reports	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

Mitigation Measure	Monitoring Requirement	Responsible Entity	Monitor	Action By Monitor	Mitigation Frequency	Monitoring Frequency	Compliance Check	Verif-ication
AQ-2	Construction Dust Control – Tarping – Trucks transporting fill material to and from the site shall be covered from the point of origin.	Applicant/ Contractor	PEC	Check in field	Throughout grading activities	Daily during grading activities	PEC reports	
AQ-3	Construction Dust Control – Gravel Pads – Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.	Applicant/ Contractor	PEC	Check in field	Throughout project duration	Daily	PEC reports	
AQ-4	Construction Dust Control – Disturbed Area Treatment – After clearing, grading, earth moving or excavation is complete, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by: • Seeding and watering until grass cover is grown. • Spreading soil binders. • Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind. • Other methods approved in advance by the Air Pollution Control District.	Applicant/ Contractor	PEC	Check in field	Throughout project duration	Daily, after grading is complete	PEC reports	
AQ-5	Construction Dust Control – Paving – All roadways, driveways, sidewalks, etc., should be paved as soon as possible. Additionally, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	Applicant/ Contractor	PEC	Check in field	After completion of grading	After grading is complete	PEC reports	
AQ-6	Construction Ozone Precursors – The following shall be adhered to during project grading and construction to reduce NOx and PM 2.5 emissions: • Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever	Applicant/ Contractor	PEC	Check in field	Throughout project duration	Daily	PEC reports	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

Mitigation Measure	Monitoring Requirement	Responsible Entity	Monitor	Action By Monitor	Mitigation Frequency	Monitoring Frequency	Compliance Check	Verif-ication
	feasible. • The engine size of construction equipment shall be the minimum practical size. • The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. • Construction equipment shall be maintained in tune per the manufacturer's specifications. • Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. • Catalytic converters shall be installed on gasoline-powered equipment, if feasible. • All diesel-powered equipment shall use ultra low sulfur diesel fuel. • Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available. • Diesel powered equipment should be replaced by electric equipment whenever feasible. • Idling of heavy-duty diesel trucks during loading and unloading should be limited to five minutes; auxiliary power units should be used whenever possible. • Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite. • To the extent feasible, diesel-powered construction equipment and vehicles used on site shall be fueled using bio-diesel fuels.							

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

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B-1	Tree Replacement – The project's landscape plan shall include the use of trees that, when mature, will provide a large tree canopy similar to the ficus trees removed from the project site. At least four such replacement trees shall be provided by the project. The proposed landscape plan shall be submitted to the ABR for review and approval.	Applicant/ Landscape Architect	ABR/ Planning Division	Check construction plans to ensure compliance with ABR approved plans	Once, at design review	At building plan check	Planning Division	
B-2	On-Site Tree Protection – Temporary construction fencing shall be provided around the ficus tree that is to be retained on the project site. To the extent possible, the construction fence shall be installed beneath the dripline of the tree.	Applicant/ Contractor	PEC	Check in field	Throughout project duration	Daily	PEC reports	
B-3	Off-Site Tree Protection – The following tree protection measures shall be implemented during the construction of the proposed project. -A qualified tree worker who practices proper pruning standards in accordance with the International Society of Arboriculture, Best Management Practices (ISA Certified Tree Worker or Certified Arborist) shall be used to raise the crown on the west side of the oak tree adjacent to the project site by removing the lowest 8-inch and 5-inch diameter limbs and several smaller branches. -Construction equipment and materials shall not be parked or stored beneath the dripline of the off-site oak tree located adjacent to the eastern boundary of the project site. The canopy of the oak tree shall be protected from paint overspray, plaster and other construction-related materials.	Applicant/ Contractor	PEC	Check in field	Throughout project duration	Daily	PEC reports	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

Mitigation Measure	Monitoring Requirement	Responsible Entity	Monitor	Action By Monitor	Mitigation Frequency	Monitoring Frequency	Compliance Check	Verif-ication
CR-1	Project Site Monitoring. – When the existing building and paving located on the project site are removed, the property shall be surveyed by a City-approved archaeologist. This survey shall constitute a formal resurvey of the project site. The results of this resurvey shall be reported to the City of Santa Barbara Environmental Analyst. The archaeologist shall also monitor initial grading or other soil disturbances on the project site. Any historic trash pits, should they occur, will be located within the initial two to three feet of soil. Buried sites, artifacts or other remains have been documented in Santa Barbara County at depths in excess of three feet. Should monitoring of initial grading operations indicate that the project area is devoid of archaeological resources, no further monitoring on the parcel shall be required.	Applicant/ Archaeologist	Archaeologist	Survey site	Once, following site demolition	Once, unless potential exists for archaeological resources to be present	Planning Division	
CR-2	Discovery Procedures and Mitigation – Standard discovery measures shall be implemented per the City Master Environmental Assessment throughout grading and construction:	Applicant/ Contractor	PEC	Check in field	Throughout grading and construction	Daily	PEC	
CR-3	A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to the issuance of final City permits.	Applicant/ Archaeologist	Archaeologist	Prepare and submit final report	Once, within 180 days of completing the monitoring	Once	Planning Division	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

Mitigation Measure	Monitoring Requirement	Responsible Entity	Monitor	Action By Monitor	Mitigation Frequency	Monitoring Frequency	Compliance Check	Verif-ication
G-1	Geotechnical Recommendations – Site preparation and project construction related to soil conditions shall be in accordance with the recommendations contained in the Preliminary Foundation Investigation prepared by Pacific Materials Laboratory, dated July 27, 2005.	Applicant/ Architect	Building & Safety Division	Check for compliance	Once, at building plan check	Once, at building plan check	Building & Safety Division	
H-1	Groundwater Contamination – The applicant shall provide evidence that the SBC FPD has reviewed required soil vapor testing results, and if necessary, a health risk evaluation prepared for the proposed project. If required, proposed building plans shall include measures approved by the SBC FPD to reduce potential health risk impacts to occupants of the proposed building to a less than significant level. All approved vapor control mitigation measures shall be depicted on proposed building plans prior to the approval of a building permit.	Applicant/ Architect	Building & Safety Division and Planning Division	Check for Compliance	Once, at building plan check	Once, at building plan check	Building & Safety Division and Planning Division	
H-2	Monitoring Well Relocation – Location of replacement monitoring wells shall be approved by SBC FPD and depicted on final site plan	Applicant/ Architect	Building & Safety Division and Planning Division	Check for Compliance	Once, at building plan check	Once, at building plan check	Building & Safety Division and Planning Division	
N-1	Interior Noise Reduction – A final interior noise assessment for proposed units facing State Street (units "K" and "L") shall be provided to the City. The assessment shall identify noise attenuation measures to be provided to ensure that interior noise levels do not exceed 45 dBA CNEL.	Applicant	PEC/ Noise Consultant	Verify compliance	Once, prior to C of O	Once, prior to C of O	Building & Safety Division	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

Mitigation Measure	Monitoring Requirement	Responsible Entity	Monitor	Action By Monitor	Mitigation Frequency	Monitoring Frequency	Compliance Check	Verif-ication
N-2	Exterior Noise Reduction – A minimum five (5)-foot high wall extending upward from the exterior balcony floor shall be provided for units "K" and "L" (facing State Street) The wall height requirement is relative to the patio floor elevation.	Applicant/ Architect	Planning Division	Verify compliance	Once, at building plan check	Once, at building plan check	Planning Division	
N-3	Construction Notice – At least 30 days prior to commencement of construction, the contractor shall provide written notice to all property owners and building occupants within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.	Applicant	Planning Division	Verify compliance	Once	Once	Planning Division	
N-4	Construction Hours – Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays.	Applicant/ Contractor	PEC	Check in field	Throughout project duration	Daily	PEC Reports	
N-5	Construction Equipment Sound Control – All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.	Applicant/ Contractor	PEC	Check in field	Throughout project duration	Daily	PEC Reports	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

Mitigation Measure	Monitoring Requirement	Responsible Entity	Monitor	Action By Monitor	Mitigation Frequency	Monitoring Frequency	Compliance Check	Verif-ication
N-6	Sound Barriers – A qualified Noise Consultant shall prepare and submit a sound control plan that identifies noise attenuation measures and/or devises, such as the use of noise shields and blankets, to reduce noise impacts to sensitive noise receptors located east of and adjacent to the project site.	Applicant/ Noise Consultant	Building & Safety Division and Planning Division	Review Plan	Once, at building plan check	Once, at building plan check	Planning Division	
	If noise control devises are provided, they shall be maintained on the project site throughout all proposed demolition and grading operations.	Contractor	PEC	Check in field	Throughout project duration	Daily	PEC	
PS-1	Trash Enclosure Provision – A trash enclosure with adequate area for recycling containers shall be provided on the project site and screened from view from surrounding properties and the street.	Applicant/ Architect	ABR/ Building & Safety Division	Show on project plans and implement on site	Once, at building plan check	Once	Building & Safety Division	
PS-2	Construction Materials Recycling – Recycling and/or reuse of construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill.	Contractor	PEC	Verify implementation on site	Throughout construction	Daily	Building & Safety Division	
	Indicate on the plans the location of an appropriately sized container for collection of demolition/construction materials.	Architect	Planning Division and Public Works Department	Show on plans and implement on site	Once, at building plan check	Once	Planning Division and Public Works Department	
PS-3	Construction and Demolition Material Salvage – A construction and demolition waste management plan shall be developed and submitted to the City's Environmental Analysis for review and approval.	Applicant	Environmental Analyst and PEC	EA - Review and approve plan PEC – Verify compliance in field	Throughout construction	Daily	PEC Reports	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

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T-1	Construction Traffic – The haul routes for all construction related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic and noise on adjacent streets and roadways. The route of construction-related traffic shall be established to minimize trips through residential neighborhoods and minimize congestion.	Applicant/ Contractor	PEC	Establish routing plan with Transportation Division and ensure plan is followed	Throughout project duration	Daily	PEC Reports	
T-2	Construction Parking – As follows: During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation and Parking Manager. On-site or off-site storage shall be provided for construction materials, equipment, and vehicles. Storage of construction materials within the public right-of-way is prohibited.	Applicant/ Contractor	PEC	Determine parking and storage areas with Transportation Division and ensure areas are used	Throughout project duration	Daily	PEC Reports	
T-3	Fire Department Access Modification – A modification of Fire Department access standards shall be submitted to the Fire Department for review and approval. A copy of an approved access modification shall be provided on the cover sheet of proposed building plans.	Applicant	Fire Department	Review modification request	Once	N/A	Planning Division	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

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W-1	Erosion Control/Water Quality Protection Plan – Applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the Procedures for the Control of Runoff into Storm Drains and Watercourses and the Building and Safety Division Erosion/Sedimentation Control Policy (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.	Applicant/ Contractor	Planning Division/ Building & Safety Division/ Engineering Division/ PEC	Check for compliance	At building plan check and throughout project duration	Daily	PEC Reports/ Building & Safety Division	
W-2	Minimization of Storm Water Pollutants of Concern – Applicant shall implement approved plans incorporating long-term storm water best management practices (BMPs) to minimize identified storm water pollutants of concern including automobile oil, grease and metals. The applicant shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The owners association shall maintain approved facilities in working order for the life of the project, and shall inspect annually and submit report to City annually.	Applicant/ Contractor/ HOA	Building & Safety Division/ Engineering Division/ PEC/ Engineering Division	Check for compliance	At building plan check and throughout project duration	Daily; annually thereafter	PEC Reports/ Building & Safety Division/ Planning Division	

1722 State Street (MST2005-00455)
Mitigation Monitoring And Reporting Program Matrix

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W-3	Storm Drain System Stenciling and Signage – Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report annually.	Applicant/ HOA	Building & Safety Division/ Engineering Division/ PEC/ Engineering Division	Check for compliance	At building plan check and throughout project duration	Daily; annually thereafter	PEC Reports/ Building & Safety Division/ Planning Division	
W-4	Trash Storage Area Design – Project trash container areas shall incorporate approved long-term structural storm water best management practices (BMPs) to protect water quality: Trash containers shall have drainage from adjoining roofs and pavement diverted around the areas; and trash container areas shall be screened or walled to prevent off-site transport of trash. The applicant shall submit project plans to the satisfaction of Public Works Engineering and Solid Waste that incorporate long-term structural best management practices for trash storage areas to protect storm water quality. The owners association shall maintain these structural storm water quality protections in working order for the life of the project, and shall inspect at least annually and report to City annually.	Applicant/ Architect/ HOA	Building & Safety Division/ Engineering Division/ PEC/ Engineering Division	Check for compliance	At building plan check; throughout project duration; and for the life of the project	Daily; annually thereafter	PEC Reports/ Building & Safety Division/ Planning Division	