



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: December 1, 2008
AGENDA DATE: December 11, 2008
PROJECT ADDRESS: 4151 Foothill Road (MST2008-00496)
The Foothill Centre
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Dan Gullett, Associate Planner *DG*

I. CONCEPT PROJECT REVIEW

The project site, known as the Foothill Triangle, is located within the City's Sphere of Influence at the southwest corner of Foothill Road and Cieneguitas Road. The project includes the annexation of APNs 059-160-017, -021 and -023. APN 059-160-017 (4151 Foothill Road) contains an abandoned gas station, APN 059-160-021 (675 Cieneguitas Road) is currently developed with a veterinary hospital, and APN 059-160-023 is vacant. The proposal includes demolition of the existing 1,750 sf abandoned gas station and construction of a two and three story 71,009 sf office building on the 4.13 acre site (APNs 059-160-017 and -023). The proposed project requires a Conditional Use Permit for an Educational Institution. Fielding Graduate Institute and Antioch University have interest in leasing portions of the proposed building for use as approximately 30% office space and 70% classroom space. 199 parking spaces are proposed including seven parking spaces on the veterinary hospital lot (APN 059-160-021). No changes to the veterinary hospital are included in the proposal.

The project site carries a County Comprehensive Plan designation of Neighborhood Commercial and a County Zone designation of SC (Shopping Center). Annexation of APNs 059-160-017, 059-160-023 and 059-160-021 was initiated in 2003 by City Council with a pre-General Plan designation of General Commerce and pre-zoning designations of C-1 (Limited Commercial) and SD-2 (Upper State Street Area Overlay).

II. REQUIRED APPLICATIONS

The project, as proposed would require the following discretionary applications:

1. Annexation of the subject properties (APNs 059-160-023, 059-160-017 and 059-160-021) to the City of Santa Barbara and detachment of the properties from Goleta Water District, Goleta Sanitary District, and County Fire Protection District (SBMC Chapter 28.96);
2. General Plan Amendment to add the subject properties to the City's General Plan Map with a General Commerce designation and text amendments as appropriate;

3. Zoning Map Amendment to include the subject properties with C-1 (Limited Commercial) and S-D-2 (Upper State Street Area Overlay) designations;
4. Development Plan to allow 71,009 sf of new non-residential development utilizing floor area from the Vacant Property, Small Addition and, Economic Development categories (SBMC §28.87.300);
5. Conditional Use Permit for an Educational Institution in the C-1 Zone (SBMC §28.94.030.C);
6. Design Review by the Architectural Board of Review (SBMC §22.68.040);
7. Final Economic Development Designation by the City Council for 26,202 sf from the Economic Development Category for an educational institution; and
8. Annexation Map, to be coordinated with LAFCO.

III. RECOMMENDATION

The proposed project is being presented to the Planning Commission on December 11, 2008 for concept review and comment. No formal action may be taken on the project at this hearing. Staff recommends that the Commission conceptually review the proposed project, consider the issues outlined in this report, and provide comments and direction to staff and the applicant.

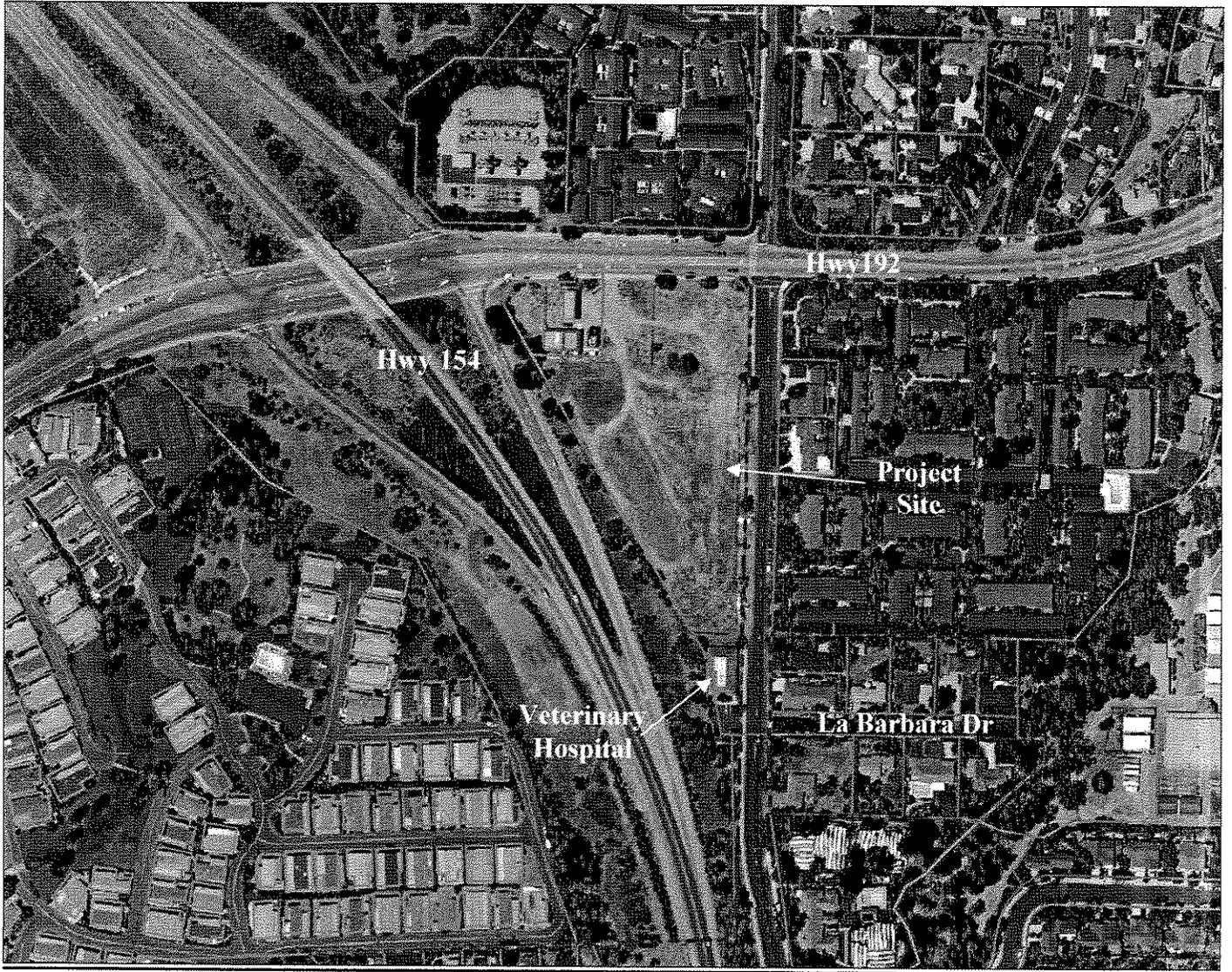


Figure 1: Project Vicinity

IV. SITE INFORMATION AND PROJECT STATISTICS¹

A. SITE INFORMATION

Applicant: Michael Towbes	Property Owner: Webster Properties
Parcel Numbers: 059-160-017, & -023	Lot Area: 4.13 acres
County General Plan: Neighborhood Commercial	County Zoning: SC (Shopping Center)
City Pre-General Plan: General Commerce	City Pre-zoning: C-1(Limited Commercial), SD-2 (Upper State Street Area Overlay)
Existing Use: Vacant/abandoned service station	Topography: Gently sloping on southern portion (~205 MSL) raised and gently sloping on the northern portion (~220 MSL)
Adjacent Land Uses: North – Residential Condos, Public Utility (County) East – Residential (City) South – Veterinary Hospital (County) West – Highway 154 (County)	

B. PROJECT STATISTICS

Lot Coverage	Area (sf)	Percent of total area
Building	28,875	16%
Paving/Driveway	60,320	34%
Landscaping/Walkways	88,560	50%

C. MEASURE E

Category	Area (sf)
Existing Building	1,750
Vacant Property	37,057
Minor Addition	2,000
Small Addition	4,000
Preliminary Economic Development Allocation	22,499
Total	67,306
Additional area required ²	3,703

¹ This information does not include the 0.23 acre Veterinary Hospital lot.

² See discussion in section VI.E below.

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Proposed
Setbacks		
-Front on Foothill	10 ft one story, 20 ft two & three story	120 ft
-Front on Cieneguitas	10 ft one story, 20 ft two & three story	22 ft
-Interior - vet hospital	none	170 ft
-Interior - 154 off ramp	none	75 ft
Building Height	45 ft	44 ft
Parking	Office use: 199 auto/28 bicycle ³ Educational use: more information needed ⁴	199 auto ⁵ /28 bicycle

VI. BACKGROUND

A. SITE HISTORY

The APN 059-160-017 and -023 parcels were previously developed with two separate service stations, operated by Chevron and Mobil. The County issued and certified an EIR and approved applications for the *Foothill Convenience Center* project on the vacant lot in 1983, which included approximately 44,000 sf of commercial development including uses such as a grocery store, retail businesses, and professional offices. In 1985, extensive contamination of the soil and groundwater was discovered from a leaking underground fuel tank on the former Mobil gas station site. As a result of litigation, Mobil acquired the property and committed to remediate the contamination on site. Mobil sold the property to the current owner in 1999 and encumbered the property with a deed restriction prohibiting any residential development and limiting other types of development on the property. The applicant unsuccessfully appealed to Mobil to lift the residential deed restriction from the property.

B. GENERAL PLAN AND ZONING

Under the Draft Las Positas Valley and Northside Pre-Annexation Study (2000), the City identified a preliminary pre-General Plan designation of General Commercial - Neighborhood Shopping Center for the subject property and pre-zoning designations of SD-2 (Upper State Street Area Overlay) and C-P (Limited Commercial). The SD-2 Zone is applied to properties located in the "Upper State Street Area" which is bounded by Alamar Avenue, U.S. Highway 101, Foothill Road, and State Highway 154. Although the proposed use would be consistent with the C-P Zone, the applicant pursued a pre-zoning designation of C-1 following the recommendation of City staff. Staff recommended C-1 zoning because C-1 provides for office uses not available under the C-P Zone, allowing for more flexibility for future building occupants (See Exhibit C for allowed uses in the C-P and C-1 Zones and Exhibit D for allowed uses in the County SC Zone). Accordingly, on March 18, 2003, City Council initiated

³ Office and commercial buildings require one space per 250 sf of net floor area. Parking for office and industrial use buildings in excess of 50,000 sf may be reduced 30% (ref: SBMC §28.90.100.D and §28.90.100.I).
⁴ Colleges, universities and similar institutions require one space for every two employees, plus one space for every full-time or equivalent student. For places of assembly within a college, institution or similar building, one parking space is required for every four seats (ref: SBMC §28.90.100.J.18.d).
⁵ Seven spaces provided on the Veterinary Hospital lot.

annexation of the subject lots with a proposed General Plan designation of General Commerce and proposed zoning designations of C-1 and SD-2.

The Zoning Ordinance requires Conditional Use Permits for educational institutions in both the C-P and C-1 Zones. The Zoning Ordinance defines educational institution as:

An institution of learning giving general academic instruction equivalent to the standards prescribed by the State Board of Education; or a non-profit institution or center of advanced study and research in the field of learning equivalent to or higher than the level of standards prescribed by the State Board of Education. An education institution may include administrative offices, classrooms, technical and other support services directly related to the operations of the institution.

In order to approve a Conditional Use Permit, the Planning Commission must make the following findings: pursuant to SBMC 28.94.020:

- 1. Any such 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.*
- 2. Such uses 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.*
- 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 and other features is compatible with the character of the area. The Planning Commission shall have the authority to approve the design of open space. Design shall mean size, shape, location and usability for proposed private, public, or quasi-public purposes and development. Approval of such open spaces may be expressly conditioned upon an offer of conveyance by the owner to the City of Santa Barbara of the development rights, the right to prohibit the construction of additional buildings, or other property rights, necessary to achieve the purpose set forth in this title.*
- 6. Compliance with any additional specific requirements for a conditional use permit.*

The Planning Commission may impose such other conditions and restrictions upon the proposed use consistent with the Comprehensive General Plan and may require security to assure satisfactory performance of all conditions and restrictions.

C. ABR CONCEPT REVIEW

The Architectural Board of Review (ABR) conceptually reviewed a proposal similar to the current proposal on the site on one occasion, January 27, 2003. Minutes from that hearing are attached as Exhibit E. ABR comments from that review are included in the issue sections below.

D. STAFF PRE-APPLICATION REVIEW

The Pre-application Review Team (PRT) reviewed a proposal similar to the current proposal as the subject concept on February 12, 2003. The pre-application review letter is attached as Exhibit F. PRT comments are included in the issues section below.

E. CITY COUNCIL INITIATION/DESIGNATION

On March 18, 2003, City Council initiated annexation of APNs 059-160-017, -023 (4151 Foothill Road) and -021 (675 Cieneguitas Road) and granted Preliminary Economic Development Designation for 22,499 sf of non-residential area from the Economic Development Category for a new administrative office building for Fielding Graduate Institute. City Council's comments on the site design at the time were not extensive since Council was primarily focused on evaluating the annexation initiation and the Measure E Preliminary Economic Designation. The Council Agenda Report from the March 18, 2003 hearing is attached as Exhibit G. Since the current proposal is 3,703 sf greater than that reviewed by City Council, that additional floor area will need to be obtained through the Final Economic Development Designation, Community Priority, or a Transfer of Existing Development Rights.

F. PLANNING COMMISSION CONCEPT REVIEWS

The City Planning Commission held two previous concept reviews of the project. The first concept review on April 10, 2003 was for a proposal with a similar-sized development and a similar site layout as the current proposal that included a freestanding 2,400 sf neighborhood market. In response to the Planning Commission's comments at the April 10, 2003 hearing, the applicant returned for a concept review on May 22, 2003. The revised site plan presented at the second concept review reflected separation of the main building into two buildings with the southernmost building constructed with parking underneath. Planning Commission comments from these hearings are discussed below within the appropriate issue areas. Reduced plans and minutes from these concept review hearings are attached as Exhibits H and I.

VII. ISSUES

A. LAND USE

Measure E – Economic Development

The Measure E Economic Development category was added to the Charter through a ballot measure in 1995. The Economic Development category was intended to provide for unanticipated future needs related to the City's economic health by allocating all unused square footage from the Approved Projects, Pending Projects and Small Addition categories resulting

from withdrawn or expired projects in addition to square footage in the Small Addition category left over from the annual 30,000 square feet allotment.

To qualify as an Economic Development project, City Council must find that a project would enhance the standard of living for City and South Coast residents and strengthen the local or regional economy by either creating new permanent employment opportunities or enhancing the City's revenue base (See Exhibit J for a summary of Charter Section 1508 provisions for Economic Development Designations and Exhibit K for a table of projects with Preliminary or Final Economic Development Designations). Approval of a Development Plan with Economic Development area requires the Planning Commission to find that there are no potentially significant unmitigated impacts on important community resources, including water, housing and traffic capacity.

Prior to City Council making a Final Economic Development Designation for the proposed project, the tenant(s) and use of the property must be clearly defined. Although the intent of the Economic Development category is to allow specific proposals to move forward, the City has no mechanism to ensure that a particular occupant, tenant, or operation would remain in a building. The proposed project may be developed to meet specific needs; however, the current proposal is essentially an office building and must be evaluated as such in terms of traffic, water, neighborhood compatibility, etc. with consideration of possible future uses. Staff advises Planning Commission to consider the 71,009 sf office building in a broad context and whether such a development, in general, at this location meets the intent of the Measure E Economic Development Category. The 2003 Planning Commission concept review comments indicated support for the Economic Development Designation for the project proposed at that time.

Potential building tenants are Fielding Graduate Institute and Antioch University. As background, Fielding Graduate Institute is a non-profit educational institution offering doctoral degree programs in Clinical Psychology, Media Psychology, Human Development, Human and Organization Development, and Educational Leadership and Change, and master degree programs in Organizational Management and Development, Media Psychology and Social Change and Collaborative Educational Leadership as well as various certificates and credentials. All of the instruction for Fielding takes place through telecommunication services. Antioch University is also a non-profit educational institution offering a doctoral degree program in Clinical Psychology, master degree programs in Clinical Psychology, Organizational Management, Education and a bachelor degree program in liberal studies. Instruction takes place in a combination of in class learning and web-based instruction.

Neighborhood Shopping Center

The City's Land Use Element text identifies a Neighborhood Shopping Center on the subject street corner consistent with the County's General Plan designation of the site as Neighborhood Commercial. The Draft Las Positas & Northside Pre-annexation Study (2000) also includes a General Plan Designation of Commercial-Neighborhood Shopping Center on the subject property. As described in the Land Use Element, Neighborhood Shopping Centers are intended

to benefit area residents by meeting day-to-day household convenience needs within those residential areas located a distance (1.5-2 miles) from an established Community Shopping Center. The subject site is located approximately one mile from the nearest neighborhood shopping center (Country Market at 4020 Calle Real) and 1.3 miles from the nearest community shopping center (Albertson's at 3943 State St).

The Land Use Element directs that the establishment of Neighborhood Shopping Centers must have support of area residents and further states that the right of the residents to withhold their consent must be respected and upheld. A building for a neighborhood market was included as part of the previous proposal. At the time, the proposed neighborhood market received mixed reaction from neighborhood residents. At a previous PC concept review some residents objected to the inclusion of the market citing concerns related to increased traffic, noise, and safety concerns related to alcohol sales. The Planning Commission's comments indicated strong support of including a neighborhood market on this site similar to other small locally-owned markets in the City. The Commission suggested that the market should be enlarged to include a coffee shop, deli, or laundromat and/or other neighborhood use with a goal to reduce traffic trips. The applicant has removed the market from the project due to concerns regarding the economic viability of such a use and in consideration of concerns expressed by some adjacent residents and school administrators.

The Circulation Element provides the following policy and implementation strategy regarding neighborhood commercial use:

Policy 13.5: Determine the need for residential neighborhood services and commercial uses that support the City's mobility goals. Provide opportunities to address those needs, while preserving and protecting the neighborhood character.

Implementation Strategy 13.5.1: Allow small scale neighborhood serving commercial uses in residential areas if supported by affected property owners. Ensure that the character of the surrounding neighborhood is protected.

Staff encourages the applicant to include a neighborhood-serving commercial element on the subject property and believes such a use could serve as an amenity to the neighborhood and potentially relieve some traffic congestion and parking demand within the upper State Street corridor.

B. SITE DESIGN AND BUILDING DESIGN

Competing objectives on the subject property for circulation, preservation of mountain views, and separation and buffering between residential and commercial uses should be considered in the project design. During the PRT review, staff expressed concerns about the proposed building design and layout identifying the need to address the project site as both a City "gateway" parcel and a commercial development on the edge of a residential neighborhood. Staff recommended that the proposed office building's massing be broken up and indicated that

the parking facilities should be designed to reduce the visibility of automobiles and allow features of greater pedestrian interest to dominate the streetscape. To accomplish this goal, Staff recommended bringing the building closer to the street and locating the parking at the rear of the building and/or underneath the building.

The April 10, 2003 Planning Commission concept review comments indicate that the proposed parking configuration was not appropriate and suggested adding a parking garage or on-grade parking with the building above. In addition the Planning Commission directed the applicant to break up the project into several buildings and reorient the buildings toward Foothill Road and Cieneguitas Road. In the subsequent review the Planning Commission was supportive of dividing the main building into two separate buildings, relocating parking under the southern building, and reorienting of the northern building toward Foothill Road.

ABR appreciated the large landscaping buffers between the building and the surrounding neighborhood but wanted the large rectangular massing and boxiness broken up and the building to appear as more than two buildings. ABR suggested using some airspace over parking areas to add more articulation to the architecture.

The General Plan's Circulation Element contains the following policy and implementation strategy related to site design:

Policy 13.4 Establish provisions to allow for creative site development and urban design standards that support the City's mobility goals.

Implementation Strategy 13.4.2 Ensure that all City design guidelines orient buildings toward pedestrian activities through such methods as:

•Commercial Areas:

- creating attractive, interesting, and pleasing building facades that are oriented toward paseos, streets and sidewalks,*
- reducing or eliminating setbacks for non-residential or mixed use buildings,*
- placing parking lots behind buildings or underground, if feasible,*
- encouraging shared parking facilities,*
- incorporating paths and paseos between adjacent properties as new development, redevelopment and infill development occurs,*
- screening equipment and materials storage from public view,*
- incorporating lighting, seating, landscaping, newsracks, shade structures, etc., and*
- creating landscaped open spaces.*

Some of these implementation methods, such as eliminating setbacks for non-residential buildings, are more applicable to the urban grid area than the Foothill Triangle, since the project area has a suburban feel with the surrounding highways and residential uses. Nonetheless, staff recommends that the site and building designs be more oriented toward pedestrian activities with building entrances that are inviting from the sidewalk and the MTD Line 10 bus stop to encourage and facilitate the use of alternative modes of transportation and help integrate the project into the neighborhood. Additionally, the Building Code requires accessible routes of travel to the building from the bus stop and Cieneguitas Road that are not yet provided.

Staff appreciates the inclusion of photovoltaic solar and minimization of grading in the site design. Since this project involves significant redevelopment of a large site, staff encourages the applicant to seek LEED certification for the project and employ additional green building techniques in the site design, architecture, construction materials, and operation.

Additionally, in order to comply with the requirements of the City-adopted Storm Water Management Program, staff recommends that multiple natural filtration devices, such as swale-like landscaping, rain gardens, and permeable paving are used to comply with these requirements. Known soil and groundwater contamination on this site must be considered with any proposed storm water infiltration.

C. ENVIRONMENTAL ISSUES

Traffic

Staff is concerned that the project has potential to create significant traffic impacts. The submitted December 2002 traffic study identified that the project proposed at that time would contribute to significant cumulative impacts at two County intersections: Highway 154 southbound ramps / Cathedral Oaks Road, and Highway 154 northbound ramps/ Foothill Road based on a total of 146 new P.M. peak hour trips. The same study identified project-specific impacts anticipated at the Cieneguitas Road/Foothill Road intersection (County and City). However, this intersection was estimated to be improved to an acceptable level of service (LOS) B once a traffic signal was implemented. A traffic signal at this intersection is currently under construction. Staff estimates approximately 149 new P.M. peak hour trips for the revised project based on General Office (Land Use #710) rates contained in the Institute of Transportation Engineers (ITE) trip Generation Manual, Fifth Edition. A new traffic study would be required for this project, reflecting current LOS data for affected intersections.

If the review of the proposed project identifies the potential for a significant unmitigated impact (Class I) on traffic, neither the Planning Commission nor City Council can make a statement of overriding considerations to approve the project per City Charter Section 1508 and SBMC SS28.87.300.d.1, unless the project is designated by City Council as Community Priority.

Noise

Portions of the subject lot are located within a 60-75dB noise contour. The threshold for all usable outdoor areas for school classrooms is 75 dBA L_{dn} , though staff recommends that these spaces are designed not to exceed 70 dBA L_{dn} and the buildings and walls be oriented to shield useable outdoor spaces on noisier parts of the site from noise sources. In addition, the maximum interior exposure for school classrooms is 45 dBA L_{dn} . The applicant must demonstrate that these noise thresholds are not exceeded.

Visual Resources

Highway 154 is a designated State Scenic Highway and is accordingly considered a sensitive public viewing location. Staff has requested visual simulations demonstrating representative views of the project as seen from Highway 154. ABR expressed concern regarding the

visibility of the roof from Highway 154. In response, the applicant located mechanical equipment on the ground rather than the building roof.

Soils/Groundwater Contamination

A remediation plan for treating contaminated soils and groundwater on the site is required for approval by the County Fire Department Protective Services Division. The City has not yet received feedback from County Fire regarding the proposed use of the site. The applicant anticipates occupancy of the project prior to completion of remediation. Consideration must be made regarding handling of potentially contaminated soils, potential instability resulting from dewatering of the building site, and potential human health risks from exposure to contaminants during construction and operations.

Other Environmental Issues

Other issues that would be considered in environmental review include: water supply and other public services, population and housing, and growth inducing impacts.

D. PUBLIC IMPROVEMENTS

The General Plan's Circulation Element Policy 13.8 directs the City to *ensure that sustainable transportation linkages, public services, infrastructure, and commercial needs support the City's mobility goals and are evaluated in proposed annexations.*

Street Improvements

Street improvements on Foothill Road recommended in past reviews of this project included median extensions and widening, and reduction in the number of lanes to one lane in each direction. Pending information from an updated traffic report, staff would continue to recommend these improvements and requests the applicant work with Caltrans for appropriate approvals, as Foothill Road (Highway 192) is under the jurisdiction of Caltrans District 5. In addition, staff encourages the applicant to explore the opportunity to square off the corner of the Highway 154 northbound offramp and Foothill Road with the intention of slowing speeds of vehicles turning east from the offramp onto Foothill Road and reducing the potential for conflicts with vehicles turning in and out of the project site. The applicant will also be requested to provide a stopping site distance analysis at the location of the proposed driveway on Foothill Road.

Pedestrian Improvements

Certain public improvements at the Foothill Road and Cieneguitas Road intersection are currently being installed through a County permit, including new access ramps, a curb extension on the northwest corner, and signalization of the intersection.

The City's adopted Pedestrian Master Plan (PMP) also identifies recommendations for this intersection as desired Safe Routes to School improvements associated with La Colina Junior High School. It appears that some of these improvements are currently being developed (e.g., one curb extension on the northwest corner); and staff recommends that this project incorporate

intersection improvements identified in the PMP that are not currently being constructed (see Exhibit L).

The proposed project is also subject to other recommendations of the PMP, including provision of appropriate sidewalks and parkways on both the Foothill Road frontage and Cieneguitas Road frontage. In its previous review, the Planning Commission expressed desire for a pedestrian-oriented sidewalk with parkway buffer. Staff also recommends that the applicant provide a lighted and covered bus shelter at the MTD Line 10 bus stop on Foothill Road.

Bikeway Improvements

The County's Goleta Community Plan Bikeways Element identifies a proposed Class I bikeway along Cieneguitas Road and a proposed Class II bikeway along Foothill Road adjacent to the project site. During the last concept review with the Planning Commission, the applicant was asked to integrate bicycle and pedestrian facilities with those located within the County's jurisdiction. There is an existing Class II bikeway along Foothill Road west of the project site. Staff would be supportive of and recommends incorporating a Class II bikeway on Foothill Road fronting the project site. Staff also recommends incorporating a Class I bikeway along the western portion of the subject parcel, on the parcel or within the Caltrans right of way west of the project site. The bikeway would connect from Foothill Road at the north to Cieneguitas Road at the south providing continuity with an existing Class I bikeway, which begins at the intersection of Primavera and Cieneguitas Roads, and ends at Calle Real.

E. ANNEXATION

La Barbara Drive

A potential annexation-related issue is the possible inclusion of the remaining unincorporated parcels along La Barbara Drive (APNs 057-011-002, -003, -004, -005, -007, -008, -009) located southeast of the subject site. Since these parcels are bounded on the West by Cieneguitas Road, which is in the City's jurisdiction, they are currently an unincorporated island. However, annexing 4151 Foothill Road and 675 Cieneguitas Road into the City would remove the La Barbara parcels further from the nearest County jurisdiction. Of the eight remaining parcels on La Barbara Drive, five consented to annexation at the time they connected to City sewer. However, there was expressed opposition from multiple owners to annexation at the previous Planning Commission reviews citing concerns with the costs of connecting to City services and potential public improvements.

By resolution, City Council adopted a policy for annexations stating that the City would only process annexations under three circumstances: with property owners consent, by state mandate, or by LAFCO direction. As the project moves forward, staff will be working with LAFCO and the affected La Barbara Drive property owners to determine whether an initiation of annexation of those subject properties is appropriate at this time.

Highway 154

In previous reviews by LAFCO and staff, there has been interest in extending the City boundary line to include the section of Highway 154 that abuts the project site at 4151 Foothill

Road and 675 Cieneguitas Road. Annexing the highway right of way, which also includes the highway on and off ramps and portions of the frontage road, provides jurisdictional continuity between the County and City of Santa Barbara for enforcement and emergency response, but it does not affect Caltrans ownership and maintenance of the right-of-way. Additionally, by including this area, the City Limits along the highway will become contiguous, eliminating a County peninsula areas surrounded by the City of Santa Barbara.

Portion of Calle Real

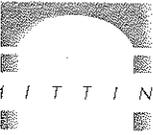
The City would like to include concurrent annexation of a portion of Calle Real between the City Limit Line and the face of the Caltrans sound wall along the westerly frontage of the St. Vincent's/Mercy Housing property as a clean up item. This area was overlooked by the surveyor in the annexation of the main campus of Saint Vincent's Mercy Housing. Annexation of this area would place all portions of the road within the City Limits.

VIII. NEXT STEPS

Subsequent to the concept review, the applicant would be directed by staff to respond as appropriate to the Planning Commission comments and return to the Architectural Board of Review for further conceptual review prior to submitting an application for review by the Development Application Review Team (DART). Upon acceptance of a complete DART Application, environmental review would commence. The development application would then be scheduled for future public hearings before the Planning Commission during the environmental and application review process.

Exhibits:

- A. Applicant letter dated October 24, 2008
- B. Reduced site plan and elevations
- C. City Zoning Ordinance permitted uses in the C-P and C-1 Zones
- D. Santa Barbara County Development Code Shopping Center Zone excerpt
- E. Architectural Board of Review minutes of January 27, 2003
- F. Pre-Application Review Team letter dated February 12, 2003
- G. Council Agenda Report dated March 18, 2003
- H. Planning Commission reduced plans and minutes from April 10, 2003 concept review
- I. Planning Commission reduced site plan and minutes from May 22, 2003 concept review
- J. Summary of Charter Section 1508 provisions for Economic Development Designations
- K. Project table of Preliminary or Final Economic Development Designations
- L. PMP Safe Routes to School concept plan for Foothill Road and Cieneguitas Road

S U Z A N N E  E L L E D G E
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

PRINCIPAL PLANNERS
SUZANNE ELLEDGE • LAUREL F. PEREZ
24 October 2008

City of Santa Barbara
Planning Commission
630 Garden Street
Santa Barbara, CA 93101

**Subject: 4151 Foothill Road
Foothill Centre
Conceptual Review Request**

RECEIVED

OCT 24 2008

CITY OF SANTA BARBARA
PLANNING DIVISION

Dear Chair Myers and Commissioners:

Enclosed, for your review, are application documents in support of the proposed Foothill Centre project described below. On behalf of both the owner Webster Properties, L.P., and the applicant, Mr. Michael Towbes, we request Conceptual Review of the proposed project by the Planning Commission.

The Foothill Centre project site is comprised of two assessor parcels (059-160-17 & 059-160-23), has an area of 4.13 acres and is identified by 4151 Foothill Road. The property is currently in the County of Santa Barbara's jurisdiction but is within the City of Santa Barbara's "sphere of influence" and is considered an appropriate candidate for annexation into the City. The existing County zoning is SC (Shopping Center) and the property has been pre-zoned by the City with the similar designation of C-1/S-D-2 (Limited Commercial/Outer State Street Overlay).

Property History

Under the County's SC zoning, two service stations were built on the project site; a Chevron service station at the southwest corner of Foothill and Cieneguitas Road, which was subsequently demolished and removed; and a Mobil Oil station at the southeast corner of Foothill and Highway 154, which was later converted to a health food store. Plans for a shopping center were developed for the property in the mid 1980's, and after considerable neighborhood controversy, the shopping center plan was approved by the County. However, before the center could be developed, significant underground storage tank leaks from both the Chevron station and the Mobil station were discovered and litigation ensued between the shopping center developer and the oil companies.

The end result of the litigation was the acquisition of the entire property by Mobil Oil, along with their commitment to the long-term remediation of the groundwater contamination. Mobil Oil no longer wished to operate the service station, so they leased it to a tenant operating a health food store. Mobil Oil's primary interest was to sell the property, and the current owner acquired it from them and terminated the lease with the tenant in January 1999. One of the terms of the sale with Mobil was that no

***Foothill Centre
Conceptual Review Request***

24 October 2008

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residential use would be allowed on the property and certain other uses such as a school were also prohibited. Subsequent to the purchase, Mr. Towbes appealed to Mobil to lift the restriction against residential development, but they denied his request.

The initial plan was to develop the property as a shopping center, and Mr. Towbes had discussions with several major tenants, including Best Buy, Rite Aid and a 24-Hour Fitness facility. Preliminary plans for those uses were developed. However, the applicant became convinced that such uses would create a significant amount of disturbance in an otherwise quiet neighborhood. The project team then looked at alternative uses and decided that the proposed use would be most compatible with the neighborhood.

In 2003, Concept Review was initiated with the City Planning Commission. The project submitted at that time included construction of a 2,400 square foot neighborhood market and a two-story, 66,906 square foot office building which was to be leased to the Fielding Institute. The Architectural Board of Review (ABR) was generally satisfied with the project and work sessions with ABR and the Planning Commission were ongoing. The Planning Commission expressed some resistance to the proposed design which reflected a suburban campus layout with the building setback and screened from the street by landscaping. The Planning Commission's preference was for a site layout that incorporated minimal setbacks from the street and oriented parking to the rear or in a parking deck, similar to what would be found in the central business district. Mr. Towbes preferred his proposed campus layout as being more compatible with the surrounding neighborhood, more desirable for the proposed tenants, and economically feasible.

The proceedings in 2003 also included an Initiation of Annexation and an approved Preliminary Economic Development Designation. During deliberations on the Initiation of Annexation, City Council expressed concern about the private deed restriction against residential development on the site. The Council recommended Mr. Towbes again pursue removal of the private deed restriction. Planning Staff and City Council were encouraging housing at the site. Mr. Towbes diligently pursued removal of the deed restriction prohibiting residential uses with Exxon (formerly Mobil). Currently, Mr. Towbes has reached an impasse with Exxon as they have proved to be inflexible in regard to the deed restriction.

Mr. Towbes is revisiting the project known as Foothill Centre and on July 7, 2008 met with representatives of the City and County of Santa Barbara and LAFCO to discuss jurisdiction for the Foothill Centre project. It was determined that both City and County representatives preferred the project be brought back to the City for processing if the applicant and the City can reach agreement on the project design.

Pursuant to circumstances reviewed above, we are requesting conceptual review by the Planning Commission of the proposal described below.

Proposed Project

The project site has a commercial-use history and is adjacent to Highway 154 to the west but is otherwise surrounded by residential properties and a veterinarian to the south. Since residential use of the site is prohibited (as explained above), the applicant is seeking approval of a non-residential use that is compatible with the neighborhood. An existing 1,750 retail structure (formerly a service station) will be removed.

The currently proposed project includes two office buildings of 21,410 and 44,850 net square feet respectively. A 4,749 net square foot lobby/entry building is proposed to connect the two office buildings. The neighborhood market has been deleted because of concerns from adjacent residents and school administrators and the applicant's doubts about its economic viability. Please refer to the enclosed drawings which include site plans, plan views, elevations and sections. The structures total 72,269 gross square feet and 71,009 net square feet. The allocation of net square footage is summarized as follows:

Foothill Centre Net Square Footage Summary			
	3 Story Building	2 Story Building	Lobby/Entry Connector
1st Floor	15,469	10,705	1,583
2nd Floor	15,520	10,705	1,583
3rd Floor	13,861		1,583
Building Totals	44,850	21,410	4,749
Grand Total	71,009 net square feet		

The architectural design is understated and compatible with its residential surroundings, avoiding the Spanish-style architecture commonly used throughout the downtown commercial areas and in concurrence with public comment received during the development of the Upper State Street Study completed in 2007. Muted colors are proposed, and the lobby/entry building is proposed to be recessed and darker in color to further break up the massing of the building and provide variation. The buildings will cover 16% of the site which is reasonably proportional to the parcel size. The buildings have a maximum height of 44 feet. Photovoltaic cells are proposed to be located on the roofs to provide solar energy. No mechanical equipment will be located on the roof.

In keeping with the suburban setting, the buildings are proposed to be located at the center of the property with a 120-foot setback from Foothill Road and a 22-foot setback from Cieneguitas Road. Please note that the average setback from Cieneguitas is 97 feet, as the northern most portion of the building is set back 172 feet from Cieneguitas. Parking is located in front of and around the building with landscaping provided along the perimeter of the site to separate and buffer the office buildings and parking from the streetscape and adjacent residential uses. Locating the buildings toward the center of the site allows for the provision of a suburban-style pedestrian-friendly street frontage and a generous landscaped area at the corner of Foothill and Cieneguitas to support outdoor

activity and street furniture. We believe the design is compatible with the suburban setting of the surrounding area.

Compared to the previous proposal, the current proposal provides a slight increase in building square footage but a decrease in building footprint (16%, down from 20%). Landscaping will cover approximately 76,029 square feet, or 43% of the site. Site statistics are as follows:

Site Statistics		
	Square Footage	Percentage of Site
Site Area	177,756	100%
Building Coverage	28,875	16%
Paving	60,320	34%
Walkways	12,531	7%
Landscaping	76,029	43%

There are 199 automobile parking spaces proposed and facilities to park 28 bicycles are also planned. In regard to alternative transportation, the site is ideally located on the Foothill Route bicycle corridor and adjacent to the Foothill/Cieneguitas bus stop on MTD's Line 10.

A storm water retention area is located at the south end of the site, adjacent to Cieneguitas Road, providing a buffer between the office buildings and the veterinarian clinic and neighbors. Trash and recycling facilities and other outdoor equipment is to be located on the west side of the site adjacent to Highway 154 and not visible from off site.

The Fielding Institute, a non-profit, human and organizational development institution is very interested in leasing one of the proposed buildings. Antioch University, a small, private, non-profit adult education university is also interested in leasing a building as well. These users would require approximately 30% office space and 70% classroom space. The buildings will be equipped with meeting facilities and these could occasionally be made available to the community if desired and appropriate.



We believe that the Foothill Centre project is an excellent land use for this site given the deed restriction prohibiting residential use. The proposed use and site design have been driven by the goal of establishing a use that will be compatible with the neighborhood, will coexist next to Hwy. 154, and provides an economic benefit to the community by retaining and bolstering two existing employers that provide services that benefit the community. We believe the proposed plan achieves this goal and is appropriate for allocation of development square footage for an Economic Development Project.

We look forward to obtaining the comments from the Planning Commission. Should you have any questions or require additional information, please contact our office at 805-966-2758.

Sincerely,
SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES


Suzanne Elledge
Principal


Steven M. Fort, AICP
Associate Planner

cc: Mr. Michael Towbes



Conceptual East Elevation

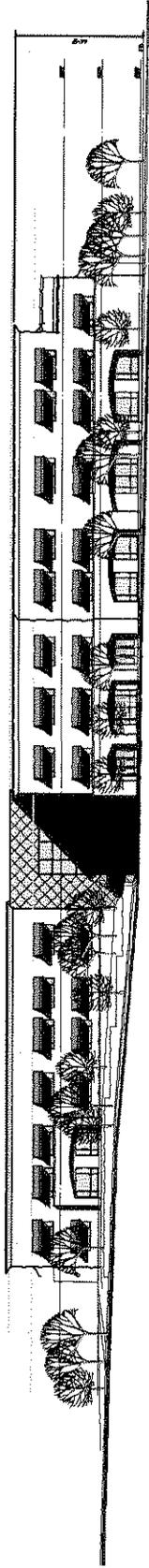
The Foothill Centre

LENVIK & MINOR ARCHITECTS

The Towhee Group

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Conceptual West Elevation

Rev. 11.2008

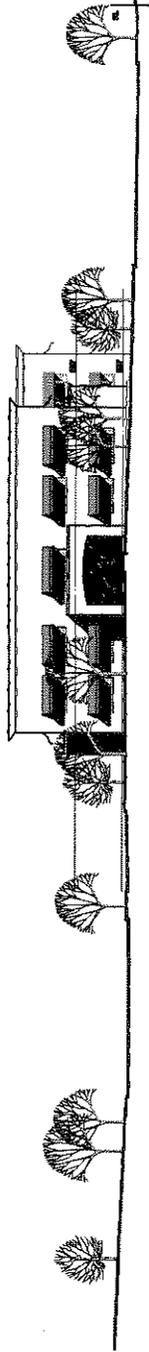
The Foothill Centre

The Towles Group

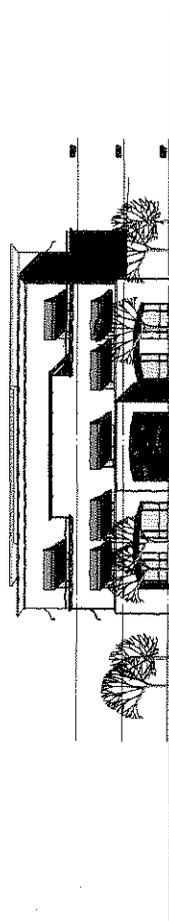
LENVIX & MINOR
ARCHITECTS

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North



South

Conceptual North and South Elevations

The Foothill Centre

LENVIX & MINOR
ARCHITECTS

March 2002

The Tombee Group



City of Santa Barbara

USES PERMITTED IN VARIOUS ZONES*

ZONES	ADDITIONAL USES PERMITTED
A-1, A-2, E-1, E-2, E-3 AND R-1 ONE-FAMILY RESIDENCE ZONES	None
R-2 TWO-FAMILY RESIDENCE ZONE	R-1
R-3 LIMITED MULTIPLE-FAMILY RESIDENCE ZONE	R-2 and R-1
R-4 HOTEL-MOTEL-MULTIPLE RESIDENCE ZONE	R-3, R-2 and R-1
R-O RESTRICTED OFFICE ZONE	R-3, R-2 and R-1
C-O MEDICAL OFFICE ZONE	R-3, R-2 and R-1
C-P RESTRICTED COMMERCIAL ZONE	R-4, R-O, C-O, R-3, R-2 and R-1
C-L LIMITED COMMERCIAL ZONE	R-4, R-O, C-O, R-3, R-2 and R-1
C-1 LIMITED COMMERCIAL ZONE	R-4, R-O, C-O, R-3, R-2 and R-1
C-2 COMMERCIAL ZONE	C-P, R-4, R-O, C-O, R-3, R-2 and R-1
C-M COMMERCIAL MANUFACTURING ZONE	C-2, C-P, R-4, R-O, C-O, R-3, R-2 and R-1
M-1 LIGHT MANUFACTURING ZONE	C-M, C-2, C-P, R-4 (except resident'l), R-O, C-O
R-H RESORT-RESIDENTIAL HOTEL ZONE	
P-D PLANNED DEVELOPMENT ZONE	
SP-5 ZONE	
RIVIERA CAMPUS SPECIFIC PLAN (SP-7 ZONE)	
SP-8 HOSPITAL ZONE	
S-H SENIOR HOUSING ZONE	
C-X RESEARCH AND DEVELOPMENT AND ADMINISTRATIVE OFFICE ZONE	
H-C- HARBOR COMMERCIAL ZONE	
OC OCEAN-ORIENTED COMMERCIAL ZONE	
OM-1 OCEAN-ORIENTED LIGHT MANUFACTURING	
HRC-1 AND HRC-2 HOTEL AND RELATED COMMERCE ZONES	HRC-1

A-1, A-2, E-1, E-2, E-3 and R-1 ONE-FAMILY RESIDENCE ZONES

28.15.030 Uses Permitted.

- A. A single residential unit occupying a single lot, or a group home.
- B. Accessory buildings or uses as follows:
 - 1. A private garage, carport or parking spaces.
 - 2. Work or storage sheds for any non-commercial use or equipment.
 - 3. The keeping of horses and necessary outbuildings in conjunction with the residential use of a lot and subject to the following conditions:
 - a. The keeping of horses shall be permitted only on lots having an area of twenty thousand (20,000) square feet or more, but in no event for commercial purposes, and provided that the number of animals on any one (1) lot shall be limited to one (1) for every ten thousand (10,000) square feet of lot area, but not more than five (5) per lot.
 - b. The keeping of such animals shall conform to all other provisions of law governing same, and no such animals nor any pen, stable, barn or corral shall be kept or maintained within thirty-five feet (35') of any dwelling or other building used for human habitation, or within seventy-five feet (75') of the front lot line of the lot upon which it is located, or within seventy-five feet (75') of any public park, school, hospital or similar institution.
 - c. The keeping of any other animal is only permitted pursuant to the provisions of Title 6 of the Santa Barbara Municipal Code.
- C. A Home Occupation.
- D. A State-licensed Small Family Day Care Home.
- E. A State-licensed Large Family Day Care Home, subject to the provisions in Chapter 28.93 of this Title.
- F. State authorized, licensed or certified use to the extent it is required by State Law to be an allowed use in residential zones.
- G. A Mobilehome which has been certified under the National Mobilehome Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.), as amended from time to time, on an approved permanent foundation.
- H. Agriculture, as defined in Section 28.04.035 of this Title, subject to administrative guidelines necessary to monitor and carry out these standards which may be adopted and amended from time to time by resolution of the City Council and subject to the following performance standards:
 - 1. Accessory Buildings. Accessory buildings for agricultural purposes shall not exceed five hundred (500) square feet in aggregate and shall be located a minimum of one hundred (100) feet from any property line. Accessory buildings used for agricultural purposes may be placed on a parcel without a main building. Accessory buildings shall not be placed on ridgelines or in such a manner that the peak of the roof exceeds the ridgeline elevation by more than six (6) feet. All accessory buildings shall be placed outside of the 100-year floodplain of any creeks or drainages on the property. Building siding and roof colors shall be in earth or vegetation tones to minimize visibility unless otherwise approved by the Architectural Board of Review or the Historic Landmarks Commission. If an applicant proposes an agricultural accessory building in excess of five hundred (500) square feet in area, the applicant may apply for a modification under Chapter 28.92 of this Title.
 - 2. Storage Requirements. All flammables, pesticides and fertilizers shall be stored in accordance with the regulations of the Uniform Fire Code and Santa Barbara County Department of Health Services or successor agency. At a minimum, any area where such materials are stored shall

have a continuous concrete floor and lip which is tall enough to contain one hundred and ten percent (110%) of the volume of all the materials stored in the area. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings.

3. Large Vehicles. No vehicles in excess of five (5) tons shall be kept, stored or parked on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City of Santa Barbara.
 4. Sanitation. Sanitary facilities shall be provided for agricultural workers as required by the Santa Barbara County Division of Environmental Health and the California Occupational Safety and Health Administration.
 5. Water Meters. All agricultural operations involving an area of one-half (½) acre or greater shall be placed on "Irrigation" water meters, as defined by authorization of Title 14 of this Code.
 6. Irrigation Systems. All new or retrofitted agricultural irrigation systems for agricultural uses other than those carried out in greenhouses, shall be designed in accordance with the standards of the Soil Conservation Service for water conserving irrigation.
- J. Improvements and additions of 500 square feet or less to existing Public Works Facilities including, but not limited to, sewer lift stations, pump stations, water wells, pressure reducing stations, generator enclosures, minor improvements to existing water storage reservoirs and other miscellaneous structures incidental to or improving the existing use. Standard construction conditions may be imposed on the building permit as deemed appropriate by the Community Development Director.

28.15.040 Locations Allowed for Mobilehomes.

- A. USE OF MOBILEHOMES GENERALLY. Mobilehomes installed in accordance with Section 28.15.030.G may be only allowed on lots located in One-Family Residence Zones, except where the lot is located within:
1. City-designated high fire hazard area (Chapter 82 of the Uniform Building Code as adopted in Chapter 22.04 of this Code).
 2. Any landmark district established in accordance with Chapter 22.22 of this Code.
- B. INTERIM USE OF A MOBILEHOME TO PROVIDE FIRE SERVICE. Notwithstanding Subsection A hereof, a mobilehome may be used at City Fire Station No. 7 (Sheffield/Stanford Station) in accordance with Santa Barbara Municipal Code Section 28.15.030(G) for the purposes of providing fire protection services, provided the following conditions apply: 1. that such use does not continue for a period of time in excess of five (5) years from its initiation; 2. that the mobilehome is not installed on a permanent foundation; 3. that the requirements of Santa Barbara Municipal Code Section 28.15.085(1) and (2) regarding the required yard and lot coverage are observed to the greatest extent feasible. (Ord. 5275, 2003; Ord. 4269, 1984; Ord. 4134, 1982; Ord. 4113, 1981.)

R-2 TWO-FAMILY RESIDENCE ZONE

28.18.030 Uses Permitted.

The land uses permitted in the R-2 Zone shall be as follows:

1. One and two family dwellings;
2. Any use permitted in the R-1 Zone and subject to the restrictions, limitations and conditions contained therein as an expressly permitted land use in the R-2 Zone except that the construction and use of a parcel for more than one dwelling unit (including buildings and uses accessory thereto) shall be subject to the specific restrictions of the R-2 Zone as established in this Chapter.
3. Buildings and uses accessory to the residential uses allowed under subparagraphs (1) and (2) above. (Ord. 5271, 2003; Ord. 4912, 1995; Ord. 3710, 1974; Ord. 2585, 1957.)

R-3 LIMITED MULTIPLE-FAMILY RESIDENCE ZONE

28.21.030 Uses Permitted.

1. Any use permitted in the R-2 Zone and subject to the restrictions and limitations contained therein, except that any use specifically mentioned hereafter shall be subject to the restrictions of the R-3 Zone.
2. One-, two-, and multiple-family dwellings.
3. Community care facilities, residential care facilities for the elderly and hospices serving 7 to 12 individuals subject to the provisions in Chapter 28.93.

R-4 HOTEL-MOTEL-MULTIPLE RESIDENCE ZONE

28.21.030 Uses Permitted.

1. Any use permitted in the R-3 Zone and subject to the restrictions and limitations contained therein, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the R-4 Zone.
2. Hotels and related recreational, conference center and other auxiliary uses primarily for use by hotel guests. Any hotels, when units are designed or constructed with cooking facilities shall, as to such units, be subject to the lot area per unit requirements of the R-4 Zone and to the parking requirements for multiple family units required in Subsection 28.90.100.G.3 of this Code. Such hotels when designed, constructed or used for either twenty-four (24) or more dwelling units, or fifty (50) guest rooms or more may include a business, except a restaurant, conducted therein for the convenience of the occupants and their guests; provided entrance to such places of business be from the inside of such buildings; that the floor area used for all the businesses in the facility shall not exceed thirty percent (30%) of the total ground floor area of all the buildings comprising the hotel which are on a single lot or contiguous lots; and provided further that no street frontage of any such building shall be used for such business. Any hotel, regardless of the number of units or rooms therein, may include a restaurant for use by the hotel occupants and their guests only, provided that such facility conforms to all other requirements imposed on any "business" by this paragraph. A restaurant not conforming to all other requirements imposed on any "business" by this paragraph or not for use solely by hotel occupants and their guests may be established only if a conditional use permit is obtained for operation of a restaurant under Chapter 28.94 of this Code. (Ord. 4858, 1994; Ord. 4199, 1983; Ord. 3710, 1974; Ord. 2585, 1957.)

R-O RESTRICTED OFFICE ZONE

28.48.030 Uses Permitted.

- A. Any use permitted in the R-3 Limited Multiple-family Residence Zone except as otherwise provided in Subsection B. herein.
- B. When land classified in an R-O Zone is also classified in another zone, as provided by Section 28.48.001, the following uses shall be permitted:
 1. Any use permitted in the other zone in which the land is classified and when so used subject to the restrictions and limitations contained therein.
 2. Any use permitted in the following subsections and subject to the restrictions and limitations contained in this Chapter.
- C. Office buildings in which no activity is carried on catering to retail trade with the general public and no stock of goods is maintained for sale to customers, for the following office uses: accountant, architect, attorney, branch bank, dentist, engineer, insurance broker, physician, real estate broker or stock broker.

- D. Research and development establishments and related administrative operations, subject to provisions and definitions contained in Section 28.60.005, 28.60.030 and 28.60.040 of this Title.
- E. Community care facilities, residential care facilities for the elderly and hospices serving 7 to 12 individuals.
- F. State-licensed Large Family Day Care Homes. (Ord. 4858, 1994; Ord. 3710, 1974; Ord. 3120, 1966.)

C-O MEDICAL OFFICE ZONE

28.51.030 Uses Permitted.

- A. Any residential use permitted in the R-3 Limited Multiple-family Residence Zone.
- B. Professional offices offering medical and related services, including the following: chiroprodists, chiropractors, clinics, dentists, opticians, optometrists, osteopaths, physicians, surgeons and other similar medical offices as approved by the Planning Commission.
- C. Hospitals, skilled nursing facilities and other similar buildings and facilities for the treatment of human ailments where facilities are provided for the keeping of patients overnight or longer, subject to the issuance of a conditional use permit and subject to the special procedural provisions prescribed in Chapter 28.94 of this Code.
- D. Accessory buildings and accessory uses such as medical laboratories and prescription pharmacies.
- E. Businesses specializing in sick room supplies or equipment subject to the issuance of a conditional use permit under Chapter 28.94 of this Code.
- F. Banks subject to the issuance of a conditional use permit issued under Chapter 28.94 of the Santa Barbara Municipal Code.
- G. Community care facilities, residential care facilities for the elderly and hospices serving up to 12 individuals.
- H. State-licensed Large Family Day Care Homes. (Ord. 4858, 1994; Ord. 3943, 1978; Ord. 3882, 1977; 3413, 1970; Ord. 3398, 1970; Ord. 2868, 1962; Ord. 2585, 1957.)

C-P RESTRICTED COMMERCIAL ZONE

28.54.030 Uses Permitted.

- A. Any use permitted in the R-4, R-O and C-O Zones and subject to the restrictions and limitations contained therein and in Section 28.54.130.
- B. Any of the following uses:
 - 1. Art school.
 - 2. Automobile parking areas.
 - 3. Automobile service station or automobile service station/mini-market containing not more than six (6) pumps and limited to incidental tire and tube repairing, battery servicing, automobile lubrication and other minor automotive service and repair with a conditional use permit issued pursuant to Subsection 28.94.030.U of this Code.
 - 4. Bakery employing not more than ten (10) persons.
 - 5. Bank.
 - 6. Barber shop.
 - 7. Beauty shop.
 - 8. Billiard parlor.
 - 9. Bookstore.
 - 10. Bowling alley.

11. Caterer.
12. Child care center.
13. Confectionery store.
14. Dancing school.
15. Dressmaking or millinery shop.
16. Drugstore.
17. Dry cleaning, pressing and laundry agency.
18. Dry goods or notion store.
19. Florist shop.
20. Garden nursery.
21. Gift shop.
22. Grocery, fruit and vegetable store.
23. Hardware store.
24. Household appliance store and repair.
25. Ice storage house of not more than five (5) ton capacity.
26. Jewelry store.
27. Liquor store.
28. Meat market or delicatessen.
29. Music and vocal schools.
30. Pet shop.
31. Photographic shop.
32. Restaurant, bar, tearoom or cafe.
33. Self-service laundry or dry cleaning.
34. Shoe store or shoe repair shop.
35. Stationery store.
36. Tailor, clothing or wearing apparel shop.
37. Television, radio store and repair.
38. Veterinary hospital for small animals provided;
 - a. That no animals are to be boarded overnight except for medical reasons.
 - b. That the building shall be designed so as to prevent the escape of all obnoxious odors and noises.
39. Wig shop.
40. Household hazardous waste collection facility, as defined in Section 28.04.295.
41. Accessory buildings and accessory uses, including a storage garage for the exclusive use of the patrons of the above stores or businesses.
42. Automobile rental, restricted to passenger vehicles, not including trailers, campers, trucks, recreational vehicles, etc., with the specific location subject to approval by the Planning Commission.

- C. The above specified stores, shops or businesses, to the extent that they sell merchandise shall sell only at retail, shall sell only new merchandise, except for the resale of used merchandise acquired incidentally in the sale of new merchandise, and shall be permitted only under the following conditions:
1. Such store, shop or business, except automobile service station and nursery shall be conducted entirely within an enclosed building.

2. Products made incidental to a permitted use shall be sold at retail on the premises. (Ord. 5380, 2005; Ord. 5040, 1998; Ord. 4858, 1994; Ord. 4825, 1993; Ord. 4033 §4, 1980; Ord. 3727, 1975.)

C-L LIMITED COMMERCIAL ZONE

28.57.030 Uses Permitted.

- A. Any use permitted in the R-O, C-O and R-4 Zones and subject to the restrictions and limitations contained therein, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the C-L Zone.
- B. Any of the following uses:
 1. Restaurant.
 2. Antique shop.
 3. Bank.
 4. Barber, beauty shop, including hair stylist.
 5. Caterer.
 6. Candy, ice cream, pastry shop.
 7. Liquor, wine store.
 8. Delicatessen and specialty food store, including convenience grocery items.
 9. Drug store and pharmacy, limited to stores carrying primarily drugs, personal care and health products.
 10. Florist shop.
 11. Gift shop.
 12. Photographic studio.
 13. Funeral parlor.
 14. Interior decorating shop.
 15. Jewelry store.
 16. Household hazardous waste collection facility, as defined in Section 28.04.295 of this Title.
- C. The above specified stores, shops or businesses shall be permitted only under the following conditions:
 - a. Merchandise shall be sold only at retail;
 - b. Except for restaurants, all activities shall be conducted entirely within an enclosed building;
 - c. Products made incidental to a permitted use shall be sold at retail on the premises.
- D. Accessory buildings and uses. (Ord. 4825, 1993; Ord. 3710, 1974; Ord. 2585, 1957.)

C-1 LIMITED COMMERCIAL ZONE

28.63.030 Uses Permitted in the C-1 Zone.

- A. Any use permitted in the R-4, R-O and C-O Zones and subject to the restrictions and limitations contained therein and in Section 28.63.130 except as otherwise provided in Subsection B. herein.
- B. When land classified in a C-1 Zone is also classified in another zone, as provided in Section 28.63.001, uses shall be limited to the following:
 1. Any use permitted in Subsection C. herein;
 2. Any use permitted in the other zone in which the land is classified and when so used subject to the restrictions and limitations contained therein.
- C. Any of the following uses:

1. Antique shop.
2. Automobile service station or automobile service station/mini-market, and accessory uses, limited to incidental tire and tube repairing, battery servicing, automobile lubrication and other minor automotive service within the building not including auto body repair with a conditional use permit issued pursuant to Subsection 28.94.030.U of this Code.
3. Bakery employing not more than ten (10) persons.
4. Bank.
5. Barber shop.
6. Beauty shop.
7. Billiard parlor.
8. Bookstore.
9. Caterer.
10. Clothing store.
11. Club or lodge.
12. Confectionery store.
13. Dressmaking or millinery shop.
14. Drugstore.
15. Dry cleaning, pressing and laundry agency.
16. Dry goods or notion store.
17. Florist.
18. Garden nursery.
19. Gift shop.
20. Grocery, fruit and vegetable store.
21. Hardware store.
22. Hotel.
23. Household appliance store and repair.
24. Ice storage house of not more than five (5) ton capacity.
25. Interior decorator.
26. Jewelry store.
27. Liquor store.
28. Meat market or delicatessen store.
29. Offices: general, administrative, business, professional, public.
30. Pet store.
31. Photographer.
32. Photographic store.
33. Research and development.
34. Restaurant and bar.
35. Self-service laundry and dry cleaning.
36. Shoe store, shoe repair.
37. Stationery store.
38. Tailor.
39. Television and radio store and repair.
40. Wig shop.

41. Veterinary hospital for small animals provided:
 - a. That no animals are to be boarded overnight except for medical reasons.
 - b. The building shall be designed so as to prevent the escape of all obnoxious odors and noises.
 42. Household hazardous waste collection facility, as defined in Section 28.04.295 of this Title.
 43. Accessory buildings and accessory uses, including a storage garage for the exclusive use of the patrons of the above stores or businesses.
 44. Other businesses and occupations similar to the uses enumerated above, upon approval of the Planning Commission.
- D. The above specified stores, shops or businesses shall be permitted only under the following conditions:
1. Such stores, shops or businesses, except automobile service stations and nurseries, shall be conducted entirely within an enclosed building.
 2. Products made incidental to a permitted use shall be sold at retail on the premises. (Ord. 5380, 2005; Ord. 4825, 1993; Ord. 4033 §5, 1980; Ord. 3710, 1974; Ord. 3461, 1970; Ord. 3421, 1970; Ord. 3398, 1970.)

C-2 COMMERCIAL ZONE

28.66.030 Uses Permitted.

- A. Any use permitted in the C-P Zone and subject to the restrictions and limitations contained therein, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the C-2 Zone.
- B. Such use shall not be inimical to the public health, welfare, safety or morals by reason of the offering to distribute, or distributing or exhibition to members of the public of any obscene matter as defined in Section 311 of the Penal Code of the State of California.
- C. Any of the following uses:
 1. Retail, wholesale or service store or business provided that there shall be no manufacturing, assembly, processing or compounding or products other than such as are customarily incidental or essential to such establishments and provided further that there shall be not more than ten (10) persons engaged in any such manufacture, processing or treatment of products, and not more than fifty percent (50%) of the floor area of the building is used in the treatment, manufacture or processing of products, and that such operations are not objectionable due to noise, odor, dust, smoke, vibration or other similar causes.
 2. Advertising sign board or structure.
 3. Automobile parking area.
 4. Automobile super service station or automobile service station/mini-market including automobile laundry or car wash and auto steam cleaning establishment provided that all tire and tube repairing, battery, servicing and steam cleaning shall be conducted wholly within a building with a conditional use permit issued pursuant to Subsection 28.94.030.U of this Code.
 5. Bakery employing not more than twenty (20) persons on premises.
 6. Bath, Turkish and the like.
 7. Billiard or pool hall or bowling alley.
 8. Blueprinting and photostating shop.
 9. Church (temporary revivals).
 10. Cleaning and pressing establishment using non-flammable and non-explosive cleaning fluid.
 11. Conservatory of music.
 12. Contractor - no outside storage or storage of heavy equipment.

CHAPTER 35.24 - COMMERCIAL ZONES

Sections:

- 35.24.010 - Purpose
- 35.24.020 - Purposes of Commercial Zones
- 35.24.030 - Commercial Zones Allowable Land Uses
- 35.24.040 - Commercial Zones Development Standards
- 35.24.050 - CN, C-1, C-2, C-3, C-S, CH, and PI Zones Additional Standards
- 35.24.060 - C-V Zone Additional Standards
- 35.24.070 - SC Zone Additional Standards

35.24.010 - Purpose

This Chapter lists the land uses that may be allowed within the commercial zones established by Section 35.14.020 (Zoning Map and Zones), determines the type of planning permit/approval required for each use and provides basic standards for site layout and building size.

35.24.020 - Purposes of Commercial Zones

The purposes of the individual commercial zones and the manner in which they are applied are as follows.

- A. **CN (Neighborhood Commercial) zone.** The CN zone is applied to areas within residential neighborhoods appropriate for local retail or service businesses to meet daily needs for food, drugs, gasoline, and other incidentals of residents in the immediate area. The intent is to provide local serving commercial establishments while preserving the residential character of the area.
- B. **C-1 (Limited Commercial) zone.** The C-1 zone is appropriate for both retail and service commercial activities that serve the local community and in the Coastal Zone, the traveling public as well. This zone allows diverse uses, yet restricts allowable uses to those that are also compatible with neighboring residential uses to protect residential uses from negative impacts, including noise, odor, lighting, traffic, or degradation of visual aesthetic values.
- C. **C-2 (Retail Commercial) zone.** The C-2 zone is appropriate for retail business and commercial needs including stores, shops, and offices supplying commodities or performing services for the residents of the surrounding community.
- D. **C-3 (General Commercial) zone.** The C-3 zone is applied to areas appropriate for wholesale and heavy commercial uses and services that are not suited to the commercial zones that accommodate lighter commercial uses. The intent is to provide for commercial uses in these areas while protecting adjacent uses from negative impacts including noise, odor, lighting, or traffic.
- E. **CS (Service Commercial) zone.** The CS zone is applied to areas appropriate for service commercial activities, including wholesale service and business facilities with ancillary offices and inside storage areas, which are more limited in scope than the range of uses permitted in the general commercial zones. The intent is to provide for commercial uses in these areas and ensure compatibility with and the protection of neighboring land uses from negative impacts including noise, odor, lighting, or traffic.
- F. **CH (Highway Commercial) zone.** The CH zone is applied to areas adjacent and accessible to highways or freeways appropriate for uses that serve the highway traveler.
- G. **C-V (Resort/Visitor Serving Commercial) zone.** The C-V zone is applied to areas of unique scenic and recreational value appropriate for tourist recreational development, while providing for maximum conservation of site resources through comprehensive site planning. The intent is to provide for

maximum public access, enjoyment, and use of an area's scenic, natural, and recreational resources while ensuring preservation of such resources. This zone is not intended for highway related uses that normally service travelers. Where this zone is applied to areas adjacent to the shoreline, uses permitted shall in part require an oceanfront location in order to operate.

- H. SC (Shopping Center) zone.** The SC zone is applied to areas appropriate for clustered shopping center uses. The intent is to establish provisions for the comprehensive development of property suitable for commercial use, and to prevent piecemeal commercial development in areas that may be more appropriate for a clustered shopping center use. This zone identifies the following two types of shopping centers:
1. **Convenience Shopping Centers.** Shopping centers that are classified as Convenience Shopping Centers in compliance with Table 2-18 (Shopping Center Minimum Site Area) serve the everyday, frequent needs of the consumer.
 2. **Community Shopping Centers.** Shopping centers that are classified as Community Shopping Centers in compliance with Table 2-18 (Shopping Center Minimum Site Area) provide the opportunity to comparison shop and provide consumer goods and services.
- I. PI (Professional and Institutional) zone.** The PI zone is applied to areas appropriate for professional uses, and for educational, institutional, governmental, and other public facilities. It is the intent of this zone to ensure that these uses are well-designed and landscaped, and harmonious with surrounding land uses.

35.24.030 - Commercial Zones Allowable Land Uses

- A. General permit requirements.** Tables 2-14, 2-15, and 2-16 (Allowed Land Uses and Permit Requirements for Commercial Zones) identify the uses of land allowed by this Development Code in each commercial zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).
- B. Requirements for certain specific land uses.** Where the last column ("Specific Use Regulations") in Tables 2-14, 2-15, and 2-16 (Allowed Land Uses and Permit Requirements for the Commercial Zones) includes a Section number, the referenced Section may affect whether the use requires a Coastal Development Permit or Land Use Permit, Development Plan, Minor Conditional Use Permit, or Conditional Use Permit, and/or may establish other requirements and standards applicable to the use.
- C. Development Plan approval required.** Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required as follows.
1. **CN and C-1 zones.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Coastal Development Permit or Land Use Permit or Zoning Clearance for structures that exceed 5,000 square feet in gross floor area.
 2. **C-2 and C-3 zones.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Coastal Development Permit or Land Use Permit or Zoning Clearance for buildings and structures that total 5,000 or more square feet in gross floor area or where onsite buildings and structures and outdoor areas designated for sales or storage total 20,000 square feet or more.
 3. **C-S, C-V, SC, and PI zones.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Coastal Development Permit or Land Use Permit or Zoning Clearance for all proposed development, including grading.
 4. **CH zone.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Coastal Development Permit or Land Use Permit or

Zoning Clearance for all proposed development, including grading, except that in the Coastal Zone a Final Development Plan is not required for the following, provided that all other requirements of the CH zone are complied with:

- a. Additions to uses or structures on property developed as of February 1, 1963; and
- b. Development on a legal lot of less than 20,000 square feet of net land area created on or before February 1, 1963.

D. Design Review required.

1. Design Review is required prior to the approval of a planning permit for a structure, or an addition to or an alteration of an existing structure located within the CN, C-1, C-2, C-3 or CH (Inland area) zones, in compliance with Section 35.82.070 (Design Review).
2. Design Review may be required prior to the approval of a planning permit for a structure, or an addition to or an alteration of an existing structure located within the CH (Coastal Zone) zone, in compliance with Section 35.82.070 (Design Review).

E. Accessory uses and structures. Each nonresidential use allowed by Tables 2-14, 2-15, and 2-16 may include accessory uses and structures that are customarily incidental to the nonresidential use, provided that:

1. Within the C-1, C-2, C-3, and C-S zones:

- a. There shall be no manufacture, assembly, processing, or compounding of products other than as is customarily incidental or essential to the allowed use.
 - (1) Within the Coastal Zone, there shall be no more than five persons engaged in the manufacture, assembly, processing, or compounding of products.
- b. The operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

2. Within the PI zone (Coastal Zone). The accessory structure or use shall be subordinate to the allowed use.

Table 2-16 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	—	—	
Agricultural processing	—	—	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	35.42.060
Cultivated agriculture, orchard, vineyard	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P	P(3)	P(3)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	—	—	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	—	—	
Handcraft industry, small scale manufacturing	—	—	—	—	—	
Laundry, dry cleaning plant	—	—	—	—	—	
Media production	—	—	—	—	—	
Metal products fabrication, machine and welding shops	—	—	—	—	—	
Printing and publishing	—	—	—	—	—	
Recycling - Small collection center	—	—	—	—	—	
Recycling - Small collection center, non-profit	—	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	—	—	
Sign fabrication and painting shop	—	—	—	—	—	
Sign painting shop	—	—	—	—	—	
Storage - Contractor equipment storage yard	—	—	—	—	—	
Storage - Personal storage facility (mini storage)	—	—	—	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	—	—	—	
Wholesaling and distribution	—	—	—	—	—	
Wholesaling and distribution - Essential to agriculture, except	—	—	—	—	—	

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground		CUP	—	—	CUP	
Commercial entertainment - Indoor	—	—	CUP	—	—	
Commercial entertainment - Outdoor	—	—	—	—	—	
Community center	—	—	—	P	P	
Conference center	P(3)	P	CUP	CUP	CUP	
Country club	P(3)	P	CUP	P	P	
Equestrian facility - Public or commercial	CUP	CUP	CUP	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	CUP	
Fitness/health club or facility	—	—	CUP	P	P	
Golf course	P	P	CUP	P	P	
Golf driving range	CUP	CUP	CUP	CUP	CUP	
Library	CUP	CUP	CUP	P	P	
Meeting facility, public or private	CUP	CUP	CUP	P	P	
Meeting facility, religious	CUP	CUP	CUP	CUP	CUP	
Museum	CUP	CUP	CUP	P	P	
Park, playground	P	P	—	—	—	
Recreational vehicle (RV) park	CUP	CUP	—	—	—	
School	CUP	CUP	CUP	P	P	
School - Business, Professional, or Trade	CUP	CUP	CUP	P(4)	P(4)	
Sports and outdoor recreation facility	P	P	CUP	CUP	CUP	
Sports or entertainment assembly facility	—	—	—	—	—	
Studio - Art, dance, martial arts, music, etc.	—	—	—	P	P	
Theater - Indoor	—	—	—	—	—	
Theater - Outdoor	—	—	—	—	—	
Trail for hiking or riding	P	P	—	—	—	

RESIDENTIAL USES

Caretaker/Manager dwelling	MCUP	—	—	—	—	35.42.080
Dwelling, one-family	—	—	—	—	—	
Emergency shelter	—	—	—	—	—	
Mixed use project residential component	—	MCUP	—	MCUP	MCUP	35.42.200
Monastery	CUP	—	CUP	CUP	—	
Residential accessory use or structure	MCUP	MCUP	—	MCUP	MCUP	
Residential use existing as of July 19, 1982	—	—	—	—	—	
Single room occupancy facility (SRO)	—	—	—	—	—	
Special care home, 6 or fewer clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Destination-type facility required; see Section 35.24.060 (C-V Zone Additional Standards).
- (4) Not including trade schools using heavy equipment.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

RETAIL TRADE

Auto and vehicle sales and rental	—	—	—	—	—	
Bar, tavern	—	—	—	—	—	
Building and landscape materials - Indoor	—	—	—	—	—	
Building and landscape materials - Outdoor	—	—	—	—	—	
Convenience store, less than 3,000 sf net floor area	—	—	—	—	—	
Convenience store, 3,000 sf or more net floor area	—	—	—	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	—	—	
Fuel dealer	—	—	—	—	—	
General retail	—	—	—	—	—	
Grocery/food store, 3,000 sf or less	—	—	—	—	—	
Grocery/food store, 5,000 sf or less	—	—	—	—	—	
Grocery/food store, more than 5,000 sf	—	—	—	—	—	
Mobile home, boat, and RV sales and repair	—	—	—	—	—	
Office supporting retail	—	—	—	P	P	
Plant nursery	—	—	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	—	
Restaurant, café, coffee shop - Within an office building	—	—	—	CUP	CUP	
Service station	—	CUP(3)	—	—	—	
Shopping center - Community	—	—	S	—	—	
Shopping center - Convenience	—	—	S	—	—	
Swap meet	—	—	—	—	—	
Truck stop	—	—	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	—	—	—	
Visitor-serving commercial	P(4)	P(4)	—	—	—	

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) May be approved only in an area designated rural on the Coastal Land Use Plan maps, and where no other gasoline retail sales exists within 10 miles of site perimeter.
- (4) Use only allowed accessory and incidental to an approved resort/visitor-serving facility.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	—	—	—	P	P	
Bank, financial services - Complete facility	—	—	—	P	P	
Business support service	—	—	—	P	P	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Medical services - Animal hospital, small animals	—	—	P	CUP	CUP	35.42.250
Medical services - Clinic	CUP	CUP	CUP	P	P	
Medical services - Doctor office	—	—	—	P	P	
Medical services - Extended care	CUP	CUP	CUP	P	P	
Medical services - Hospital	CUP	CUP	CUP	P	P	
Office - Business/service	—	—	S(3)	P	P	
Office - Professional/administrative	—	—	S(3)	P	P	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	CUP	CUP	P	P	
Charitable or philanthropic organization	CUP	CUP	CUP	P	P	
Large family day care home	P	P	—	P	P	35.42.090
Small family day care home	E	E	—	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Child care center, Non-residential, accessory	P	P	P	P	P	35.42.090
Child care center, Residential	MCUP	MCUP	—	MCUP	MCUP	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	—	—	—	—	—	
Lodging - Guest ranch	P	P	—	—	—	
Lodging - Hostel	CUP	—	CUP	CUP	—	
Lodging - Hotel or motel	P	P	—	—	—	
Lodging - Resort	P	P	—	—	—	
Mortuary	—	CUP	—	—	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	—	CUP	CUP	—	
Personal services	—	—	—	P	P	
Repair service - Equipment, appliances, etc. - Indoor	—	—	—	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	—	
Repair service - Farm implements and equipment	—	—	—	—	—	
Vehicle services - Carwash, mechanical	—	—	—	—	—	
Vehicle services - Major repair, bodywork	—	—	—	—	—	
Vehicle services - Minor maintenance/repair	—	—	—	—	—	
Vehicle services - With outdoor work areas	—	—	—	—	—	

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) See Section 35.24.070 (SC Zone Additional Standards).

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	CUP	—	
Airstrip, private and temporary	CUP	—	CUP	CUP	—	
Airstrip, temporary	—	CUP	—	—	CUP	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	—	—	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	—	—	
Heliport	CUP	CUP	CUP	CUP	CUP	
Parking facility, public or private	—	—	—	—	—	
Pier, dock	P	P	—	—	—	
Pipeline - Oil and gas	P	—	P	P	—	35.5
Public utility facility	CUP	—	CUP	CUP	—	
Public works or private service facility	MCUP	—	MCUP	MCUP	—	
Public works or public service structures	—	—	—	—	—	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	—	CUP	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	—	—	
Utility service line with less than 5 connections (4)	—	P	—	—	P	
Utility service line with 5 or more connections (4)	—	MCUP	—	—	MCUP	
Vehicle dispatch facility	—	—	—	—	—	
Vehicle storage	—	—	—	—	—	
Wind turbines and wind energy systems	S	—	S	S	—	35.57

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP	—	—	CUP
Desalination facility, less than 15 connections	—	MCUP	—	—	MCUP
Desalination facility, 15 to less than 200 connections	—	CUP	—	—	CUP
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(3)	P	P(3)	P(3)	P
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(3)	MCUP	P(3)	P(3)	MCUP
Reservoir, less than 20,000 sf total development	P	P	P	P	P
Reservoir, 20,000 sf to less than 50,000 sf total development	P	MCUP	P	P	MCUP
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	MCUP
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP
Wastewater treatment system, individual	E	P	E	E	P
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	CUP
Water diversion project	P	MCUP	P	P	MCUP
Water extraction, commercial	CUP	CUP	CUP	CUP	CUP
Water or sewer system pump or lift station (4)	—	P	—	—	P
Water system with 1 connection	E	P	E	E	P
Water system with 2 to less than 5 connections	P	MCUP	P	P	MCUP
Water system with 5 or more connections (5)	MCUP	MCUP	MCUP	MCUP	MCUP
Water well, agricultural	—	—	—	—	—

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (4) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift.
- (5) In the Coastal Zone, limited to less than 200 connections.

35.24.040 - Commercial Zones Development Standards

- A. General standards.** Development within the commercial zones shall be designed, constructed, and established in compliance with the requirements in Table 2-17 (Commercial Zones Development Standards) below, and all applicable standards in Article 35.3 through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.
- B. Community Plan overlay requirements.** Section 35.28.210 (Community Plan Overlays) establishes additional requirements and standards that apply to development and uses located in an applicable community or area plan as specified in Section 35.28.210 (Community Plan Overlays).

F. PI zone standards.

1. **Limitations on use.** No sales, production, repair, or processing shall take place on any property zoned PI, except to the extent necessary for and incidental to the operation of permitted or conditionally permitted uses.
2. **Limitations on floor area.** The cumulative development of the uses identified by Table 2-16 (Allowed Land Uses and Permit Requirements for the Commercial Zones) as being subject to this Subsection shall not exceed 20 percent of the total gross floor area on the lot.
3. **Restaurant within office building.** A restaurant located in an office building may include bar or cocktail lounge accessory to a restaurant, but not a drive-through.

35.24.060 - C-V Zone Additional Standards

Proposed development and new land uses within the C-V zone shall comply with the following standards, in addition to those in Section 35.24.040 (Commercial Zones Development Standards).

- A. **Allowable uses.** The approval of visitor-serving commercial uses shall require that the review authority first determine that each commercial use is designed and limited to be incidental and directly oriented towards the needs of visitors, is part of a larger resort/visitor-serving facility, and will not substantially change the character of the larger resort/visitor-serving facility of which it is part.
- B. **Destination facilities required - Inland area.** Allowed resort, guest ranch, hotel, motel, country club, convention and conference center uses shall be of a self-contained, destination-point nature, rather than primarily providing short-term overnight accommodations for travelers.

35.24.070 - SC Zone Additional Standards

Proposed development and new land uses within the SC zone shall comply with the following standards, in addition to those in Section 35.24.040 (Commercial Zones Development Standards).

- A. **Allowed shopping center types and minimum site area requirements.** The following types of shopping centers are allowed within the SC zone, subject to the minimum site area requirements noted.

Table 2-18 - Shopping Center Minimum Site Area

Shopping Center	Net Area
Convenience Center	2 acres to less than 12 acres
Community Center	12 acres or more

- B. **Land use types allowed in shopping centers.** Shopping centers within the SC zone shall be limited to the land use types identified in Table 2-19 (Allowable Land Uses and Permit Requirements) for the SC Zone below, subject to the planning permit requirements noted in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).
- C. **Enclosure of activities required.** Within the SC zone, the land use types identified by Table 2-16 (Allowed Land Uses and Permit Requirements for the Commercial Zones) and Table 2-19 (Allowable Land Uses and Permit Requirements for the SC Zone) shall occur within a completely enclosed building, except for service stations or other appropriately screened outdoor uses specifically approved by the review authority.
- D. **Storage and trash enclosures.** Areas for trash or outdoor storage shall be enclosed and screened to conceal all trash or stored material from public view.

Table 2-19 - Allowable Land Uses and Permit Requirements for the SC Zone

Land Use Type	Permit Requirement	
	Convenience Center	Community Center
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES		
Commercial recreation - Indoor	CUP	CUP
Theater	CUP	CUP
RETAIL TRADE		
Apparel store	—	P
Certified farmers market	MCUP	MCUP
Book store	—	P
Department store	—	P
Drive-in and drive-through facilities	CUP	CUP
Drug store	P	P
Furniture, furnishings, and appliance/equipment store	P	P
Grocery/food store	P	P
Hardware store	P	P
Jewelry store	—	P
Liquor store	P	P
Pet-shop	P	P
Restaurant, café, coffee shop, bar, deli	P	P
Service station	MCUP	MCUP
Service station as part of a shopping center	P	P
Sporting goods store	—	P
Variety store	—	P
SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL		
Bank - Branch facility	P	P
Drive-through facility	CUP	CUP
Medical services - Animal hospital, small animals	P	P
Offices, 20% or less gross floor area within center	P	P
Offices, more than 20% of gross floor area within center	CUP	CUP
SERVICES - GENERAL		
Child care center, Non-residential	MCUP	MCUP
Child care center, Non-residential, accessory	P	P

Notes:

- (1) Personal services in the SC zone are limited to barber and beauty shops, laundry and dry cleaning pick-up stores not exceeding a maximum floor area of 2,000 square feet, laundromats, and shoe repair.

Table 2-17 - Commercial Zones Development Standards (continued)

Development Feature	Requirement by Zone			
	C-V & C-V (CZ) Visitor-Serving Commercial	SC Shopping Center	PI & PI (CZ) Professional and Institutional	
Minimum lot size Area	<i>Minimum area for lots proposed in new subdivisions.</i>			
	None required; minimum lot size shall be determined by the review authority through the subdivision approval process.			
Residential density Maximum density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>			
	See Table 2-16 - RESIDENTIAL USES			
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>			
	Front - Primary	50 ft from road centerline, and 20 ft from right-of-way.	20 ft from right-of-way.	45 ft from road centerline and 15 ft from right-of-way; 20 ft for a garage or carport that opens directly on the street.
	Front - Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum. Lot width 100 ft or more - Same as primary front setback.		
	Side	20 ft; 50 ft from a lot zoned residential.	20 ft when a Convenience Center abuts a residential zone; 50 ft when Community Center abuts residential zone; 10 ft elsewhere.	15 ft.
	Rear Building separation	Same as side Coastal. - None required. Inland - 5 ft for a residential building and any other building; none required otherwise.	None required.	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.
Site coverage Maximum coverage	<i>Maximum percentage of net site area covered by structures.</i>			
	Coastal Zone - 33% (gross) on a lot surrounded by residential zoning; no maximum elsewhere. Inland - 30% on a lot surrounded by residential zoning; no maximum elsewhere.	30%.	40% (for buildings only).	
Open space Minimum open space	<i>Minimum percentage of net site area to be maintained in public and/or common open space.</i>			
	40%.	No minimum.	No minimum.	
Height limit Maximum height	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>			
	Coastal Zone - 35 ft; not to exceed 2 stories on a site surrounded by residential zoning. Inland - 35 ft.	35 ft.	35 ft.	
Landscaping	See Chapter 35.34 (Landscaping Standards).			
Parking	See Chapter 35.36 (Parking and Loading Standards).			
Signs	See Chapter 35.38 (Sign Standards)			

4151 FOOTHILL RD

Assessor's Parcel Number: 059-160-017
Application Number: MST2001-00840
Owner: Webster Properties LP
Agent: Suzanne Elledge Permit Processing

(The applicant is requesting City Council to initiate an annexation of a 4.13 acres site located on the corner of Foothill Road and Cieneguitas and for a preliminary designation of 19,499 square feet from the Economic Development category of Measure E. The proposed project involves the construction of a 66,906 square foot institutional office building and a small 2,400 square foot neighborhood market. The existing 1,750 square foot structure, formerly a service station, is proposed to be removed. The project would involve approximately 19,100 cubic yards of grading (16,800 cubic yards of cut and 2,300 cubic yards of fill). The following discretionary applications are required: Annexation to C-1 Zone (originally requested a C-P zone), Development Plan Approval, Square footage Designation from the Economic Development Category, and Lot Line Adjustment (originally requested lot merger).)

(COMMENTS ONLY, PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, PLANNING COMMISSION APPROVAL, AND CITY COUNCIL APPROVAL.)

(3:32)

Brian Cearnal, Architect; Tiffany Campbell, Permit Planner; Craig Zimmerman, President of the Towbes Group; and Michael Towbes, Chairman of the Towbes Group, present.

Staff Comment: Jessica Grant, Assistant Planner, stated that this project, an initiation for an annexation and square footage requested for the economical development category, is scheduled for City Council review on March 18, 2003. The applicant cannot submit more information to the ABR until after the initiation goes through. There will be more ABR reviews after the completion of the initiation as necessary if the initiation goes through. The project will be referred to the Planning Commission for review.

Motion: Indefinite continuance with the following comments: 1) The Board appreciates the site designing aspects that attempt to provide large landscape buffers between the building and surrounding neighborhood, particularly along Foothill and Cieneguitas Road. The landscape buffers appear to be appropriate to the rural aspects of the street frontages. 2) The Board agrees with the conceptual design features of the building that presents a low profile and simple forms of non-Hispanic character. 3) The Board supports the attempt to use

more sustainable and green construction methods and design, both in the landscaping and the building. 4) The Board recognizes similar scaled buildings and uses along this area adjacent to Freeway 154 and Highway 101. 5) The Board is concerned about the landscape buffer being proposed along Freeway 154, i.e. CalTrans property. The Board would need to see some kind of written assurance that that land would remain undeveloped by CalTrans for some period of time, and that the proposed landscaping would be allowed to develop to full maturity and would not be removed, or that a landscape buffer would be incorporated on the site. 6) Indicate the existing utility lines on the plans. 7) The Board is concerned about the visibility of the roof from the highway and any equipment that may be located on the roof. 8) The Board would like to see more movement in the direction of breaking up the large rectangular massing and boxiness of the architecture. 9) The building needs to appear as more than two buildings. 10) The scale and visual impact to the neighborhood needs to be reduced in the parts of the architecture that are more visible to the street, in particular the southeast corner where it meets Cieneguitas Road. 11) It was suggested that some of the airspace over parking areas be used to add more articulation to the architecture. 12) The Board is concerned about the patio and planting area on the northern side. The patio area could be an unfriendly one for users because it is recessed and located on the north side of the building. 13) Some Board members questioned the location and placement of the convenience market and were interested in seeing further study of it being placed somewhere along Foothill Road. 14) One Board member suggested adding additional glass, particularly on the west elevation, to provide greater relief to the plaster massing on this side.

Action: Six/LeCron, 6/0/0. Pierron stepped down.

**PRE-APPLICATION REVIEW
TEAM COMMENTS**

February 12, 2003

Suzanne Elledge Planning and Permitting Services
Attn: Suzanne Elledge and Tiffany Campbell
800 Santa Barbara Street
Santa Barbara, CA 93101

SUBJECT: 4151 FOOTHILL ROAD, MST#2001-00840

PRT MEETING DATE: Tuesday, February 18, 2003, at 3:15 p.m., 630 Garden Street, Housing & Redevelopment Conference Room, 2nd Floor

Dear Mrs. Elledge:

I. INTRODUCTION/PROJECT DESCRIPTION

Staff from various City Departments/Divisions have reviewed your conceptual plans and correspondence for the subject project. This letter will outline our preliminary comments on your proposal. Please review this letter carefully prior to our scheduled meeting date. We will answer your questions at that time. The specificity of our comments varies depending on the amount of information available at this time. In many cases, more issues arise at later steps in the process. However, our intent is to provide applicants with as much feedback and direction as possible at this pre-application step in the process.

The project consists of an annexation of the subject property into the City of Santa Barbara and construction of a 66,906 square foot administrative office building for an educational institute and a 2,400 square foot neighborhood market.

II. APPLICATIONS REQUIRED

The purpose of this review is to assist you with the City's review processing including Planning Commission (PC) application requirements, and to identify significant issues relevant to the project. In order to submit a complete PC application, please respond to the following items (see attached Planning Commission Submittal Packet).

Based on the information submitted, the required applications would be:

A. Planning Division

1. An Initiation of Annexation of parcels APN 059-160-023, 059-160-017 proposed to be annexed. In addition to the parcels requested to be annexed, Staff would also like to initiate annexation on the veterinary hospital property, which is located adjacent to the subject site on APN 059-160-021 (See Comment & Issue Section III A.2 for more comments).

A Preliminary Economic Development Designation by the City Council for 22,499 square feet from the Economic Development Category for a new administrative office building for an educational institute (SBMC §28.87.300).

The tentative City Council date is March 18, 2003 for review of the above items.

2. An Annexation of the subject properties within the unincorporated area of Santa Barbara County to the City of Santa Barbara;
3. A General Plan Amendment to add the subject property to the City's General Plan Map with a designation of General Commerce for APN059-160-023, 059-160-017 and 059-160-021;
4. A Zoning Map Amendment upon annexation of the property to the C-1/S-D-2, Limited Commercial/Upper State Street Overlay zoning designation;
5. A Development Plan to allow 67,556 square feet of new non-residential development utilizing floor area from the Vacant Property, Small Addition and, potentially the Economic Development General Plan categories (SBMC §28.87.300).
6. A Lot Line Adjustment between parcels APN 059-160-023 and APN 059-160-017.
7. Design Review by the Architectural Board of Review (ABR) (SBMC §22.68.040).
8. A Final Economic Development Designation by the City Council for 22,499 square feet from the Economic Development Category for a new administrative office building for an educational institute (*after Planning Commission*); and
9. Annexation Map, to be coordinated with LAFCO.

B. Engineering Division

Application for Lot Line Adjustment.

C. Building & Safety Division

Applications for construction and grading will be required prior to construction.

III. COMMENTS AND ISSUES

A. Planning Division

1. The proposed project has been tentatively scheduled on March 18, 2003, for City Council review of the requested initiation of annexation and preliminary Economic Development designation. Please update the City Council letter/needs assessment with the correct square footage calculations. The correct square footage breakdown is as follows:

Existing Floor Area: 1,750 square feet

Vacant Land (APN 059-160-023 only): 39,057 square feet

Minor Additions: 2,000 square feet

Small Additions: 4,000 square feet

Economic Development: 22,499 square feet

Total square footage: 69,306 square feet

Please have the updated City Council letter and ten sets of plans to me by Thursday, February 27th.

2. In addition to the parcels requested to be annexed, Staff would like to initiate annexation on the veterinary hospital property, which is located adjacent to the subject site on APN 059-160-021. Staff will be requesting initiation of annexation of this parcel at the same time the subject project goes before City Council on March 18, 2003.

As you know, the proposed annexation would also result in the creation of an unincorporated island of the parcels southeast of the site, which are located off of La Barbara Drive (includes APN 059-160-021, 057-011-010, 057-011-009, 057-011-005, 057-011-008, 057-012-007, 057-012-002, 057-012-003, 057-012-004). Government Code §56744 prohibits LAFCO from approving a city annexation if, as a result, unincorporated territory will be totally surrounded by the city. LAFCO can waive the restriction only if it makes specific findings. In addition, City Council has adopted a policy stating that they will not approve an annexation if the property owners object. With that said, Staff will be notifying the residents of La Barbara Drive about this subject project and what it would entail for them to annex into the City. Ideally, Staff would also like to initiate annexation on the remaining parcels on La Barbara Drive if the properties consent to the annexation.

Although annexation of these properties would be initiated at different times, Staff envisions that all the subject properties would go before final City Council and LAFCO review as one annexation project.

3. The veterinary hospital's pole sign at APN 059-160-021 would most likely be required to be removed following a five year amortization period if their property is annexed.
4. Prior to environmental review and application completeness, a housing study will be required. A housing study is being required for two reasons. The first reason is the Fielding Institute is not guaranteed to be the tenant. The second reason is if the Fielding Institute were to occupy the new office building, the City still recognizes potential housing impacts for the relocation because of the backfill that would occur when the Fielding Institute vacates their existing buildings. Attached is a list of housing consultants to use. The housing study should include:
 - (a) The maximum number and type of employees to occupy the new facility (full-time and part-time). (Staff recognizes that this information has been provided.)
 - (b) A breakdown of their income levels (below 80 percent of median income, 80 to 120 percent of median income and above 120 percent of median income).
 - (c) The assessment must estimate how many new employees from outside the South Coast area will be recruited and their income levels (if any). (Staff recognizes that this information has been provided.)
 - (d) With items a-c, estimate the demand for affordable housing units that will be created from new employees that relocate to the South Coast as a result of this project and propose measures to fully mitigate the impacts on South Coast affordable housing stock.
5. Staff is concerned that the Willow Springs project is providing 47 affordable units for another reason, such as bonus density, inclusionary housing and/or to off set the housing impacts of another housing/commercial project. Please provide Staff with County records on this project. The Willow Springs Staff Report and Conditions of Approval will suffice.
6. The project went before the ABR on January 27, 2003. The ABR gave the project an indefinite continuance with the following comments:
 - (a) The Board appreciates the site designing aspects that attempt to provide large landscape buffers between the building and surrounding neighborhood, particularly along Foothill and Cieneguitas Road. The landscape buffers appear to be appropriate to the rural aspects of the street frontages.

- (b) The Board agrees with the conceptual design features of the building that present low profile and simple forms of non-Hispanic character.
- (c) The Board supports the attempt to use more sustainable and green construction methods and design, both in the landscaping and the building.
- (d) The Board recognizes similar scaled buildings and uses along this area adjacent to Freeway 154 and Highway 101.
- (e) The Board is excited about seeing the undeveloped land finally coming to fruition.
- (f) The Board is concerned about the landscape buffer being proposed along Freeway 154, i.e. CalTrans property. The Board would need to see some kind of written assurance that that land would remain undeveloped by CalTrans for some period of time, and that the proposed landscaping would be allowed to develop to full maturity and would not be removed, or that a landscape buffer would be incorporated on the site.
- (g) Indicate the existing utility lines on the plans.
- (h) The Board is concerned about the visibility of the roof from the highway and any equipment that may be located on the roof.
- (i) The Board would like to see more movement in the direction of breaking up the large rectangular massing and boxiness of the architecture; the building to appear as more than two buildings; and the scale and impact to the neighborhood reduced in various parts of the architecture that are more visible to the street, in particular the southeast corner where it meets Cieneguitas Road.
- (j) It was suggested that some of the airspace over parking areas be used to add more articulation to the architecture.
- (k) The Board is concerned about the patio and planting area on the northern side. The patio area could be an unfriendly one for users because it is recessed and located on the north side of the building.
- (l) Some Board members questioned the location and placement of the convenience market and were interested in seeing further study of it being placed somewhere along Foothill Road.
- (m) One Board member suggested adding additional grass, particularly on the west elevation, to provide greater relief to the plaster massing on this side.

If the annexation is initiated, it is recommended that you respond to these comments prior to PC Conceptual Review.

7. Based on initial staff review and ABR comments, Staff is concerned about the building design and layout. This property is both a City gateway parcel and on the edge of a residential neighborhood. Its design needs to respond to both. It should, if possible, be broken into two or more buildings. Parking should be better hidden. Consider using the grade change to place some of the parking under the buildings.

B. Engineering Division

1. You have shown street trees in response to previous reviews of this project. All street tree types shall be reviewed and approved by the City Arborist. The location within the public right-of-way shall be reviewed and approved by the Transportation Planning Division.
2. The Applicant shall install electrical meters and meter pedestal and City Standard Residential streetlights spaced 100 feet apart per the City of Santa Barbara Public Works Department Standard Detail 3-005.1. Streetlights shall be placed on both the North and the East property lines. The final location of the meter pedestal and the streetlights shall be approved by the Facilities/Construction Superintendent.
3. The applicant shall apply for encroachment permits from Caltrans for all improvement work that is to be completed within the Caltrans rights of way. All improvements shall meet City of Santa Barbara Standards where Caltrans Standards are less restrictive than City Standards.
4. All street and right of way improvements shall be to the Center lines of Foothill and Cieneguitas Roads.
5. Please correct the Preliminary Drainage Analysis report. Page three, Existing Condition, the acreage numbers do not calculate.
6. Wastewater Comments:
 - (a) Existing private sewer lateral(s) serving the property shall be inspected by closed circuit inspection camera. Any defects identified, shall be repaired before new structure(s) is occupied.
 - (b) Any existing sewer lateral(s) identified to be abandoned, shall be disconnected at the sewer mainline connection.
 - (c) Pay appropriate sewer buy-in fees.
 - (d) Protect existing sewer utilities in place.
7. Water Distribution Comments:
 - (a) Two Goleta water mains are located on Foothill (6-inch AC, 18-inch STL reduced to a 16-inch STL). This parcel is currently served by the City of Santa Barbara's 8-inch STL main on

Cieneguitas. There is no active data from Water Billing about the meter.

- (b) The plans showing the water utilities, Sheet Title: Preliminary Grading & Drainage Plan, only show one backflow device on the proposed fire sprinkler line for the office building.
 - (c) An additional backflow device is required for the proposed irrigation water meter and service lateral for the office building.
 - (d) An additional backflow device is required for the proposed potable water meter and service lateral for the office building, since this is a two-story building.
 - (e) An additional backflow device is required for the potable and irrigation water meter and service lateral for the market.
8. The existing storm drain shall be relocated to the paved area of Cieneguitas Road. The current location and the proposed improvements conflict with City policy. The proposed improvements place sidewalk, trees, and streetlights above the storm drain.

C. Transportation Division

- 1. The Circulation Element states that automobile parking facilities should be designed in a way that reduces the visibility of automobiles and that allows features of greater pedestrian interest to dominate the streetscape. To accomplish this goal, locate the parking in the rear of the building and bring the building closer to the street.
- 2. We suggest setting up a meeting with MTD to discuss bus stop locations and specifications.
- 3. We strongly recommend eliminating the right turn only entrance off of Foothill as it will be more of a safety concern than a benefit considering the other access proposed off of Foothill.
- 4. To maximize the utilization of the Neighborhood Market and to realize the highest number of pass-by trips, locate the Market at the Northeast corner of the lot at the Foothill and Cieneguitas corner.
- 5. Transportation Planning does not support accommodating for the 5% reserve over the anticipated peak accumulation. The project is meeting the Zoning Ordinance parking requirements as well as the parking demand.
- 6. We recommend reducing the curb cut widths on Foothill Blvd and Cieneguitas to 20 feet per City Standards.
- 7. A reciprocal vehicle access easement agreement will be required between APN 059-160-023 and APN 059-160-017.

8. On the proposed Alternate Site Plan sheet A1.1x, six of the proposed parking spaces are located off of the property. Was this drawn incorrectly or are you proposing to do an off-site parking agreement with APN059-160-021?
9. Employee bus passes for the Fielding Institute will be required to be provided free of charge. An announcement of this service shall be provided in a central gathering location of employees, such in the lounge or kitchen, etc.
10. The traffic signal warrant analysis does not include data for Accident Experience; that is a key factor in determining the need for a signal. If that data is not available, we will require the applicant to obtain an encroachment permit from Cal Trans to provide the signal at Cieneguitas Road. If Accident Experience data is provided that shows that it does not warrant a signal, then we will consider a bond instead to provide a signal if Cal Trans deems it necessary.
11. We suggest adding medians to the turning lanes on Foothill Road. Work with CalTrans for the appropriate extension of the existing median.
12. Provide a maintenance agreement for the landscaping proposed on Cal Trans right-of way on the western portion of the property.
13. Provide eight-foot wide sidewalks and four-foot parkways or tree wells along Foothill Road and Cieneguitas Road; the parkways or tree wells shall separate the sidewalk from the street to protect pedestrians from traffic.

IV. PLANS

A. Planning Division

1. Correct the zone on the plans to read C-1/S-D-2.
2. Please make sure the project complies with the S-D-2 zoning as well. For example, the building height in this zone can be three (3) stories not exceeding forty-five (45) feet and not exceeding the total floor area of a two (2) story building (thirty (30) feet) which could be constructed on the lot in compliance with all applicable regulations. You will need to submit a plan that shows how all this could be achieved. There shall also be a front yard of not less than ten (10) feet for one story buildings not exceeding fifteen (15) feet in height and not less than twenty (20) feet for two and three story buildings not exceeding forty-five (45) feet in height.
3. Include Measure E square footage breakdown in the project statistics.
4. Revise annexation map to also include APN 059-160-021.

B. Engineering Division

1. Please show the centerline for each right of way on the plans (Foothill and Cieneguitas Roads).
2. Please show the limits of improvements in the right of way to the centerline of each road.
3. Please show the limits of improvements in the right of way to the centerline of each road.
4. Please include on the "Civil Plans" a symbol legend.
5. Please show on a site plan the 100-year event storm water over land escape route.

C. Fire Department

1. An approximate 150' section of structure is not within the 300' required distance from a commercial hydrant. Please add a hydrant or show how this portion of the building will be protected. (Center section of structure inside parking lot)
2. Please add note to plans that proposed commercial hydrants shall be equipped with one (1) four inch (4") and two (2) two and one-half inch (2 1/2") outlets and will flow a minimum GPM of 1250.
3. Add note on plans stating "Fire Sprinklers to be Installed Under Separate Permit"
4. Landscape plans are being reviewed by Fire Department Wildland Specialist Ann Marx.

D. Transportation Division

1. Please note that sidewalks cannot exceed 2% in cross slope. Please include slope information on plans.
2. Show slopes of driveway ramps.
3. All driveways to the street must be dustpan style per City Standards.

V. **REPORTS AND SPECIAL INVESTIGATIONS**

A. Planning Division

Refer to Planning's Comments & Issues Section III A. and the Environmental Review Section VI.

VI. ENVIRONMENTAL REVIEW:

A. Grading

B. Prior to application completeness

1. Indicate on the site where the cut and fill is required. Also include the amount of import, export and excavation/recompaction required.
2. Please include the following: (1) the amount of cut that will be exported from the site, (2) an estimate of the number of truck trips that will be necessary to remove this soil, and (3) a location that will accept the material.

C. Visuals

Prior to application completeness

Highway 154 is a State Scenic Highway and is therefore considered a sensitive public viewing location. Please provide visual simulation(s) demonstrating representative views of the project as seen from Highway 154. This simulation should take into account any proposed rooftop equipment on the building.

C. Air Quality

Prior to application completeness

According to the Draft Annexation Policy Update, development in this area could be substantial enough in size to individually exceed the 25 pounds per day thresholds for ROC and Nox from motor vehicle trips alone. Please submit plans to Air Pollution Control District (APCD) for review and identify possible mitigation measures (if any).

Prior to issuance of a building permit

The demolition of the existing gas station would require notification to APCD prior to issuance of a building permit.

D. Hazardous Materials

Prior to application completeness

As the applicant is aware, there is contamination on the project site resulting from two service stations that previously operated on the site. As a result, the project site is on the County of Santa Barbara Protective Services Division's (PSD) Leaking Underground Fuel Tank (LUFT) list, and Planning Division Staff has consulted with Steve Brown of County PSD ((805) 686-8165). Please submit to County PSD for their comments (and to City Planning as part of the submittal for environmental and Planning Commission review) the following information:

1. A site plan showing the proposed building footprints, the proposed remediation equipment, existing and proposed replacement remediation wells, and existing and proposed replacement monitoring wells.

2. A grading plan showing the areas of excavation; and
3. A work plan detailing how proper excavation and removal of contaminated materials will occur on the site.

Please also submit to City Planning Division as part of the application for Planning Commission review any comments or other correspondence received from County PSD on the submitted site plan, work plan, and grading plan. According to County PSD, detailed information on the existing remediation system can be obtained from:

Dawn Stimpson
Komex H₂O Science, Inc.
2146 Parker St. Suite B-2
San Luis Obispo, CA 93401
(805) 787-0307
or

Thomas Browne
Komex H₂O Science, Inc.
5500 Bolsa Avenue, Suite 105
Huntington Beach, CA 92649
(714) 379-1157

E. Comments on the ATE Revised Traffic and Parking Study, dated December 23, 2002

1. The traffic signal warrant analysis does not include data for Accident Experience; that is a key factor in determining the need for a signal. If that data is not available, we will require the applicant to obtain an encroachment permit from Cal Trans to provide the signal at Cieneguitas Road. If Accident Experience data is provided that shows that it does not warrant a signal, then we will consider a bond instead to provide a signal if Cal Trans deems it necessary.
2. The 61% pass-by rate for the Neighborhood Market as noted in Table 3, Project Trip Generation, is too high because technically a pass-by trip is one taken off the adjacent street that contains direct access to the generator. Foothill traffic will have to turn on Cieneguitas to access the market, being a diverted link trip and not a pass-by trip. Please adjust this percentage in the traffic study.
3. The levels of service for the peak hour traffic volumes shall be calculated using all "Intersection Capacity Utilization" (ICU) methodology for the signalized study-area intersections in both the County and the City. The levels of service for the non-signalized intersections in the County and in the City shall be calculated using the Highway Capacity Manual.

4. The City Transportation Planning Staff shall be included in future meetings with CalTrans regarding this proposal and/or copied in any correspondence affecting decisions on this project.
5. More information shall be included in the project description on Page 1 of the traffic study regarding special events. The analysis should specify that the special events would only be held on evenings or weekends, given that parking demand calculations have assumed that the uses would not be occurring concurrently. The project description needs to identify the overall number, frequency, and timing of special events.
6. Table 12 on page 24 identifies the intersection of Cieneguitas and Foothill as a signalized intersection. The cumulative analysis for Cieneguitas/Foothill should identify impacts based on the existing non-signalized intersection and then with the proposed mitigation measure that serves to mitigate both the project's impact as well as the project's cumulative contribution; mitigation measures on page 32 indicate that there will be more analysis done to determine the need for a traffic signal, thus not guaranteeing that one will be installed. A guarantee will need to be in place to assume the project will not result in a significant impact.
7. The Congestion Management Program Analysis should identify which routes and intersections are part of the CMP system to clarify to the reader why the analysis addresses some streets and intersections and not others.
8. The resulting cumulative + project cumulative impact at the Intersection of Route 154 SB/Cathedral Oaks Rd. must be mitigated in a manner that ensures a traffic signal will be provided in that exact location instead of paid to the County's Traffic Impact Mitigation Fee program without a guarantee of future installation.

VII. FEES:

The following is a list of potential fees for the project. Please be informed that fees are subject to change at a minimum annually.

A. Planning Division

Prior to Planning Commission:

Initiation of Annexation.....	\$410.00 (paid)
Economic Development Preliminary Allocation	\$355.00 (paid)
Annexation.....	\$910.00
General Plan Amendment.....	\$1,815.00
Zone Change.....	\$1,490.00
Development Plan (SBMC §28.87.300).....	\$1,630.00
Architectural Board of Review Concept.....	\$335.00 (paid)
Environmental Review.....	TBD
Mailing labels	\$40.00

Following Planning Commission:

Architectural Board of Review\$675.00
Zoning Plan Check Fee\$TBD

Please also note that LAFCO and the State Board of Equalization will charge fees to process the proposed annexation. Also note that City fees change every fiscal year, which begins every July 1st.

B. Engineering Division

Prior to Planning Commission:

Fee Completeness Review Fee\$1,020.00

Following Planning Commission:

Water Buy In Fees To Be Determined
Sewer Buy In Fees To Be Determined
Construction Permit Fees To Be Determined
Plan Review Fee\$175.00
Additional fees may be required upon review of the DART submittal Package.

C. Transportation Division

Following Planning Commission:

Transportation Plan Check Fee\$67.00

D. Building & Safety Division

Following Planning Commission:

Building Plan Check Fee\$TBD

VIII. PRELIMINARY CONDITIONS OF APPROVAL

At this time, some preliminary conditions of approval have been identified as necessary by some of the departments. In many cases, other conditions of approval will be developed in the next phases of processing, environmental review or after the application is deemed complete.

A. Planning Division

Approval of the subdivision will be contingent on City Council and Local Agency Formation Commission (LAFCO) approval of the annexation. No other specific conditions of approval can be identified at this time that would be applied to this project other than standard conditions to reduce impacts from construction activities, such dust, noise, construction equipment and materials storage, traffic,

parking and conditions to require compliance with plans approved by the Architectural Board of Review.

B. Engineering Division

1. Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner in a written instrument which shall be reviewed as to form and content by the City Attorney:

The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner, which will preclude any hazard of life, health or damage to the Real Property or any adjoining property.

2. Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property:
 - (a) The Owner shall execute an Agreement Assigning Water Extraction Rights. Said assignment and any related agreements are subject to the review and approval of the City Attorney. Said agreement shall be recorded in the Office of the County Recorder.
 - (b) The Owner shall record an agreement for maintenance of surface pollution control devices or bio-swales which shall be reviewed as to form by the City Attorney, and as to content by the Community Development Director and the Public Works Director. Said agreement shall be recorded in the office of the County Recorder.
 - (c) The Owner shall submit an executed Agreement Relating to Lot Line Adjustment, Quitclaim Deed and Acceptance Thereof/Declaration of Lot Line Adjustment to the Public Works Department, including the legal description of the subject properties prior to and following the lot line adjustment. A licensed surveyor shall prepare legal descriptions and said Agreement/Declaration shall be recorded in the Office of the County Recorder.
3. The Owner shall submit the following or evidence of completion of the following to the Public Works Department prior to the issuance of a Building permit or Public Works permit.
 - (a) The Owner shall submit C-1 public improvement/building plans for construction of improvements along the subject property road frontage on Foothill Road (CalTrans right of way) and Cieneguitas Road. Public Works C-1 Improvement Plans shall be submitted

separately from Building Permit plans. As determined by the Public Works Department, the improvements shall include City standard sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, access ramp(s), asphalt concrete, concrete pavement on aggregate base, crack seal to the centerline of the street, underground utilities, City/private water and sewer mains, drainage system (curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection, etc.) residential or commercial standard street light(s) to City standard, coordinate with City staff to retire light standard on existing utility pole, preserve and/or reset contractor stamp and/or survey monuments, directional/regulatory traffic control signs, storm drain stenciling, pollution prevention interceptor device, biofilter/swale, drought-tolerant parkway landscaping, street trees, tree grates, and provide adequate positive drainage from site. Where tree roots are the cause of damage, the roots are to be pruned under the direction of the City Arborist. The public improvement/building plans shall be prepared by a registered civil engineer or licensed architect and reviewed and signed by the City Engineer.

- (b.) The Owner shall submit an executed Agreement for Land Development Improvements, an Engineer's Estimate, signed and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
 - (c.) The Owner shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing pillows, etc.) for the operation and use of the storm drain surface pollutant interceptors. The Plan shall be reviewed and approved by the Water Resources Specialist.
 - (d) Submit to the Land Development Engineer hydrology calculations justifying that the onsite/offsite proposed and existing drainage conveyance system adequately convey a 25-year storm event.
4. The Owner shall covenant or offer to make a dedication for easement as shown on the approved tentative subdivision map, or described below, subject to approval as to form by the City Attorney and content by the Public Works Director and the Community Development Director.
- (a) An easement for all street purposes along the proposed roadway in order to establish a To be Determined-foot wide public right of way.
 - (b) An easement for storm drainage purposes (width to be determined) if necessary.
 - (c) Easement for water, sewer and other utility purposes.

5. Record a deferred agreement for the construction of standard City street, drainage and lighting and other improvements on _____
_____. Such improvements may be deferred until _____
_____. An Engineer's Estimate, signed and stamped by a registered civil engineer, and securities for construction of improvements shall be submitted prior to execution of the agreement
6. Submit any encroachment permits from other jurisdictions (State, County Flood Control, County Roads, etc.) for the construction of improvements (including any required appurtenances) within their right of way (easement). Such permits shall be submitted to the Land Development Engineer.
7. The Owner shall apply storm water quality control guidelines to the project per the Public Works Department Construction Project Best Management Practices.
8. Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
9. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department.
10. Public improvements as shown on the C-1 public improvement/building plans. The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialists.

IX. NEXT STEPS:

1. City Council Preliminary Designation of Economic Development Project and initiation of annexation
2. Planning Commission Concept Review
3. ABR Concept Review
4. Planning Commission application submitted for DART Review
5. Planning Commission application reviewed for completeness
6. Determination of Environmental Review Process and if necessary Preparation of Initial Study and Scoping Hearing on the EIR by the Planning Commission
7. Public Hearing and review of project by Planning Commission. Planning Commission will take action on project and make Recommendation to City Council regarding annexation, Economic Development Square footage, General Plan Amendment (GPA), and Zone Map Amendment (ZMA).
8. City Finance Department shall initiate tax negotiations between the City and County. A resolution shall be prepared and considered for adoption by the City Council concurrently with the annexation action.
9. Public hearing at City Council for initiation of annexation process for Local Agency Formation Commission (LAFCO) review of annexation, City Council introduction or ZMA ordinance and preliminary review of GPA resolution.
10. City submits application for review of annexation by LAFCO.
11. LAFCO public hearing on annexation.
12. LAFCO submits resolutions to City consenting to annexation.

13. City Council hearing on final annexation actions, including adoption of resolution accepting LAFCO action, and adoption of ZMA ordinance and GPA resolution.
14. City delivers final annexation resolution to LAFCO.
15. LAFCO records Certificate of Completion and sends copy to City and State Board of Equalization. Annexation is considered final by the City once the Certificate of Completion has been received from LAFCO. No permits may be issued or final map recorded until the City has received this Certificate of Completion.
16. Submittal of Final Map to Public Works and recordation with agreements at City Council. (Consult with LAFCO for concurrent recordation of these maps and documents with Certificate of Completion)
17. ABR Approval
18. Submit building plans for City review.

X. CONTACTS

The following is a list of the contact personnel for the various City departments and/or divisions working on the processing of your application:

Planning Division, 564-5470Jessica W. Grant, Assistant Planner
Fire Department, 564-5702Nikki Studt, Fire Inspector I
Engineering Division, 564-5363C. Michael McCaleb, Land Development
Project Engineer
Transportation Division, 564-5385David Nesbitt, Assistant Transportation
Planner and Susan McLaughlin, Assistant
Transportation Planner
Building & Safety Division, 564-5485Mark Wilde, Project Engineer

XI. CONCLUSIONS/GENERAL COMMENTS

These comments constitute your PRT review. The project is scheduled for review at a meeting on February 18, 2003, at 3:15 p.m., with staff from the Planning, Transportation, Engineering, Building & Safety Divisions and the Fire Department. Please review this letter carefully prior to our scheduled meeting date. We will answer your questions on the PRT comments at that time. If you do not feel it is necessary to meet with Staff to discuss the contents of the letter or the project, please call me at (805) 564-5470 by February 17, 2003. If we do not hear from you by this date, we will assume that you will be attending the scheduled meeting. If you have any general or process questions, please feel free to contact me.

Sincerely,

Jessica Grant

Jessica W. Grant, Assistant Planner

cc: (w/o attachments)

Webster Properties, LP; 21 E. Victoria Street, Santa Barbara, CA 93101

PRE-APPLICATION REVIEW TEAM COMMENTS
4151 FOOTHILL ROAD (MST2001-00840)
FEBRUARY 12, 2003
PAGE 18 OF 18

Planning File

Barbara Shelton, Environmental Analyst

John Ewasiuk, Principal Civil Engineer

Marti Schultz, Supervising Civil Engineer

C. Michael McCaleb, Land Development Project Engineer

Joe Poire, Fire Inspector III

Nikki Studt, Fire Inspector I

David Nesbitt, Assistant Transportation Planner

Susan McLaughlin, Assistant Transportation Planner

Mark Wilde, Plan Check Engineer



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 18, 2003
TO: Mayor and Councilmembers
FROM: Planning Division, Community Development Department
SUBJECT: INITIATION OF ANNEXATION AND PRELIMINARY ECONOMIC DEVELOPMENT DESIGNATION

RECOMMENDATION:

That Council initiate the annexation of 4151 Foothill Road and 675 Cieneguitas Road and make the preliminary finding that the Fielding Institute project would enable the educational-oriented facility to continue its services that enhance the standard of living for City and South Coast residents and strengthen the local and regional economy, and grant the project a Preliminary Economic Development Designation for 22,499 square feet of floor area.

DISCUSSION:

Request

The applicant requests initiation of annexation for 4151 Foothill Road (APN 059-160-017 & 059-160-023) and preliminary designation of 22,499 square feet from the Economic Development Category towards a proposed 66,906 square foot office building for the Fielding Institute (see *Attachment 1 & 2, Project Site Plan and Applicant Letter*). At the request of LAFCO, Staff is also initiating annexation of 675 Cieneguitas Road, where there is an existing veterinary clinic (APN 059-160-021).

Project Description

The project site, which is also known as "Foothill Triangle", is located within the City's Sphere of Influence at the corner of Foothill and Cieneguitas Roads. The site is approximately 4.06 acres with an existing County zoning of SC, Shopping Center, and an existing County Comprehensive Plan Designation of Neighborhood Commercial. The existing development on the site includes a 1,750 square foot abandoned gas station and garage. The site is currently connected to the Goleta Sanitary District and is served by the Goleta Water District. The proposal at 4151 Foothill Road would involve detaching from those services and attaching to City sewer and water. Please note that 675 Cieneguitas Road is already connected to City sewer and would be required to connect to City water as well.

The proposed project involves the construction of a 2,400 square foot neighborhood market and a two-story 66,906 square foot office building, which would be leased by the

REVIEWED BY: _____ Finance _____ Attorney

Agenda Item No. _____



Fielding Institute. The Fielding Institute is an educational-oriented facility offering doctoral degrees in Clinical Psychology, Human and Organization Development, and Educational Leadership and Change, and Masters programs in Organizational Management and Organizational Development. All of the instruction occurs via telecommunications systems. The Fielding Institute also provides free consulting services to local non-profit organizations and opportunities for the local community to attend sponsored seminars and art shows. The primary use of the proposed office building would be for employee administrative offices and meeting facilities. The building would also be occasionally used for seminars for local non-profit agencies and as a reception site to showcase artwork from various local artists. The proposed 2,400 square foot neighborhood market is envisioned to be used by the nearby residents and employees from the Fielding Institute. The existing gas station and garage would be demolished.

The proposed project would involve Annexation of the unincorporated area of Santa Barbara County into the City of Santa Barbara, General Plan Amendment to General Commerce, Zoning Map Amendment to C-1/S-D-2, Limited Commercial/Outer State Street Area, Development Plan Approval for the 67,556 square feet of new non-residential development, Final Economic Development Designation for 22,499 square feet, and Lot Line Adjustment between the two existing lots, APN 059-160-017 & 059-160-023.

Discussion

Annexation is a legislative process and City procedures require that the Planning Commission or City Council initiate the annexation before the applicant can submit a formal application.

At this stage in the annexation process, a preliminary review of the proposal and issues is performed. An in-depth analysis of City policy consistency is not done until an application is submitted. The purpose of this discussion is to determine if the project generally meets the City's annexation policies, identify any major and potential environmental concerns/constraints, and identify potential zoning and General Plan designations. The applicant and City Staff will continue to discuss the proposal with the Local Agency Formation Commission (LAFCO) as well as County Planning Staff.

Existing General Plan policies, as well as policies within the Draft Annexation Policy Update, encourage the annexation of parcels within the City's Sphere of Influence at the earliest convenience. The subject parcels are located within the City's existing sphere of influence. The proposed annexation meets the criteria of Council Resolution 96-118, which establishes procedures for reviewing applications for annexation of territory into the City of Santa Barbara. Resolution No. 96-118 limits the acceptance of applications requesting the initiation of annexations to parcels which are within the City's Sphere of Influence and are adjacent to existing City boundaries.

Issues

Staff has reviewed the area proposed for annexation and recommends considering a General Plan Designation of General Commerce and a Zoning Designation of C-1, Limited Commercial, with an overlay zone of S-D-2, which is applied to properties located in the "Upper State Street Area" that is bounded by Alamar Avenue, U.S. Highway 101, Foothill Road, and State Highway 154. The Pre-application Review Team (PRT) reviewed the annexation request in January 2002 and in February 2003. As identified in the PRT letters, the major issues for this annexation are land use, site design, street improvements, traffic impacts, grading/drainage of the site, and the level of contamination of the site resulting from the two service stations that previously operated on site. The applicant is in

the process of obtaining the reports and information needed to apply for City review after initiation of the annexation.

Staff is also concerned about other potential annexation related issues, such as the possible inclusion of the remaining parcels on La Barbara Drive, which are located southeast of the subject site. The proposed annexation would result in the creation of an unincorporated island of the remaining parcels on La Barbara Drive (057-011-010, 057-011-009, 057-011-005, 057-011-008, 057-012-007, 057-012-002, 057-012-003, 057-012-004) (see *Attachment 3*). Government Code §56744 prohibits LAFCO from approving a city annexation if, as a result, unincorporated territory will be totally surrounded by the city. LAFCO can waive the restriction only if it makes specific findings. In addition, City Council has adopted a policy stating that they will not approve an annexation if the property owners object. Of the eight remaining parcels on La Barbara Drive, five consented to annexation when they connected to City sewer. If the subject site annexation is initiated, Staff will be working closely with LAFCO and the property owners on La Barbara Drive to determine whether an initiation of annexation of those subject properties is appropriate.

In addition to the remaining properties on La Barbara Drive, there is 675 Cieneguitas Road (APN 059-160-021), which is located adjacent to the subject site to the south. Existing on site is a veterinary clinic. The owner consented to annexation when the site was connected to City sewer. This site would also have a General Plan Designation of General Commerce and a Zoning Designation of C-1/S-D-2, Limited Commercial/Outer State Street Area. LAFCO recommended that staff include this property in the annexation initiation request. The only concern the property owner has about the annexation is that he would like his pole sign advertising the clinic to remain. Pole signs, however, are prohibited in the City of Santa Barbara. This issue will be discussed and evaluated further to determine whether the sign could remain legal nonconforming or whether an amortization would be imposed to eventually remove the sign.

Economic Development Category

Please see *Attachment 4* for a summary of City Charter provisions for Economic Development designations.

As of February 25, 2003, 592,390 square feet is remaining in the Economic Development Category for allocation (not including this project). Please refer to *Attachment 5* for a list of Economic Development projects that have received a Preliminary or Final Designation.

Project Needs

The applicant provided a project Needs Analysis per procedures established in City Council Resolution 99-036. In addition, the applicant's request letter explains project needs (see *Attachment 2*). As discussed in the applicant's letter, the proposal would enable the Fielding Institute to continue its services in Santa Barbara.

The Fielding Institute has been in operation since 1974 and has been an active member in the Santa Barbara community for 28 years. Fielding has approximately 91 full time and four part time employees working out of their administrative offices located at 2112 Santa Barbara Street and at 2020 De La Vina Street. If the proposed project were approved, Fielding would sell both office buildings and relocate all of their Santa Barbara based employees to the proposed site, providing that the final plans for the building meet the needs of the organization. Fielding has grown approximately 5% per year and they expect their employment growth to continue in years to come. The proposed office building for



the Fielding Institute would allow an existing, successful educational-oriented business to continue serving the community and strengthening the regional economy in an upgraded and consolidated facility. There are a limited number of higher education facilities in Santa Barbara, and the Fielding Institute has demonstrated that it is dedicated to serving the higher educational needs of the community. The Owner/Developer will be required to demonstrate a tenant/lease agreement with Fielding and/or other qualifying entity before issuance of a building permit. However, the Economic Development program for the City cannot guarantee that the building will remain occupied by the Fielding Institute or any particular tenant. The land use designations and the project need to be evaluated on the merits as C-1, Limited Commercial, and a 66,906 square foot office building and 2,400 square foot neighborhood market.

NEXT STEPS:

If the request for initiation is granted by Council, the applicant would go to the Planning Commission and the Architectural Board of Review for conceptual review. Then, the applicant would submit a Planning Commission application for the Development Application Review Team. Following application completeness and environmental review, the applicant would go to Planning Commission for formal review of the proposed annexation. Following Planning Commission review, the City Finance Department would initiate tax negotiations between the City and the County. A resolution would be prepared and considered for adoption by the City Council concurrently with the annexation action. City Council would hold a public hearing and must consent to the proposed annexation prior to submittal of the proposed annexation for LAFCO review and approval. If LAFCO approves the annexation, then LAFCO would submit a resolution to the City consenting to annexation. Finally, City Council would hold the hearing on the final annexation action and would deliver the final annexation resolution to LAFCO, so LAFCO can complete the application process and notify the State Board of Equalization.

BUDGET/ FINANCIAL INFORMATION:

Property Tax

State law governing annexations requires that the City and the County negotiate a tax exchange agreement. The tax exchange agreement determines what portion of the property tax paid on the property (if any) will be allocated to the City. The tax exchange agreement negotiation with the County would occur at a later date, if the annexation is initiated.

Annexation Buy-in Fees

Chapter 4.04 of the Municipal Code (Annexation Fees and Charges) requires owners of annexed property to pay an annexation "buy-in" fee. The annexation fee amount is set by City Council Resolution based on the value of municipal improvements and the acreage of land in the City.

ATTACHMENTS:

1. Project Site Plan
2. Applicant Letter dated January 13, 2003, with Statement of Need
3. Vicinity Map showing 4151 Foothill Road, 675 Cieneguitas Road and the remaining parcels on La Barbara Drive
4. Summary of Charter Provisions for Economic Development Designations
5. Table of Projects with Preliminary or Final Economic Development Designations



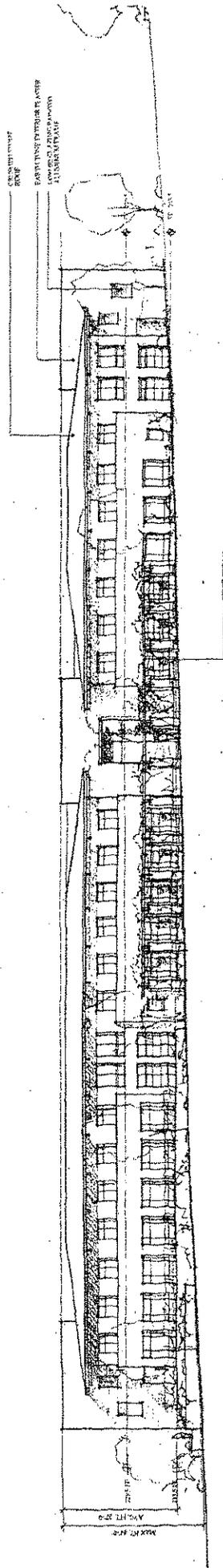
NOTE: Plans are available for review in the City Clerk's Office and the Mayor and Council's Office.

PREPARED BY: Jessica W. Grant, Assistant Planner

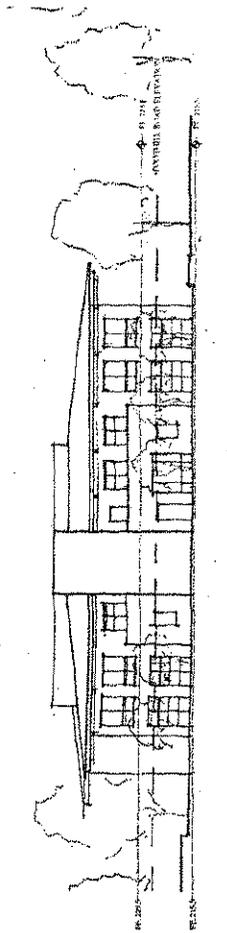
SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

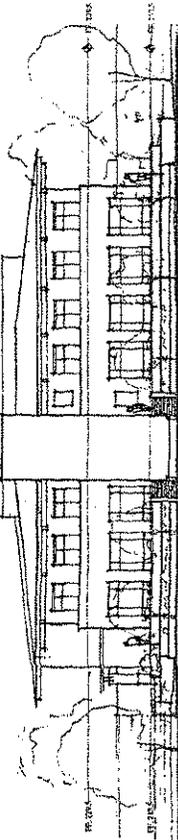




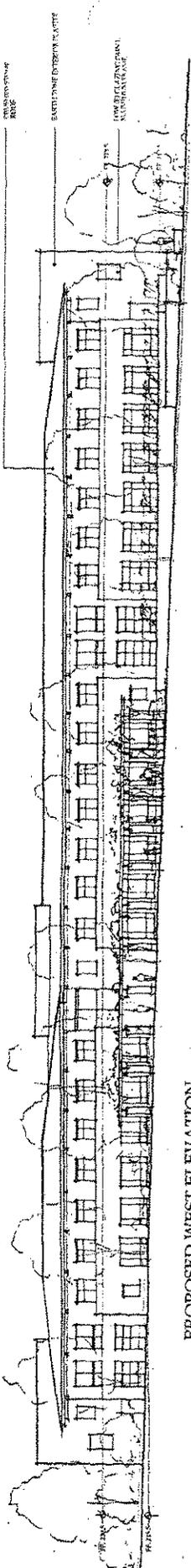
PROPOSED EAST ELEVATION (CIENEGUITAS ROAD ELEVATION)
Scale: 1/16" = 1'-0"



PROPOSED NORTH ELEVATION (FOOTHILL ROAD ELEVATION)
Scale: 1/16" = 1'-0"



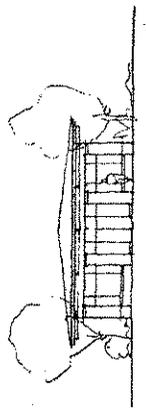
PROPOSED SOUTH ELEVATION
Scale: 1/16" = 1'-0"



PROPOSED WEST ELEVATION
Scale: 1/16" = 1'-0"



PROPOSED MARKET NORTH ELEVATION
Scale: 1/16" = 1'-0"



PROPOSED MARKET EAST ELEVATION
Scale: 1/16" = 1'-0"

APPLICATION OF TIFFANY CAMPBELL, AGENT FOR WEBSTER PROPERTIES L.P., PROPERTY OWNER, 4151 FOOTHILL ROAD, APNS 059-160-017 & 059-160-023, COUNTY ZONING: SC, SHOPPING CENTER, COUNTY COMPREHENSIVE DESIGNATION: NEIGHBORHOOD COMMERCIAL (MST2001-00840)

The proposed project involves annexation of a 4.13-acre site that is located within the City's Sphere of Influence at the corner of Foothill and Cieneguitas Roads. The site has an existing County zoning of SC, Shopping Center, and an existing County Comprehensive Plan Designation of Neighborhood Commercial. The existing development on the site includes a 1,750 square foot abandoned gas station and garage. The proposed project involves the construction of a 2,400 square foot neighborhood market and a two-story, 66,906 square foot office building, which would be leased by the Fielding Institute. The primary use of the proposed office building would be for administrative offices and meeting facilities. The building would also occasionally be used for seminars for local non-profit agencies and as a reception site to showcase artwork from various local artists. The proposed 2,400 square foot neighborhood market is envisioned to be used by the nearby residents and employees from the Fielding Institute. The existing gas station and garage would be demolished.

On March 18, 2003, City Council initiated annexation of 4151 Foothill Road with a preliminary Zoning Designation of C-1/S-D-2, Limited Commercial/Outer State Street Area Overlay Zone, and a General Plan Designation of General Commerce. The project also received a preliminary designation of 22,499 square feet from the Economic Development category under Measure E. Located adjacent to the subject site to the south is 675 Cieneguitas Road (APN 059-160-021), where there is an existing veterinary clinic. LAFCO recommended that Staff include this property in the annexation initiation request with 4151 Foothill Road. The owner consented to annexation when the site was connected to City sewer. On March 18, 2003, City Council also initiated this property with a General Plan Designation of General Commerce and a Zoning Designation of C-1/S-D-2, Limited Commercial/Outer State Street Area.

The purpose of the concept review is to allow the Planning Commission 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:

An Annexation of the subject properties within the unincorporated area of Santa Barbara County to the City of Santa Barbara;

A General Plan Amendment to add the subject property to the City's General Plan Map with a designation of General Commerce for APNS 059-160-023, 059-160-017 and 059-160-021;

A Zoning Map Amendment upon annexation of the property to the C-1/S-D-2, Limited Commercial/Upper State Street Overlay zoning designation;

A Development Plan to allow 67,556 square feet of new, non-residential development utilizing floor area from the Vacant Property, Small Addition, and potentially the Economic Development General Plan categories (SBMC §28.87.300);

A Lot Line Adjustment between parcels APN 059-160-023 and APN 059-160-017;

Design Review by the Architectural Board of Review (ABR) (SBMC §22.68.040);

A Final Economic Development Designation by the City Council for 22,499 square feet from the Economic Development Category for a new administrative office building for an educational institution; and

An Annexation Map, to be coordinated with LAFCO.

Jessica Grant, Assistant Planner, gave a presentation of the project.

Susan McLaughlin, Assistant Transportation Planner, briefly reviewed the traffic concerns of the Transportation Planning Division.

Commissioners' questions and comments:

1. Asked about the deed restriction prohibiting housing placed on the property by the previous owner.
2. Asked for clarification of the request by Caltrans to delay the installation of the traffic signal by six months after project completion.
3. Asked if the Fielding Graduate Institute (Fielding) owns their two current campus sites, which are located in the City.
4. Asked for zoning clarification of Fielding's two campuses.
5. Asked if the Planning Commission has the authority to restrict the sale of alcohol in a neighborhood market.
6. Asked for clarification of the proposed lot line adjustments.
7. Asked for the basis for recommending economic priority square footage.

Steve Wiley, Assistant City Attorney, stated that a deed restriction placed on the property by the previous owner could only be enforced by an owner who has retained an ownership interest, which the previous owner, Mobil Corporation, has not done. Possibly, the covenant is not enforceable. Additionally, it would not be in the City's best interest to require a hold harmless agreement. He stated that the City cannot impose a restriction on the sale of alcohol because that is under the purview of the State; however, the Planning Commission can restrict the market's hours of operation.

Ms. McLaughlin responded that Caltrans has requested a six-month delay in installing the traffic signal in order to study the intersection after the building is occupied.

Michael Towbes, Agent, provided details of the proposed project.

Brian Cearnal, Architect, provided additional details of the proposed project.

John Nelson, Fielding Graduate Institute, described their goals to relocate to a new location, and stated that the Fielding Institute's current sites would be sold if they relocated to this Foothill Road site.

Ms. Hubbell stated that Fielding's Santa Barbara Street location is zoned R-1 and has an existing Conditional Use Permit (CUP). The other site is commercially zoned. She stated that the Planning Commission would make a recommendation to the City Council regarding economic priority square footage and that the life cycle of the building must be considered.

Mrs. Grant clarified the proposed lot line adjustments.

The public comment was opened at 3:22 p.m.

The following people expressed concerns about the project:

Dr. R. A. Buelow, 5180 Kara
Carrie Brown, 1000 Cieneguitas Road

The public hearing was closed at 3:26 p.m.

During the discussion, the Commissioners either individually or collectively:

Comments on Land Use and Site Design:

1. Felt the proposed C-1 zoning appropriate and supported the economic development designation for the Fielding, but thought there may be additional mitigations for housing and traffic. Would prefer to see Fielding coming in as a partner, rather than a lessee.
2. Agreed with Staff that massing should be broken up and thought that a campus should not be designed in one building, but in perhaps three or four separate buildings connected with arcades and pergolas, such as those at Riviera Park. Supported the idea of a multipurpose facility with adaptive use for the future. Stated that the site design is a key issue and felt it is overwhelming in its current configuration. Was concerned that the land will not be used efficiently enough. Was concerned about the amount of grading and suggested more creativity in the building design. Suggested the creation of a quadrangle if Fielding relocates to this site. Disagreed with the Applicant that the neighborhood is rural, and thought it very dense surrounding the site. Felt this special site will define the neighborhood's future and that the design needs more "magic." Did not believe the Planning Commission should decide who the right tenant would be, and cited

the El Mercado complex as a good example of an office building lending itself to commercial, office, and other types of uses.

3. Thought the proposed parking would be appropriate in an industrial park environment, but not here. Suggested adding a parking garage to the proposal, perhaps on-grade parking with the building above the parking, which would result in more open space, and thought 200 parking spaces on this 1.5-acre site are too many.
4. Supported neighborhood markets (with limited hours of operation) and thought the concept of a local market should be enlarged upon to include a coffee shop, deli, or laundromat and/or other neighborhood convenience use to reduce traffic trips. Three Commissioners indicated that the appropriate location for the market would be at the corner, and two indicated the market could be any place.
5. Agreed with Architectural Board of Review (ABR) that the roof should be extremely attractive as it is quite visible from Highway 154.
6. Agreed with the Architect that heavy landscaping is important, but it would need to be balanced, as it is not entirely consistent with the Urban Design Guidelines. Suggested pursuing a landscaping easement over the Caltrans right-of-way for visual mitigation and thought it inappropriate for Caltrans to wait six months after the proposed building is occupied before installing the traffic signal, and supported the idea of the Applicant paying the costs for the signal. Was concerned that the Caltrans right-of-way will not be annexed, as this is the only area that will help to mitigate the views of the building and parking when coming down the Highway 154 offramp, and suggested a larger buffer on the property.
7. Was appalled by the deed restriction on the property and frustrated that the City's and Applicant's efforts to do "smart growth" are being compromised in a car-related pattern from another era.
8. Complimented the proposed sustainability component of the project.
9. Was concerned with the location of the remediation building and agreed that this area is the corner of a gateway.
10. Felt a Conditional Use Permit (CUP) appropriate in that Fielding has special events, or a detailed project description should be written, containing specific performances and restrictions.
11. Stated that the proposed zoning change will provide a noise buffer for the residents in the area.
12. Did not believe Planning Commission should consider who the right tenant should be, and thought this commercial building, as an office space, is neither the right shape nor configuration. Cited the El Mercado complex as a good example of an office building lending itself to commercial, office, and other types of uses.

Comment on Street Improvements:

Believed the location appropriate for future traffic roundabouts and supported the use of bicycle and parking lanes to narrow the street, and a median. Would like the pedestrian and bicycle facilities integrated with those in the County's jurisdiction.

Comments on Traffic Impacts and Other Environmental Issues:

1. Suggested that the tenants be required to be proactive with the management of their staff and cars regarding carpooling, bus passes, and flex schedules.
2. Stated that upcoming housing mitigations may be in effect when this project is built.

Comment on Site Contamination:

Suggested the City work with the developer to overcome any contamination problems on site.

Comments on Other Potential Annexation Issues:

1. Suggested that, in order to make the findings for economic development status, the Applicant consider annexing those few properties on La Barbara Lane that are not now connected to the City sewer, and make the required water and sewer improvements.
2. Requested historical information regarding the veterinarian's pole sign, an up-to-date traffic study, a contamination report, and a larger map showing surrounding houses and buildings when the project comes back before the Planning Commission.
3. Suggested that the veterinarian poll his patients as to whether they are coming to him because of the pole sign, or from a referral.

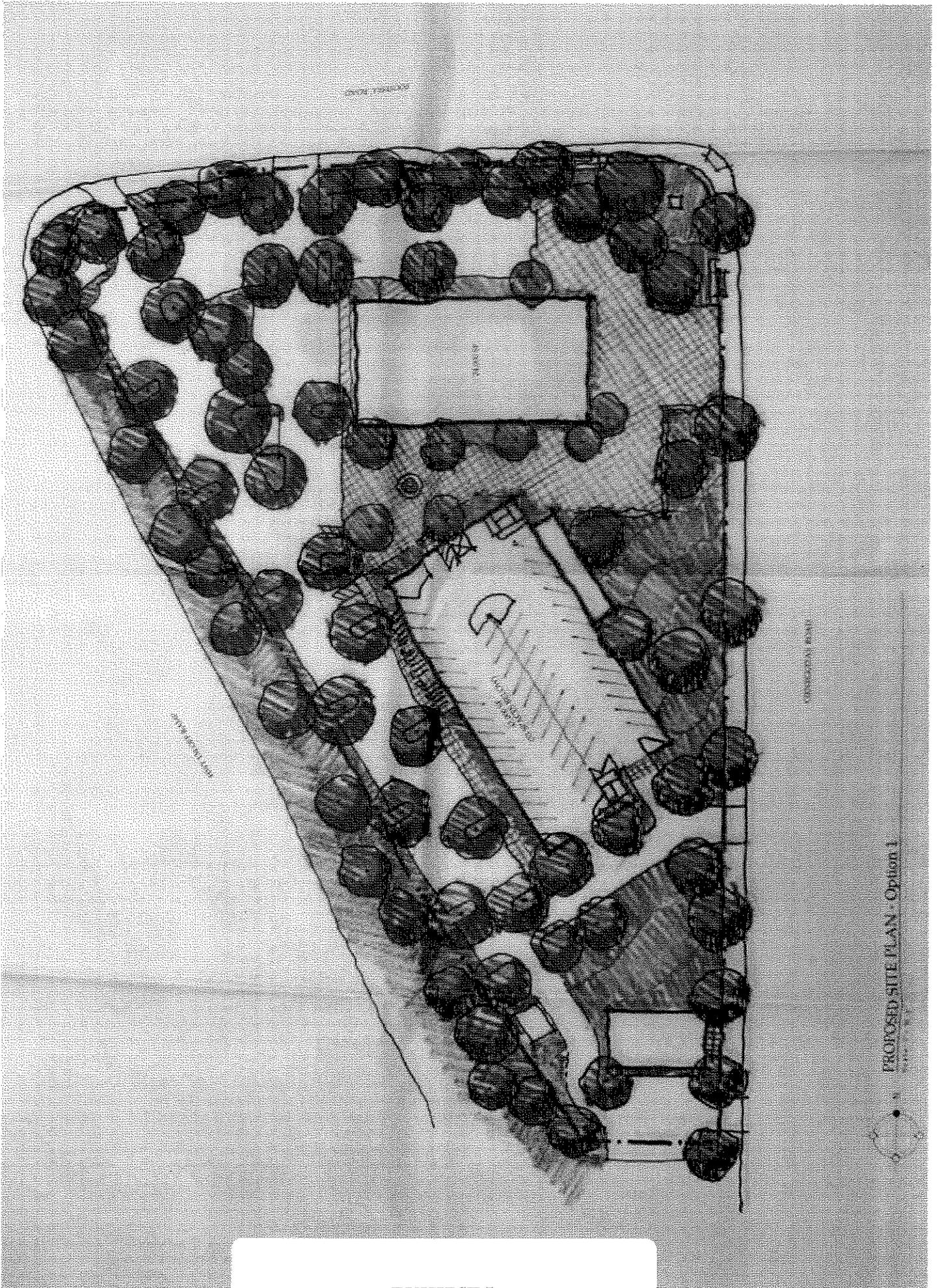
Mr. Wiley stated that the City's sign ordinance has a process for exemption from the requirement that the pole sign be removed. He recommended that the veterinarian go through the Sign Committee process even before the property is annexed to the City. He commented that more information is needed about how Fielding operates before requiring a CUP, because the proposal is for an office use as opposed to a traditional educational use. He stated that regular conditions of approval could set the hours of operation for a market.

Ms. Hubbell stated that the Public Works Department is interested in turning La Barbara Lane into a public street which involves other improvements, as well as water and sewer hookups. She stated that, since it will be an office building, it should not require a CUP. She concluded by saying that the Applicant is willing to include either off-site or on-site housing in his proposed project.

Mr. Towbes made the following comments: the remediation area is an enclosure; he will pay 100% of cost for a traffic signal at Cieneguitas and Foothill Roads, and would

contribute to the cost of the eventual signals at the ramps at Highway 154; the bike lanes will be coordinated with Caltrans and Associated Transportation Engineering; Caltrans has agreed to allow the Applicant to landscape their right-of-way; Fielding wishes to have a campus, not an office building, but breaking up the buildings will make the project less efficient because of the need for bathrooms, elevators, and landscaping in between; underground or ground level parking would require more building area and would push the buildings up another ten feet in height.

Mr. Cearnal would prefer not to annex La Barbara Lane if the residents do not wish it.



PROPOSED SITE PLAN - Option 1

EXHIBIT I

APPLICATION OF TIFFANY CAMPBELL, AGENT FOR WEBSTER PROPERTIES L.P., PROPERTY OWNER, 4151 FOOTHILL ROAD, APNS 059-160-017 & 059-160-023, COUNTY ZONING: SC, SHOPPING CENTER, COUNTY COMPREHENSIVE DESIGNATION: NEIGHBORHOOD COMMERCIAL (MST2001-00840)

The proposed project involves annexation of a 4.13-acre site that is located within the City's Sphere of Influence at the corner of Foothill and Cieneguitas Roads. The site has an existing County zoning of SC, Shopping Center, and an existing County Comprehensive Plan Designation of Neighborhood Commercial. The existing development on the site includes a 1,750 square foot abandoned gas station and garage. The proposed project involves the construction of a 2,400 square foot neighborhood market and a two-story, 66,906 square foot office building, which would be leased by the Fielding Institute. The primary use of the proposed office building would be for administrative offices and meeting facilities. The building would also occasionally be used for seminars for local non-profit agencies and as a reception site to showcase artwork from various local artists. The proposed 2,400 square foot neighborhood market is envisioned to be used by the nearby residents and employees from the Fielding Institute. The existing gas station and garage would be demolished.

On April 10, 2003, the Planning Commission held a public hearing and provided comments on the proposed project.

The applicant has requested an opportunity to present a site plan to the Commission that has been revised to respond to the Commission's comments. The purpose of the concept review is to allow the Planning Commission an opportunity to review the proposed project site plan at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the site plan. 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. Annexation of the subject properties within the unincorporated area of Santa Barbara County to the City of Santa Barbara;
2. General Plan Amendment to add the subject property to the City's General Plan Map with a designation of General Commerce for APNS 059-160-023, 059-160-017 and 059-160-021;
3. Zoning Map Amendment upon annexation of the property to the C-1/S-D-2, Limited Commercial/Upper State Street Overlay zoning designation;
4. Development Plan to allow 67,556 square feet of new, non-residential development utilizing floor area from the Vacant Property, Small Addition, and potentially the Economic Development General Plan categories (SBMC §28.87.300);
5. Lot Line Adjustment between parcels APN 059-160-023 and APN 059-160-017;
6. Design Review by the Architectural Board of Review (ABR) (SBMC §22.68.040);

7. Final Economic Development Designation by the City Council for 22,499 square feet from the Economic Development Category for a new administrative office building for an educational institution; and
8. Annexation Map, to be coordinated with LAFCO.

Jessica Grant, Assistant Planner, gave a presentation of the project.

Brian Cearnal, Architect, briefly reviewed revisions to the project.

Michael Towbes, Applicant, addressed concerns about opposition to a neighborhood market.

The public comment was opened at 2:10 p.m., and with no one wishing to speak, it was closed.

Commissioners' questions and comments:

1. Asked for clarification of County zoning.
2. Asked for an explanation of the traffic engineering that led to the entrance location on Foothill Road which would allow a left hand turn across that busy street.

Jan Hubbell, Senior Planner, clarified County zoning and deed restriction.

Mr. Cearnal clarified that the Foothill Road entrance curb cut is set back far enough from the intersection to allow for a left hand turn by westbound traffic on Foothill Road, past what is currently the left hand turn onto Cieneguitas Road.

During the discussion, the Commissioners either individually or collectively:

1. Stated that a market would be a welcome amenity for the surrounding neighborhood and disagreed with those in the community not in favor of it. Stated that the market is integral in approving the project and that it is the one token effort at providing a neighborhood benefit. Made it clear that, while the City cannot regulate alcoholic beverage sales, the intent is for the market to be similar to other small, locally owned neighborhood markets in the City, rather than a "mini-mart." Felt that zoning should not be changed and that annexation should not occur if the market is not included. Suggested a third building would be essential to the project if the market is not included. The consensus of the Commission is that a market should be included in the project, but not located on the corner of the property.
2. Thought the proposed revisions of breaking up the project into several buildings, underground parking, and sensitive landscaping were responsive to the Planning Commission's prior concerns; however the campus-like feel is still missing and the buildings do not necessarily need to be rectangular in shape.

3. Stated support of additional square footage in return for an improved site design. Thought the small "finger" of parking along Foothill Road would be better located under the second building and questioned the need for the amount of parking being proposed. Suggested taking advantage of the grade by putting all of the parking under the buildings.
4. Thought the sidewalk should be pedestrian-oriented, with a parkway buffer, for a more residential feel.
5. Cited the Urban Design Guidelines and believed the buildings should address the street more adequately.
6. Thought the site may have a calmer feel to it after the signalized intersection is in place.
7. Suggested the proposed project include a placita or pocket park that may be enjoyed by the neighborhood.
8. Felt that traffic should enter and exit the property on Cieneguitas Road to discourage cross traffic turns.
9. Felt the southerly building should be pivoted and oriented to Cieneguitas Road, both in site design and architecture. Felt the other building's orientation to Foothill Road appropriate.

Mr. Cearnal agreed with the Planning Commission that the market would be desirable, but stated reservations because of neighborhood concerns. He disagreed with the Commission regarding the orientation of the buildings and felt the proposed site design is appropriate. He stated that the proposed entrance to the property is located on Foothill Road to balance the flow of traffic coming to the property and to avoid too much traffic on Cieneguitas Road, which is a residential street.

**SUMMARY OF CHARTER § 1508 PROVISIONS FOR
NON-RESIDENTIAL DEVELOPMENT**

Under City Charter Section 1508, non-residential growth has been limited until the year 2010. Charter §1508 states that new non-residential development in the City must be allocated from one or more of the following categories:

Category	Square Footage Allocated to Category
Approved Projects	900,000 SF
Pending Projects	700,000 SF
Vacant Property	500,000 SF
Small Additions	600,000 SF
Community Priority	300,000 SF
Total	3,000,000 SF

Minor Additions of 1,000 SF or less per parcel are not limited by Charter §1508.

To provide for important needs of the community to be met within the parameters of future development, the Community Priority and Economic Development Categories were established.

Community Priority: The Community Priority designation was envisioned for use by only those projects that clearly provide a public benefit. Section 28.82.300 of the Zoning Ordinance defines Community Priority as follows:

"A project which has been designated by the City Council as a community priority necessary to meet a present or projected need directly related to public health, safety or general welfare."

"General welfare" is defined in the Ordinance as follows:

"A community priority project which has broad public benefit (for example, museums, childcare facilities, or community centers) and which is not principally operated for private profit."

The Charter Section 1508 allocated 300,000 square feet for development under the Community Priority Category. Given the limited amount of floor area available for these projects, developments proposed for designation as a Community Priority are reviewed carefully against the criteria above.

Economic Development: The Economic Development category was envisioned as a way to provide for unanticipated future needs related to the economic health of the City by using expired, withdrawn, denied, and unallocated square footage from the Approved, Pending, and Small Addition General Plan categories.



The Economic Development Category was added to the Charter in 1995. All square footage from the Approved Projects, Pending Projects and Small Additions categories that is not used because projects are withdrawn or their approvals expire, along with square footage in the Small Addition Category left over from the annual 30,000 SF component, is moved into the Economic Development category. The 3,000,000 SF cap remains unchanged.

Section 28.87.300.B.3 of the Zoning Ordinance describes a project that is eligible to receive Economic Development square footage as:

"A project which has been designated by the City Council as a project that is consistent with the City Charter, General Plan and this Title, will enhance the standard of living for City and South Coast residents and will strengthen the local or regional economy by either creating new permanent employment opportunities or enhancing the City's revenue base. An Economic Development Project should also accomplish one or more of the following:

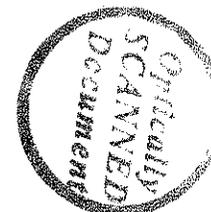
- a. Support diversity and balance in the local or regional economy by establishing or expanding businesses or industries in sectors which currently do not exist on the South Coast or are present only in a limited manner; or
- b. Provide new recreational, educational, or cultural opportunities for City residents and visitors; or
- c. Provide products or services which are currently not available or are in limited supply either locally or regionally."

"Standard of living" is defined as:

"Wages, employment, environment, resources, public safety, housing, schools, parks and recreation, social and human services, and cultural arts."

Both Categories: If the Council grants a non-binding Preliminary Designation, the project would then proceed with Planning Commission review. In addition to the required Development Plan findings, the Planning Commission would make a recommendation to the Council regarding the appropriateness of the Final Community Priority or Economic Development Designation. The City Council would then be requested to grant a Final Designation as part of the project approval.

Generally, projects are allocated the first 3,000 square feet of project space from other categories for which they are eligible, such as Minor Addition, Small Addition, and/or Vacant, and remaining new square footage may be considered for Community Priority designation. For Economic Development, the first 1,000 square feet is usually taken from the Minor Addition category.



**PROJECTS WITH PRELIMINARY OR FINAL
ECONOMIC DEVELOPMENT DESIGNATIONS**

PROJECT/ADDRESS	PRELIM. DESIG. (SQ. FT.)	FINAL DESIG. (SQ. FT.)	STATUS/ COMMENT
Gateway Project (Miravant) 6100 Hollister Avenue MST97-00715		80,000	Approved 5/28/2000
Architectural Millworks 815 Quinientos Street MST97-00320		15,000	C of O 1/20/2004
Penfield and Smith 111 E Victoria St MST2002-00243		7,905	BP 2/11/2005
Software.com 630-634 Anacapa Street MST97-00520	26,493		Withdrawn
Alliance Manufacturing Software 1035 Chapala Street MST98-00051	30,257		Withdrawn
Fielding Institute 4151 Foothill Road MST2001-00840 MST2008-00496	22,499 22,499		Prelim with MST2001-00840
Airport Mobile Structure 500 Fowler Rd MST2002-00265		720	Approved 6/20/02
Cottage Hospital 320 W Pueblo St MST2003-00152		182,541	Under Construction
Granada Theatre 1216 State St MST2004-00005		13,360	Approved 3/23/04
SUBTOTALS	22,499*	299,526	SUBTOTALS
ALLOCATED TO DATE: 322,025 SQFT* REMAINING UNALLOCATED: 375,985 SQFT			

10-29-08

*Does not include SF from Software.Com or Alliance, which have been withdrawn



Looking east from northwest of intersection.

LOCATION: Foothill and Cieneguitas

RECOMMENDATIONS:

- Add curb extensions on Foothill Road, west of Cieneguitas Road
- Begin second westbound travel lane further to the west
- Relocate crosswalk across south side of Cieneguitas Road
- Provide advance limit line on Cieneguitas Road

Curb Extensions and High Visibility Crosswalk (La Colina Jr. High)

Figure VI-7. Sample Concept Plan for La Colina Junior High School (Foothill Road & Cieneguitas Road)