CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT
FINAL MITIGATED NEGATIVE DECLARATION – MST2004-00725

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

PROJECT LOCATION: **124 Los Aguajes Avenue**

PROJECT PROPONENT: **Mark T. Edwards**

PROJECT DESCRIPTION: The project consists of the demolition of an existing 884 square foot, single-family residence and 440 square foot detached garage, and the construction of three new residential condominium units in the Appealable Jurisdiction of the Coastal Zone. The proposed structure would be three stories with a maximum building height of 30' 2" consisting of 4,049 square feet of residential floor area above 1,172 square feet of garage floor area. The project includes two two-car garages and a one-car garage on the first floor, and a 1,525 square foot two-bedroom unit (Unit 1), a 1,432 square foot one-bedroom unit (Unit 2), and a 1,092 square foot one-bedroom unit (Unit 3) on the second and third floors. The proposed project proposes 25 cubic yards of cut and 135 cubic yards of fill outside the main building footprint. Grading under the main building footprint would involve 110 cubic yards of cut. A Coast Live Oak, measuring 2 inches in diameter at breast height (dbh), is proposed to be removed. The project also includes decks for each unit on the second and third stories and bioswales and retention basin adjacent to the proposed residences. A 25-foot native riparian landscape area, with the exception of two king palm trees, is proposed between Mission Creek and any proposed structures.

NEGATIVE DECLARATION FINDING:
Based on the attached Initial Study prepared for the proposed project, it has been determined that the proposed project will not have a significant effect on the environment.

Environmental Analyst

4/6/09
Date

CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

INITIAL STUDY/ENVIRONMENTAL CHECKLIST MST2004-00725

PROJECT: 124 Los Aguajes Avenue

February 2, 2009

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

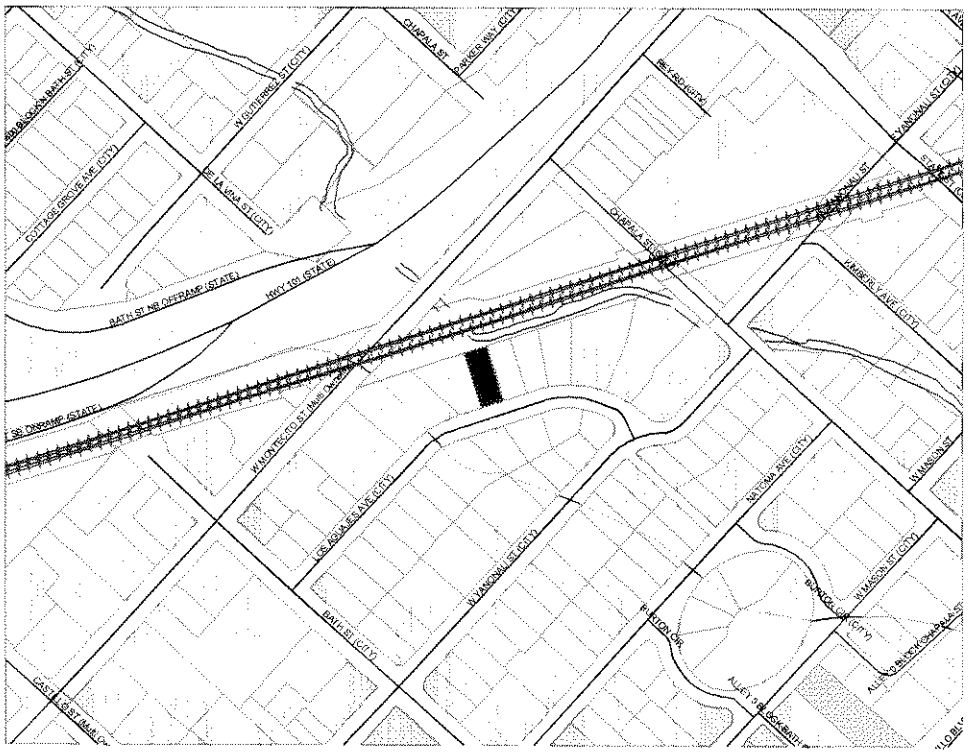
APPLICANT/ PROPERTY OWNER

Applicant/ Owner: Mark Edwards

Applicant Representative: Pete Ehlen, Architect

PROJECT ADDRESS/LOCATION

The subject property is a 6,000 (gross) square foot lot developed with an 884 square foot single family residence and a 440 square foot detached garage located in the West Beach Area adjacent to the railroad, and along Mission Creek in the City of Santa Barbara, Santa Barbara County.



PROJECT DESCRIPTION (See *Exhibit A-Site Plan*)

Project Components:

The project consists of the demolition of an existing 884 square foot, single-family residence and 440 square foot detached garage, and the construction of three new residential condominium units in the Appealable Jurisdiction of the Coastal Zone. The proposed structure would be three stories with a maximum building height of 30' 2" consisting of 4,049 square feet of residential floor area above 1,172 square feet of garage floor area. The project includes two two-car garages and a one-car garage on the first floor, and a 1,525 square foot

two-bedroom unit (Unit 1), a 1,432 square foot one-bedroom unit (Unit 2), and a 1,092 square foot one-bedroom unit (Unit 3) on the second and third floors. The proposed project proposes 25 cubic yards of cut and 135 cubic yards of fill outside the main building footprint. Grading under the main building footprint would involve 110 cubic yards of cut. A Coast Live Oak, measuring 2 inches in diameter at breast height (dbh), is proposed to be removed. The project also includes decks for each unit on the second and third stories and bioswales and retention basin adjacent to the proposed residences. A 25-foot native ~~riparian~~ landscape area, with the exception of ~~three~~ two king palm trees ~~and trumpet vine~~, is proposed between Mission Creek and any proposed structures.

Required Permits:

Actions requiring a Planning Commission:

1. A Coastal Development Permit (CDP2005-00021) to develop a three unit residential condominium project located in the Appealable Jurisdiction of the Coastal Zone. (SBMC §28.44.060)
2. A Modification to allow a three-story building to encroach into the front setback (SBMC §28.21.060 and §28.92.110.A.2);
3. A Modification to allow a three-story building to encroach into the interior setback to the east (SBMC §28.21.060 and §28.92.110.A.2);
4. A Modification to allow a three-story building to encroach into the other interior setback to the west. (SBMC §28.21.060 and §28.92.110.A.2);
5. A Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC 27.07 and 27.13).

ENVIRONMENTAL SETTING

Existing Site Characteristics

Existing Land Use. The project site is currently developed with a single family home with a detached one-car garage. Lawns and ornamental plantings cover the backyard of the property and include the following shrubs and trees: jade plant (*Crassula* sp.), banana (*Musa* sp.), elephant ear (*Alocasia* sp. or *Colocasia* Sp.), avocado (*Persea Americana* sp. or *P.drymifiolia* sp.), and orange (*Ponicirus* sp.) A single coast live oak (*Quercus agrifolia*) is present along the hedge bordering the eastern edge of the back yard.

Topography. The site has an average of four percent slope, sloping to the south toward Los Aguajes Avenue.

Access and Parking. The project site has an existing one-car garage; access is currently taken off of Los Aguajes Avenue.

Biological Resources. The project site is located in an urban setting surrounded by the railroad, Mission Creek and a neighborhood of single and multiple family residences, and commercial development. Existing vegetation of the site consists of common ornamental shrubs and trees and one native Coast Live Oak (2" dbh). There are no sensitive, endangered, rare or threatened species known to occur on the site.

Archaeological Resources. The Project area is within four cultural resource sensitivity zones as defined in the City's Master Environmental Assessment. A Phase 1 Archaeological investigation was prepared for the site in 2005 (Compass Rose). The project site is considered to have a high potential to contain buried prehistoric and/or historic artifacts. However, there are no known archaeological sites on the property.

Historic Resources. The project site is located within the West Beach Neighborhood (Ambassador Park). Based on a review of historical aerial photographs, City directory information, and City building permits, the site has been developed and used for residential purposes since the early 1900's. The property is a contributing structure to a potential historic West Beach Neighborhood District, as it is one of five "Way and Morgan" residences which were built in 1925 original structures which remain standing today. A historic structures report prepared for the property (Murray, 2005) concludes that the existing residence is eligible to be designated Structure of Merit as defined by the City of Santa Barbara Municipal Code.

Noise. Noise affecting the Project sites is primarily from railroad traffic along the northerly property line and the U.S. Highway 101. The City's MEA indicates that noise levels could range from 60-65 dBA to greater than 70 dBA. The measured noise level at the Project sites ranged between ~~65~~-60 and 74 dBA CNEL (Dohn & Associates, Inc., 2008). Noise sources affecting the site include vehicular traffic along US Highway 101, Montecito Street and Los Aguajes Avenue and noise originating from the Amtrak and Union Pacific trains traveling along the railroad at a distance of approximately 30 feet from the project site.

Seismic/Geologic Conditions. Former channels of Mission Creek are known to traverse through the City of Santa Barbara in areas proximal to the subject site. Shallow groundwater is present under unconfined conditions beneath the site. Groundwater is anticipated to flow to the south toward Mission Creek and the Pacific Ocean. Subsurface stratigraphy is mapped as alluvium. Therefore, the project sites have the potential to experience liquefaction-related impacts.

The site is located in an area near the Mesa fault and would be subject to ground shaking due to earthquakes on nearby faults. The City's Master Environmental Assessment indicates that the project area has a "low" to "moderate" seismic hazard, with a low damage potential for one- to three-story structures. The Project sites are located in the tsunami run-up zone due to their proximity to the Pacific Ocean.

Hazards. The State Water Resources Control Board Geotracker website (http://geotracker.swrcb.ca.gov) does not report any active leaking underground fuel tank cases on the project site. One Leaking Underground Storage Tank (LUST) sites is located within 1/8 mile of the site; but is not expected to impact the subject properties. The site is not on the Cortese list of contaminated sites.

Fire. The project site is not located in a High Fire District area.

Flooding/ Drainage. The project site is located within flood hazard zone "AH" as depicted on a Flood Insurance Rate Map (FEMA, 2005). The "AH" zone is defined as having "flood depths of one to three feet (usually areas of ponding)" during a 100-year storm. The project site is immediately adjacent to Lower Mission Creek. Portions of Mission Creek through this area of the City are channelized, and the creek has been heavily disturbed by the surrounding urban uses. Surface drainage from the site is captured in gutters and curbing and is diverted into storm drains and Mission Creek. Implementation of the Army Corps of Engineer's Lower Mission Creek Flood Control Project (LMCFCP) does not affect the project site.

PROPERTY CHARACTERISTICS

Assessor's Parcel Number:	045-110-011	**Existing General Plan Designation:**	Hotel & Residential, 12 units per acre
Zoning:	R-4/SD-3, Mutli-Family Residential Zone/Coastal Overlay Zone	**Parcel Size:**	6,000 gross square feet
Existing Land Use:	Single-Family Residence	**Proposed Land Use:**	Multi-residential
Slope:	Four percent average slope		
SURROUNDING LAND USES:			
North:	Mission Creek/Railroad Station/Park		
South:	Single and Multi-Family Residential		
East:	Multi-Family Residential		
West:	Commercial		

PLANS AND POLICY DISCUSSION

Land Use and Zoning Designations:

The subject lot is in the West Beach Neighborhood, also known as the Ambassador area, as described in the Land Use Element of the General Plan. This area is described as mostly having a density classification of 12 dwelling units per the acre, which would be consistent with the property's R-4 zoning classification. The discussion in the General Plan of West Beach neighborhood states that the neighborhood is characterized by a combination of Spanish-style motels along the ocean frontage, which merge into attractive residential area of single- and multiple-family dwellings behind Cabrillo Boulevard. The General Plan anticipates that the residential density will decrease as existing apartment units are converted to motel uses. The West Beach neighborhood includes Pershing Park which is shared with City College athletic facilities, Ambassador Park located within the motel strip on Cabrillo Boulevard, Plaza del Mar and the Moreton Bay Fig. Over half of this land area is given to City College. The neighborhood shopping facility located on Montecito Street serves the ocean-front residential and motel areas in the vicinity.

The property is currently zoned R-4, Multi-Family Residential. This zoning designation allows for the development of single-, two-, multi-family residential uses and hotels/motels on minimum lot sizes of 14,000 square feet. The subject property is 6,000 net square feet and could not be subdivided, under the current zoning. It appears the original intent of the R-4 zoning for this property was to match the other R-4 zoned properties that are common in the West Beach neighborhood. The General Plan Land Use and Housing Elements recognize that, in zones where variable density standards apply, development may exceed the limit of 12 units per acre (1 unit per 3,630 square feet) without causing an inappropriate increase in the intensity of activities. The proposed project would result in a density of approximately 22 units per acre, which, based on the above discussion, would be consistent with the Land Use and Housing Elements of the General Plan. Many of the lots in the immediate neighborhood are nonconforming to lot sizes, resulting in a relatively dense residential neighborhood. Residential use for the subject site would be a consistent and compatible use with the surrounding neighborhood – the community college, the parks, neighborhood markets, and neighborhood restaurants. The area to the north and west of the property is commercially zoned C-2, with the two zones being separated by the railroad tracks owned by Southern Pacific Railroad.

The R-4 residential zone requires that three-story structures observe a 15 foot front setback and a ten foot interior setback. The project as designed provides 10 feet from the front lot line or and four feet from each of the interior yard property lines and is requesting modifications to the setback requirements for the first and second story. The westerly property line is shared with a one-story commercial building (currently Qwik Response formerly the Anderson Soup Cannery). The easterly property line is shared with a two-story apartment building. The preliminary landscape plan, includes the installation of native plants and two palm trees in the area of Development limitation along Mission Creek (25 feet from top of bank) required by the City's Municipal Code. The project site is located in the Appealable Jurisdiction of the Coastal Zone. New construction requires a Coastal Development Permit with the provision of required setbacks.

General Plan Policies:

The proposed project would continue the multiple-family land use pattern occurring around the West Beach Neighborhood and would locate additional residential development in close proximity to limited shopping and work opportunities.

Housing Element:

The project must be found consistent with the housing policies outlined in the City's Local Coastal Plan (LCP) because the site is located in the Coastal Zone. The General Plan designation of Hotel and Residential allows for residential development at a density of 12 units per acre. The project is located in Component Three of the LCP. The LCP acknowledges that the Ambassador Park area (West Beach Neighborhood) is developed with single- and multi-family residences, hotels, and motels.

Circulation Element

The Circulation Element of the General Plan contains goals and implementing measures to reduce adverse impacts to the City's street system and parking by reducing reliance on the automobile, encouraging alternative forms of transportation, reviewing traffic impact standards, and applying land use and planning strategies that support the City's mobility goals.

The project proposes access off of Los Aguajes Avenue. In order to access the property from Los Aguajes Avenue, the project would be conditioned to include roadway improvements along Los Aguajes Avenue to ensure proper sight visibility from the project site. Please refer to discussion in section 11 of this study for additional detail.

Local Coastal Plan

The project must be found consistent with the City's Local Coastal Plan (LCP) because the site is located in the Coastal Zone. The project site is located within 100' of Mission Creek, the site falls within the Appealable Jurisdiction of the Coastal Zone per SBMC §28.44.060 and Coastal Act §30603(2). As discussed above, the project is consistent with the general plan designation of Residential-12 units per acre and zoning designation of R-4, Multi-Family Residential. The project is located in Component Three of the LCP and is consistent with the single- and multi-family residences, hotels, and motels developed in that area.

LCP Housing Policy 5.3 states that new development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. Further, Policy 5.4 states that the part of the coastal zone bounded by the half blocks between Castillo and Bath Streets and Mason and Cabrillo Streets, Chapala Street, and the half block north of Los Aguajes Avenue, is recognized as a unique residential neighborhood, and shall be treated in a manner that strives to maintain this unique character. The LCP recognizes "the pleasant appearance and character of this area is a result of a unique combination of uses (residential, visitor-serving, commercial, recreation) and styles and styles (the Spanish "flavor" architecture typical of Santa Barbara predominates) and economic levels served." ~~predominant style in Component 3 as "Spanish flavor architecture typical of Santa Barbara"~~. The existing residence is one-story and is described in a Historic Structures Report as predominantly Spanish Colonial Revival, with Craftsman style windows and distinct Mission Revival elements. The neighborhood is described as a mix of mostly small single-family Spanish Colonial Revival style homes, stucco residential apartment buildings, and three commercial buildings. Existing residential structures on Los Aguajes Avenue are all one and two stories, whereas the proposed structure is three stories. The Architectural Board of Review reviewed the project and found the proposal to be compatible with the existing neighborhood as described in Section 1.Aesthetics.

No public recreational facilities, visitor serving uses, or state designated historic or archaeological resources would be affected by the project. The project would be consistent with LCP Policy 3.3 requiring off-street parking and would not otherwise impact access to the coast as discussed in Section 11.Transportation and Circulation. The project would also be consistent with LCP Policies 6.8, 6.9, 6.10 that provide for the protection and enhancement of biological and water quality resources as discussed in Sections 3.Biological Resources and 12.Water Environment. The project has been designed to allow adequate buffer from stream erosion and meets building codes and zoning codes that protect properties from undue hazard from geologic conditions, flooding, and tsunami hazards associated with the site as required in Section 30253 of the Coastal Act as described in Sections 5.Geophysical Conditions Section 6.Hazards. Finally, the project would not block or impact public views of the coast as described in Section 1.Aesthetics.

The proposed project would be consistent with all applicable policies and development standards of the City's General Plan, Zoning Ordinance, and Local Coastal Plan. Additional analysis of the project's consistency with the City's General Plan Elements, Zoning Ordinance, and Local Coastal Plan will be provided in the Planning Commission Staff Report for the project, with a final determination of consistency to be made by the Commission.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

A draft Mitigation Monitoring and Reporting Program has been prepared for the project in compliance with Public Resources Code §21081.6. The draft MMRP is attached here as ***Exhibit C***.

ENVIRONMENTAL CHECKLIST

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

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

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

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

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

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

Visual Aesthetics - Discussion

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

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

Significant visual aesthetics impacts may potentially result from:

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

Visual Aesthetics – Existing Conditions and Project Impacts

1.a.) Scenic Views

The project site is not located along a scenic highway or roadway eligible for designation as a scenic highway. The site is located on the opposite side of Mission Creek from the Moreton Bay Fig Tree Park and the train station (both City Landmarks) that are north and east of the project site on Los Aguajes Avenue. Major public views from the Moreton Bay Fig Tree and Train Station would be directed to the south and southeast toward the ocean and away from the project site. The view from the park toward the north is obscured by the existing buildings along the project site property frontage. Public views toward the north and the project site are considered somewhat degraded due to the surrounding urban setting. The proposed project would include landscaping and architecture that would be designed to be consistent with design guidelines and standards of the Architectural Board of Review (ABR) that take into consideration scenic view compatibility as discussed below. For these reasons, project impacts related to public scenic views are considered *less than significant.*

1.b) On-Site Aesthetics

Currently, the project site is predominantly vegetated with non-native and ornamental plants, bordered by the channelized portion of Mission Creek, a commercial building, and a two-story apartment building. The project proposes to remove the existing mature vegetation to make way for the residential development. From a visual, aesthetic perspective, the project would result in a visual change from the public street and railroad. The proposed landscaping design has received positive comments from the ABR and would result in a positive aesthetic effect to the site and to the surrounding neighborhood. The existing oak tree (diameter breast height of 2 inches) located at the eastern edge of the site, is proposed to removed.

The project's neighborhood is characterized by one to two-story buildings of varying heights and of predominately Spanish, and to some extent, modern industrial design. The proposed project is three stories and 30 feet and 2 inches in height. The style of the building is modern. The project received three concept reviews at the ABR. The currently proposed project received positive aesthetic comments, however the board did make several comments concerning the mass, bulk and scale and neighborhood compatibility. The ABR made the following statements regarding changes to the project: 1) A majority of the Board is generally comfortable with the contemporary style of the proposal, and finds that the flat roofs and other details are compatible with the industrial nature of the neighborhood. 2) The majority of the Board finds the size, bulk, and scale of the project is acceptable, but would like to see the third floor setback increased as it addresses Los Aguajes Avenue since the current proposal is requesting a front yard modification. 3) Modifications on the first and second floor are supported by the Board since they are in alignment with the adjacent properties on either side of the property. 4) The layout of the parking is acceptable, since it does not include garage doors facing the street. 5) More pedestrian delineation in the paving is requested to make the entry ways for the three condominiums more obvious than the current proposal. 6) The stone base on the ground floor of the building is acceptable and adds to the quality of materials for the contemporary style building. 7) The landscape plan is appropriate for the beach area of the project with the proposed palm trees appropriate for the three story buildings. 8) Support from the Board for the interior yard modifications, as delineated by Staff, is mixed. 9) Some support of the encroachments could be obtained from the Board if directed toward allowable uses such as decks or fireplaces. The proposed encroachments are minimal and represent only window ledges or upper level protrusions supported from the ground. 10) Glass hand rails with the sandblasted or etched outer facings are accepted by

the Board since they are non-glare/not reflective and in keeping with the style of the architecture. (Exhibit C, ABR minutes). The project would return to the ABR to receive preliminary and final approval for the architecture and landscape plan in order to ensure compatibility with the neighborhood and the City's design guidelines. Project impacts related to aesthetics would be *less than significant.*

1.c) Lighting

The site is currently developed with a small single-family residence, there is no light or glare generated from the existing condition. There are street lights along the Los Aguajes property frontage. The railroad station which serves Amtrak passenger trains and the depot public parking lot is across the creek from the project site which has light standards at the perimeter of and interspersed throughout the parking lot. Also, there is apartment building development to the east of the site that generates minor amounts of light in the project area. The proposed project's outdoor lighting would be required to be in compliance with the City's Outdoor Lighting Ordinance, subject to review and approval of the ABR. The project would not add substantial lighting to an area currently not lit and therefore would be considered to result in a *less than significant* impact with regard to lighting.

Visual Aesthetics - Residual Impacts

Less than significant.

2. AIR QUALITY Could the project:		**NO**	**YES** ***Level of Significance***
a)	Conflict with or obstruct implementation of the applicable air quality plan?		*Less Than Significant*
b)	Exceed any City air quality emission threshold? Long-term		*Less Than Significant*
	Short-term		*Less Than Significant*
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is designated in non-attainment under an applicable federal or state ambient air quality standard?		*Less Than Significant*
d)	Expose sensitive receptors to substantial pollutants?		*Less Than Significant*
e)	Create objectionable odors affecting a substantial number of people?		*Less Than Significant*

Air Quality - Discussion

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

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen [NO_x] and reactive organic compounds [ROG] (referred to as ozone precursors) with sunlight over a period of several hours. Primary sources of ozone precursors in the South Coast area are vehicle emissions. Sources of particulate matter (PM_{10} and $PM_{2.5}$) include demolition, grading, road dust and vehicle exhaust, as well as agricultural tilling and mineral quarries.

Sensitive receptors are defined as children, elderly, or ill people that can be more adversely affected by air quality emissions. Land uses typically associated with sensitive receptors include schools, parks, playgrounds,

childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources of air emission are of particular concern to sensitive receptors, as is construction dust and particulate matter.

Long-Term (Operational) Impact Guidelines: A project may create a significant air quality impact by:

- Exceeding an APCD pollutant threshold; inconsistency with District regulations; or exceeding population forecasts in the adopted County Clean Air Plan.
- Exposing sensitive receptors, such as children, the elderly or sick people to substantial pollutant exposure.
- Creating nuisance odors inconsistent with APCD regulations.
- Emitting (from all project sources, both stationary and mobile) more than 240 pounds per day for ROG and NO_x, and 80 pounds per day for PM_{10};
- Emitting more than 25 pounds per day of ROG or NO_x from motor vehicle trips only;
- Contributing more than 800 peak hour trips to an individual intersection (CO);
- Causing a violation of any California or National Ambient Air Quality Standard (except ozone);
- Exceeding the APCD health risks public notification thresholds adopted by the APCD Board; and
- Being inconsistent with the adopted federal and state air quality plans for Santa Barbara.

Short-Term (Construction) Impacts Guidelines: A project would have a significant impact if combined emissions from all construction equipment exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period.

Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM_{10} and $PM_{2.5}$). Substantial dust-related impacts may be potentially significant, but are generally considered mitigable with the application of standard dust control mitigation measures. Standard dust mitigation measures are applied to projects with either significant or less than significant effects.

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

Setting: The City of Santa Barbara is part of the South Central Coast Air Basin (SCCAB). The City is subject to the National Ambient Air Quality Standards and the California Ambient Air Quality Standards (CAAQS), which are more stringent than the national standards. The CAAQS apply to six pollutants: photochemical ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and lead. The Santa Barbara County Air Pollution Control District (SBCAPCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan.

The SCAB is considered in attainment of the federal eight-hour ozone standard, and in attainment of the state one-hour ozone standard. The SCAB does not meet the state standard for particulate matter less than ten microns in diameter (PM_{10}). There is not yet enough data to determine SCAB attainment status for either the federal standard for particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) or the state $PM_{2.5}$ standard, although SCAB will likely be in attainment of the federal 2.5 standard.

Air Quality – Existing Conditions and Project Impacts

2.a) Clean Air Plan

Direct and indirect emissions associated with the project are accounted for in the 2007 Clean Air Plan emissions growth assumptions. Appropriate air quality mitigation measures, including construction dust suppression, would be applied to the project, consistent with CAP and City policies. The project could be found consistent with the 2007 Clean Air Plan; therefore, impacts would be *less than significant*.

2.b) Air Pollutant Emissions and 2.c) Cumulative Impacts

Long-Term (Operational) Emissions:

Long-term project emissions primarily stem from motor vehicles associated with the project and from stationary sources that may require permits from the APCD. Examples of stationary emission sources include gas stations, auto body shops, diesel generators, dry cleaners, oil and gas production and processing facilities, and water treatment facilities. Other stationary sources such as small wineries, residential heating and cooling equipment, wood burning stoves and fireplaces, or other individual appliances do not require permits from the APCD and are known as "area sources". The proposed project does not contain any stationary sources that require permits from APCD.

Using the URBEMIS 9.2.4 computer model, it is estimated that the long-term vehicle emissions resulting from the proposed project would be 0.31 pounds per day of ROG and 0.13 pounds per day of NO_x which is substantially below significance thresholds adopted by the APCD and the City of Santa Barbara. Therefore, project impacts related to long-term air quality would be *less than significant.*

Short-Term (Construction) Emissions:

The project would involve grading (135 cubic yards of cut and 135 cubic yards of fill), paving, and landscaping activities which could cause localized dust related impacts resulting in increases in particulate matter (PM_{10} and $PM_{2.5}$). Construction equipment would also emit NO_x and ROG. Given the limited scope of the project, however, the amount of particulate matter, NOx and ROG emitted during construction would be significantly below 25 tons of any pollutant within a 12-month period. Additionally, dust, NOx and ROG control measures will be required as standard conditions of approval for the project and are repeated in the Recommended Mitigation section below. The proposed project impacts on short-term emissions are, therefore, considered *less than significant*.

Cumulative Impacts:

Global Climate Change (GCC) is a change in the average weather of the earth that can be measured by changes in wind patterns, storms, precipitation and temperature. GCC is generally thought to be caused by increased emission of greenhouse gases (GHG) because these gases trap heat in the atmosphere. Common GHG include water vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, ozone and aerosols. Natural processes and human activities emit GHG and help to regulate the earth's temperature; however, it is believed that substantial emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. California is a substantial contributor of GHG (2nd largest contributor in the U.S. and the 16th largest contributor in the world), with transportation and electricity generation representing the two largest contributing factors (41 and 22 percent, respectively).

The carbon dioxide (CO_2) equivalent is a consistent methodology for comparing GHG emissions. Using the URBEMIS 9.2.4 computer model, the net increase in CO_2 emissions is anticipated to be 396.1 pounds per day.

As the project will result in increased vehicle trips, it will contribute, on a cumulative level, to the generation of GHG emissions. Because no significance thresholds or regulatory guidance currently exists for the generation of GHG emissions, impact determination would be overly speculative at this time. The City has adopted ordinances and guidelines in an effort to reduce the energy consumption of new construction. These measures to require more "green" construction serve to reduce GHG emissions from new and some refurbished

development. Also, the City is in the process of preparing revisions to its General Plan. During the analysis of the impacts of the new plan, additional guidance on how to deal with GHG emissions is anticipated.

Since project impacts do not exceed any adopted significance thresholds and the project is consistent with the Clean Air Plan, cumulative project emissions impacts would be *less than significant.*

2.d) Sensitive Receptors

The project is not located near any schools or hospitals. The proposed residential development would generate approximately one (1) additional AM and one (1) additional PM peak hour trips, which is substantially less than the 800 new peak hour vehicle trip threshold and therefore would be unlikely to generate dangerous concentrations of carbon monoxide at any location. Additionally, the project does not include stationary sources. Impacts associated with nuisance dust are considered *less than significant* through application of the identified standard emission control mitigation measures.

2.e) Odors

The project is limited to office uses and would not include land uses involving odors or smoke. Therefore, project impacts related to odors are considered *less than significant.*

Air Quality – Recommended Mitigation

AQ-1 Construction Dust Control – Minimize Disturbed Area/Speed. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

AQ-2 Construction Dust Control - Watering. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

AQ-3 Construction Dust Control – Tarping. Trucks transporting fill material to and from the site shall be covered from the point of origin.

AQ-4 Construction Dust Control – Gravel Pads. Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.

AQ-5 Construction Dust Control – Stockpiling. If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

AQ-6 Construction Dust Control – Disturbed Area Treatment. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:

A. Seeding and watering until grass cover is grown;

B. Spreading soil binders;

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

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

AQ-7 Construction Dust Control – Paving. All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

AQ-8 Construction Dust Control – PEC. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District upon request.

The following shall be adhered to during project grading and construction to reduce NOx and diesel PM emissions from construction equipment:

AQ-9 Portable Construction Equipment. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.

AQ-10 Fleet Owners. Fleet owners are subject to sections 2449, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of regulations (CCR) to reduce diesel particulate matter (and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. See http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.

AQ-11 Engine Size. The engine size of construction equipment shall be the minimum practical size.

AQ-12 Equipment Numbers. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

AQ-13 Equipment maintenance. All construction equipment shall be maintained in tune per the manufacturer's specifications.

AQ-14 Catalytic Converters. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

AQ-15 Diesel Construction Equipment. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.

AQ-16 Engine Timing and Diesel Catalytic Converters. Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.

AQ-17 Diesel Replacements. Diesel powered equipment shall be replaced by electric equipment whenever feasible.

AQ-18 Idling Limitation. Idling of heavy-duty diesel trucks during loading and unloading shall be prohibited; electric auxiliary power units shall be used whenever possible.

Air Quality - Residual Impacts

Air quality impacts related to dust generation during construction and diesel equipment emissions impacts would be less than significant and would be further reduced by implementation of recommended Mitigation Measures AQ-1 through AQ-18.

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

Biological Resources - Discussion

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

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

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

Biological Resources – Existing Conditions and Project Impacts

3.a - e) Specimen Trees, Native Wildlife and Habitat

The existing site conditions and impact analysis relative to biological resources were evaluated in a letters prepared by Larry Hunt, dated November 1, 2005, and May 5, 2006 (see Exhibit D).. The site is surrounded by both residential and commercial development. Lawns and ornamental plantings cover the backyard of the property and include the following shrubs and trees: jade plant (*Crassula* sp.), banana (*Musa* sp.), elephant ear (*Alocasia* sp. or *Colocasia* Sp.), avocado (*Persea Americana* sp. or *P.drymifiolia* sp.), and orange (*Ponicirus* sp.) A single coast live oak (*Quercus agrifolia*) is present along the hedge bordering the eastern edge of the back yard. This tree is between six and seven feet tall and has a trunk diameter at breast height of approximately two-inches. ~~Twenty-five foot tall podocarpus trees (*Podocarpus* sp.) border the west side of the driveway of the subject, but occur on the adjacent lot.~~ A Canary Island palm (*Phoenix carnariensis*), also found on the adjacent property, abuts the northwestern property line of the subject property and is approximately 35 feet tall.

Mission Creek originally ran through the subject property according to the 1895 Sanborn Maps, but it was channelized and displaced eastward several decades ago. Currently, Mission Creek borders the north side of the property as a deep channel with a concrete lined bottom and 12-foot and 15-foot high vertical sandstone walls

forming the northerly and southerly banks, respectively. The subject property abuts this wall on the south side of the creek and there is no existing riparian corridor. A five foot high wooden fence is installed at the rear property line at the top of the channelized bank, One to two-foot tall retaining walls are located in the open yard.. The patio and detached one-car garage are setback 29 feet from the top of the channelized bank. The main residence and wooden deck are set back approximately 42 feet from the top of bank. The biological report concludes that the site does not contain a functioning riparian corridor as there are no habitat connections between the creek and upland and no habitat continuity.

The biological assessment (prepared by Consulting Biologist Lawrence E. Hunt, noted the following wildlife species were observed from the backyard of the subject property either in Mission Creek or neighboring yards: western gull (*Larus occidentalis*), mallard (*Anas platyrhynchos*), acorn woodpecker (*Melanerpes formicivorus*), western scrub-jay (*Aphelocoma californica*), Anna's hummingbird (*Calypte anna*), black phoebe (*Sayornis nigricans*), and house finch (*Carpodacus mexicanus*). Generalist wildlife species that are adapted to living in urban environments are expected to comprise most, if not all, of the wildlife species found in the neighborhood. There are no known nesting spots for sensitive species on the site. In general, the project as proposed poses no significant impacts to the biological resources and proposes to enhance wildlife habitat quality of the project site through the use of native and ornamental landscaping that is of value to wildlife.

Although the report concludes that the project poses no significant impacts to biological resources, it recognizes opportunities to improve habitat conditions for wildlife through landscape planting that restores foraging, roosting, and nesting. These recommendations have been incorporated into the project's landscape plan and are repeated below as Recommended Mitigation. The report also recognizes that design features, including a bioswale/ retention basin and retention reservoir, could possibly decrease existing levels of polluted runoff entering the creek. These features have also been incorporated into the project design and are repeated as Recommended Mitigation in Section 12.Water Resources, which would reduce the amount of storm water runoff that currently drains from the site.

City Creeks Staff have reviewed the proposed project and preliminary landscape plan and are not supportive of any proposed structure encroachments located within 25' of the creek because this area should be improved habitat for wildlife with no building obstructions. Creeks Staff is also not supportive of the proposed king palms to be located within 25 feet from the creek, nor supportive of the lavender trumpet vine and potato vine being part of the landscape plan, as they are considered invasive species. It is recommended that these species are removed from the landscape plan and to also include a native riparian tree at the rear of the property in-place of the king palms consistent with the biological report.

Biological Resources – Recommended Mitigation

BIO-1 Final landscape, grading and drainage plans showing compliance with mitigations measures outlined in the Biological Resources Evaluation letters prepared by Lawrence E Hunt shall be submitted to the project planner for review prior to issuance of any grading or building permits. ~~The landscape plans shall include the removal of all non-native species including the king palms and trumpet vines from the 25 foot Mission Creek development limitation area.~~ No exotic or invasive plants shall be planted within the development limitation area.

Biological Resources - Residual Impacts

The project impacts are *less than significant* and would be further reduced with the implementation of mitigation measures BIO-1.

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

Cultural Resources - Discussion

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

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

- Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with an important prehistoric or historic event or person.

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

Cultural Resources – Existing Conditions and Project Impacts

4.a) Archaeological Resources

The City Master Environmental Assessment (MEA) *Cultural Resources Sensitivity Map* identifies that the project site is located within four of the cultural sensitivity zones. A Phase I Archaeological Investigation was prepared by Compass Rose for the site and approved by the HLC on March 30, 2005. The report determined that the site was located in an area of high sensitivity for the potential presence of both prehistoric and historic cultural resources. Specifically there was a high potential to find deposits which are associated with a known Native American archaeological site in the immediate vicinity. While this site is not known to extend on to the subject parcel, the boundaries of the site have not been fully determined. While a survey of the property conducted as part of the Phase I investigation found no indications of prehistoric cultural resources on the surface of the property, the site still has a high potential for containing subsurface prehistoric archaeological resources according to the consulting archaeologist. A small portion (the "help's rooms") of the historic Potter Hotel also used to be located on the subject property. The hotel burned down and was demolished in the 1920s. While no evidence of remnants of this historical structure were found during surface surveys conducted as part

of the Phase I investigation, there is still a high potential that remains of the historical structure may still be present on the property below the present ground surface. The Phase I report recommends that a qualified archaeologist and a Native American representative be present to monitor during the demolition of the existing structural footings. Once the existing structures are removed, an extended Phase I study would be conducted to ensure that any historic or prehistoric resources are fully identified. Notification, further study (Phase 2), and recovery (Phase 3) would be required in the event that archaeological resources are uncovered. It is highly unlikely that any resources found would result in significant, unavoidable impacts that would require project redesign. The Phase I report concludes that project impacts to archaeological resources are therefore, *potentially significant, mitigable.* (see CR-1).

4.b) Historic Resources

The site is developed with a single-family residence and detached one-car garage; which was reviewed and determined to be a historic resource. A Historic Structures Report was provided for this project in order to evaluate the significance of the existing single-family residence, including its relationship and contribution to the surrounding West Beach neighborhood, and to determine the potential impact of the proposed project on the property (Exhibit E). The neighborhood is located about two blocks outside of the El Pueblo Viejo Landmark District and is described as predominantly 1925 to 1930s Spanish Colonial Revival style single family homes, 1950s commercial and institutional buildings, and apartment buildings built in the 1960s and early 1970s. The existing predominantly Spanish Colonial Revival single-story residence was built in 1925 and is part of the original Ambassador Tract, established in 1924. The existing apartment buildings and commercial buildings on Los Aguajes Avenue were built after the early 1950s on empty lots, which the report indicates, "represented a marked departure from the architectural cohesion of the initial Tract development".

The Historic Structures Report concluded that the existing residence is eligible to be a designated Structure of Merit. It was determined that the demolition of the existing house would constitute a significant impact on a historic resource; therefore, mitigation measures are required to reduce the impact to less than significance. Ten required mitigation measures are listed in the report, attached as Exhibit D, most of which include detailed documentation of the existing structure. These mitigation measures are included below as Mitigation Measures CR-5 and CR-6. Mitigation measure #10 in the report (CR-6 below) states that, if the existing house is fully demolished, the architecture of the new construction should be compatible and harmonious with the buildings of the West Beach neighborhood in both massing and architectural style. The report also included advisory, although not required, recommendations to further reduce impacts; that the building not be demolished and that it be preserved and new units added behind it. Indicating that the preservation of the house is desirable, the report also stated that, whichever advisory option is chosen, the architecture of the new construction should be compatible with the existing house and the predominant Spanish Colonial Revival style buildings of the West Beach neighborhood.

The City adopted a Demolition Review ordinance in 2004, which specifies a process for reviewing demolition of buildings that may qualify as either Structures of Merit or Landmarks. As part of that process, when the HLC accepts historic structures reports for projects being processed in accordance with the City's Master Environmental Assessment (MEA), the HLC is supposed to state its intent to initiate the process for Structure of Merit or Landmark designation at the time the Historic Structures Report for the project is accepted. The HLC reviewed and accepted the report for this project in April 2005, which concluded that demolition of the existing structure would result in a less than significant impact if certain measures (described below) were either incorporated into the project description or added as mitigation measures. The HLC did not initiate Structure of Merit designation, which leads to the conclusion that the structure is not sufficiently historic to warrant designation and, therefore, its demolition would not result in a significant impact. The applicant has chosen not to preserve the existing residence and has incorporated the 10 measures recommended by the Report into the project description and worked with the ABR to determine if the proposed project is "compatible and harmonious with the buildings of the West Beach neighborhood in both massing and architectural style."

The Historic Structures Report was accepted by the HLC on April 13, 2005, however, the design of the project is subject to the purview of the ABR. Although, initially concerned with the massing and the modern architectural style of the structure, the majority of the ABR later determined that the project could be found

compatible with the surrounding neighborhood and consequently in compliance with the required mitigation in the Historic Structures Report due to the presence of modern designs in some areas of the neighborhood.

4.c) Ethnic/Religious Resources

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

Cultural Resources – Required Mitigation

The project which is located in the High Sensitivity Zone is subject to the following:

CR-1 **Extended Phase 1 Archaeological Survey and Monitoring.** Prior to issuance of general grading and building permits for the project, a permit for demolition of existing structures and grading associated with a Extended Phase I and Construction Monitoring Plan shall be issued and final inspection completed. Said permit shall include:

1. Prior to issuance of any grading or demolition permits, the applicant shall submit for review and approval by the environmental analyst a contract and monitoring plan with a City Qualified Barbareño Chumash observer and qualified archaeologist to monitor all demolition and ground disturbing activities associated with the project and to conduct the Extended Phase I Archaeological Investigation.

2. Following vegetation, and/or pavement removal and prior to earthwork or construction, an extended Phase 1 study of the project site shall be conducted by a City-qualified archaeologist. This study shall consist of a serious of backhoe trenches, the examination of the exposed soil profiles, or any other methods of survey to reveal evidence of prehistoric and historical cultural resources. Based on results of the re-survey, the archaeologist shall recommend, City shall approve, and project shall implement any further monitoring, evaluation/ documentation of resources, or other mitigation measures necessary to ensure that no significant archaeological impacts would result.

3. If potentially significant historical cultural resources are encountered or suspected, work shall be halted or redirected by the archaeologist immediately and the Planning Division shall be notified. The archaeologist shall prepare a work plan to assess the nature, extent and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment consistent with the City of Santa Barbara Master Environmental Assessment Guidelines for Archaeological Resources and historic Structures and Sites (January 2002). The significance assessment work plan shall be reviewed and approved by the City's Environmental Analyst and Archaeological Advisor. In the event that the discoveries are determined to be significant, the monitoring archaeologist shall prepare a Phase 3 mitigation program proposal including excavation and analysis methods to collect sufficient information to characterize the resource, and prepare a report consistent with the City of Santa Barbara Master Environmental Assessment Guidelines for Archaeologist Resources and Historic Structures and Sites (January 2002) for Phase 3 mitigation investigations. The Phase 3 mitigation proposal shall be reviewed and approved by the City's Environmental Analyst and Archaeological Advisor. All costs of potential significance assessment and mitigation shall be borne by the project applicant.

4. If discoveries include Native American cultural remains, the significance assessment shall include consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, preparation of further site studies and/or mitigation.

5. If the discovery consists of possible human remains, the Owner shall contact the Santa Barbara County Coroner immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. The Owner shall retain a Barbareño Chumash representative from the most current City Qualified

Barbareño Chumash Site Monitors List to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

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

7. A report shall be prepared by the monitoring archaeologist 15 days after completion of all monitoring and Extended Phase I work. The report should include the results of the monitoring, determinations as to the significance of any remains found, and recommendations for any future work that is needed. The report shall be reviewed and approved by the City's Environmental Analyst prior to issuance of grading permits for the balance of the proposed project excavations and soil disturbance. If a Phase 3 recovery program becomes necessary , the archaeological data recovery reports resulting from the Phase 3 activities shall be submitted to the City's Environmental Analyst and Archaeological Advisor for review and approval within six (6) months of issuance of general grading and building permits for the project.

8. General Grading, Building and Public Work permits shall not be issued prior to completion of the Extended Phase I or any necessary Phase 2 or 3 work on the site.

CR-2 Project plans shall be designed to limit all construction-related ground disturbance to the maximum extent feasible.

CR-3 **Discovery Procedures and Mitigation.** Standard discovery measures shall be implemented per the City Master Environmental Assessment throughout grading and construction:

Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If during any grading or construction on the site such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and a City-approved archaeologist shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, including but not limited to redirection of grading and/or excavation activities. If the findings are potentially significant, further analysis and/or other mitigation shall be prepared and accepted by the Environmental Analyst and the HLC, and implemented by the project Work in the area may only proceed after the Environmental Analyst grants authorization.

If prehistoric or other Native American remains are encountered, a Native American representative shall be consulted, and the archaeologist and Native American representative shall monitor all further subsurface disturbances in the area of the find. If the discovery consists of potentially human remains, the Santa Barbara County Coroner and the California Native American Heritage Commission must also be contacted. A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to the issuance of final City permits.

CR-4 Prior to issuance of demolition permits, the applicant shall submit a Preservation Plan for review and approval by the City's Historian that shall include the following elements:

1. A site plan of the property as it exists, with the subject building clearly indicated, drawn to scale and with dimension given.

2. Floor plans drawn to scale.

3. Measured building elevation scaled drawings of the exterior and of significant, representative interior elevations. The Commission or Planning Staff may be consulted for a determination of what is significant.
4. Notation as to the buildings construction materials.
5. Black and white photographic prints and negatives, taken with a large format (also known as a 4x5) camera, of all exterior elevations, interior rooms, and architectural details. The prints shall have identification labels on the back, with the subject clearly expressed, keyed to No. 2 above, and the photo date included. The City provides a list of photographic professionals for assistance in selecting a photographer capable of this specialized work.
6. A detailed history of the building including the original construction date, the name of the original owner, the name of the original architect, if known, the builder and any factual information on subsequent alterations.
7. The materials shall be collected in a presentation binder with the property address and assessor's Parcel Number identified on the front cover and the spine.
8. Prior to demolition the applicant will be required to offer and advertise the building at 124 Los Aguajes Avenue for sixty days.
9. If demolition occurs, then historic materials such as doors must be salvaged and offered for reuse.

CR-5 Prior to issuance of demolition or building permits, the applicant shall submit final plans that show that the architecture of the new construction is compatible and harmonious with the buildings of the West Beach Neighborhood in both massing and architectural style consistent with the guidance provided by ABR.

Cultural Resources - Residual Impacts

Potentially significant, mitigable. The project site is located in an area of high sensitivity for the potential presence of both historical and prehistoric cultural resources. With the implementation of CR-1 through CR-4, the project impacts to archaeological resources will be reduced to a level that is *less than significant*. The existing house at 124 Los Aguajes Avenue is worthy of a "Structure of Merit" designation with the implementation of required mitigation measures CR-4 and CR-5 be implemented to reduce the impacts to a level that is *less than significant*.

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

Geophysical Conditions - Discussion

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

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

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

Geophysical Conditions – Existing Conditions and Project Impacts

5.a-c) Seismic Hazards

Fault Rupture:

The site is located in an area of low damage level for residential structures of one to three stories based on the City's Master Environmental Assessment (MEA) Seismic Hazard Map. The potential for fault rupture on the site is low; no faults are located on the site according to the MEA. Therefore, fault rupture is unlikely and there would be no fault rupture impacts.

Ground Shaking and Liquefaction:

Ground shaking could occur on the site due to a seismic event. The Liquefaction Hazard Map depicts the site to be within a zone of "Conditional or Questionable Liquefaction Potential." Adherence to the requirements of the Geological analysis, and structural requirements for the area in the California Building Code (CBC) would ensure these impacts are *less than significant.*

Seiche or Tsunami:

The project site is located within the tsunami run-up zone as identified in the City's Master Environmental Assessment. The proposed project consists of renovations and new infill development which would not substantially change the level of public exposure nor result in increased tsunami risks beyond existing levels. Impacts are considered less than significant.

5.d-f) Geologic or Soil Instability

Landslides/Subsidence/Expansive Soils:

The Soil Creep and Liquefaction Map depicts the site to be within a zone of "Minimal Expansiveness of Soil Potential." The project site is relatively flat, with an average slope of 4% toward the southwest. Due to the gentle slope and soil conditions, the site preparation and construction of the project would not be expected to result in the potential for a landslide; therefore the project impacts related to landslides are *less than significant.*

5.g) Topography; Grading/ Erosion

Topographic Changes:

The project is not located in a hillside area and has an average slope of 4%. The existing site topography would not need to be substantially altered to construct the project. Therefore project impacts related to topography are *less than significant.*

Grading/ Erosion

The project proposes approximately 110 cubic yards of grading cut and recompaction under the main building footprints. Additionally, the project would require 25 cubic yards of cut and 135 cubic yards of fill outside the main building footprint. The grading cut would allow the structures to sit lower on the site in order to reduce the overall mass and scale of the project, but would not substantially alter the existing topography. The Erosion Hazard Map depicts the site to be within a zone of "Minimal Erosion Potential." The project impacts related to grading and erosion are considered *less than significant.*

Geophysical Conditions - Mitigation

No mitigation is required.

Geophysical Conditions – Residual Impacts

Less than significant.

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

Hazards - Discussion

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

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

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

Hazards – Existing Conditions and Project Impacts

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

Hazardous Materials Exposure

The project site is not on any lists for known contaminated soils, groundwater, or hazardous materials use. The Department of Oil and Gas map located at the Building Division of the City indicates that there are no known

oil wells on the project site. Because there are no hazardous materials known on the project site, the project impact relative to hazardous materials exposure would be *less than significant.*

The project site is not on a list for known contaminated sites. No known historic use of the site resulted in any release of hazardous wastes/substances; however, standard conditions of approval would be in place to address hazardous substances encountered during construction activities. No new mitigation measures are necessary.

The applicant could use pesticides during construction and would be required to comply with existing laws, regulations and manufacturers handling instructions. This use would not cause a significant impact on the environment.

Public Safety

The project site is not near any pipelines or other potential sources of safety hazards. Limited amounts of oils and chemicals may be used during construction and operations. Since there are minor potential sources of hazardous materials in the project area, the project impact relative to hazardous materials exposure would be *less than significant*

6.d) Fire Hazard

The project site is not located in a designated high fire hazard area of the City. The nearest City Fire Station is located at 121 West Carrillo Street, less than 1-1/4 miles from the project site, with estimated emergency response time to the site of less than five minutes. Staff from the Fire Department reviewed the proposed project plans and has confirmed that adequate fire access is provided. The project would be subject to Fire Code requirements regarding project structural design and materials, water pressure, vegetation management, and suppression facilities, all of which would be verified through the building permit process. Project impacts related to fire hazard would be *less than significant*.

Hazards – Mitigation

No mitigation is required.

Hazards – Residual Impacts

Less than Significant.

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

Noise - Discussion

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

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

Ambient noise levels are determined as averaged 24-hour weighted levels, using the Day-Night Noise Level (L_{dn}) or Community Noise Equivalence Level (CNEL) measurement scales. The L_{dn} averages the varying sound levels occurring over the 24-hour day and gives a 10 decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since L_{dn} is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dB(A) which average out over the 24-hour period. CNEL is similar to L_{dn} but includes a separate 5 dB(A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and L_{dn} values usually agree

with one another within 1 dB(A). The Equivalent Noise Level (L_{eq}) is a single noise level, which, if held constant during the measurement time period, would represent the same total energy as a fluctuating noise. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. In general, a change in noise level of less than three decibels is not audible. A doubling of the distance from a noise source will generally equate to a change in decibel level of six decibels.

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

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

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

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

- Siting of a project such that persons would be subject to long-term ambient noise levels in excess of Noise Element land use compatibility guidelines as follows:
  - Residential: Normally acceptable maximum exterior ambient noise level of 60 dB(A) Ldn; maximum interior noise level of 45 dB(A) Ldn. The maximum allowable noise level for exterior areas is 75 dB(A) Ldn which is considered the point at which "clearly unacceptable" and "severe."
- Substantial noise from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

Noise – Existing Conditions and Project Impacts

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

Long-Term Operational Noise:

A review of the City's Noise Contour Map indicates that the project is located in an area in which the noise level exceeds 65 dBA L_{dn} (average A-weighted sound level over a 24-hour day). The noise level mapped for the site ranges from ~~65~~ 60 to over 70 dBA. The General Plan Noise Element Land Use Compatibility Guidelines identify up to 60 dBA L_{dn} as the maximum compatible exterior noise level for residential uses and 45 dBA L_{dn} for interior noise levels. An acoustical study was conducted by Dohn & Associates in August 2008 for the proposed project (Exhibit G). The report indicates that ~~all~~ the design to level for all outdoor living areas would have levels of approximately 72 dBA Ldn if no mitigation is implemented. The noise sources around the project are predominantly associated with Highway 101 and the nearby railroad. The report includes design mitigation for the required outdoor living areas so that noise levels on the outdoor decks for the units would be reduced to less than 60 dBA L_{dn}. In no case will any of the outdoor areas exceed 75 dBA Ldn, which is considered the threshold at which a noise impact would be considered significant under CEQA. The report also includes design mitigation in order to ensure interior noise levels would not exceed 45 dBA L_{dn}., Recommended Mitigation Measure N-1 below further reduces any impacts concerning long term noise. The project impacts related to noise exposure are considered *less than significant.*

Temporary Construction Noise:

Noise during construction is generally intermittent and sporadic and, after completion of initial grading and site clearing activities, tends to be quieter. Noise generated during project grading activities would result in a short-term adverse construction impacts to sensitive receptors in the area. The level of the adverse effect could be further reduced through limiting the hours of construction activities and use of equipment mufflers and barriers as needed. With implementation of short term construction related noise mitigations listed below that are standard conditions of approval, project impacts relative to short term noise impacts would be *less than significant.*

Noise – Recommended Mitigation

N-1 **Construction Techniques.** Submit a noise analysis that identifies construction techniques to ensure that the project complies with the normally acceptable maximum exterior ambient noise level of 60 dB(A) and maximum interior noise level of 45 dB(A). The project design shall incorporate construction design measures to minimize potential interior noise nuisance impacts from the adjacent railroad use and U.S. Highway 101.

N-2 **Construction Notice.** At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners and residents within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.

N-3: **Construction Hours.** Construction activities (which may include preparation for construction work), such as activities using heavy equipment, framing, sheathing, and roofing, shall be permitted weekdays between the hours of *7:00 a.m.* and 7:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1st); Martin Luther King Jr.'s Birthday (3rd Monday in January); President's Day (3rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Thanksgiving Day (4th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday. No noise-generating activities, including but not limited to, activities using heavy equipment, framing, sheathing, and roofing shall occur during any school-wide testing at Washington School. To the degree feasible, noisy construction activities shall be coordinated with Washington School.

Construction activities, other than use of heavy equipment, framing, sheathing, and roofing, may occur on holidays and weekends between the hours of 8:00 a.m. and 5:00 p.m..

N-4: **Construction Equipment Mufflers and Shields**. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. Sound control devices and techniques, such as noise shields and blankets, shall be employed as needed to reduce the level of noise to surrounding uses. A noise control plan shall be submitted prior to any building permit issuance that shows how construction noise will be reduced for surrounding uses. The plan shall include, but not be limited to, the use of sound control devices and techniques, such as noise shields and blankets.

N-5: **Portable Equipment**. Where portable power generation or air compressors are required on the site, locate these noise sources as far away from the property line as possible. Where required because of proximity to residential areas, utilize a three or four sided enclosure which is lined with a sound absorbing material. Locate portable equipment where the noise shielding provided by remaining building structure will be beneficial. Another approach is to utilize very quiet power generation and air compressors, similar to those utilized in the motion picture industry on location.

Noise – Residual Impact

The projects impacts are less than significant. With the implementation of mitigation measures N-1 – N-5, the project impacts would be further reduced.

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

Population and Housing - Discussion

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

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

Population and Housing – Existing Conditions and Project Impacts

8.a) Growth-Inducing Impacts

City utilities are already extended along the road frontage to the project site. The project would not involve a substantial increase in major public facilities such as extension of water or sewer lines or roads that would facilitate other growth in the area. The project would not involve substantial employment growth that would increase population and housing demand. Growth-inducing impacts would be *less than significant.*

8.b) Housing Displacement

One single-family residence is being demolished as a part of this project. The project would not involve the loss of a substantial number of housing units; therefore, *a less than significant impact* would result from the project.

Population and Housing - Mitigation

No mitigation is required.

Population and Housing – Residual Impact

Less than significant.

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

Public Services - Discussion

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

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

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

Public Services – Existing Conditions and Project Impacts

9.a-b) Fire and Police Protection

The project site is not located within the Wildland High Fire Hazard Zone. The site is generally served by City Fire Station 1 located at 121 West Carrillo Street which is approximately 1.3 miles from the project site, with estimated emergency response time to the site of less than five minutes. The site could also continue to be served by City Police. The site development in an existing urbanized area would intensify use on the site, but would not represent a substantial increase in demand for fire and police protection services. Periodic upgrade of Fire and Police Department equipment is an ongoing component of the City budget process. Should City population increases create the need for additional police or fire department staff, this would be addressed by the City Council. Police and Fire protection facilities would be adequate to serve the proposed project. Project impacts related to Fire and Police protection would be *less than significant*.

9.c) Schools

The project site is served by the Santa Barbara Elementary and High School District for elementary and high school. The project would provide a net increase of 2 residential units, which could generate additional

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

9.d,e, f) Public Facilities/Roads/Governmental Service/ Utilities

The project site is currently served by an existing public road and electrical service is available at the property line. Conditions of the subdivision approval would include on-site improvements to roads and electrical service. The project would result in *less than significant* impacts to public facilities.

9.g,h,i) Water and Sewer

Water

The City of Santa Barbara's water supply comes from the following sources, with the actual share of each determined by availability and level of customer demand: Cachuma Reservoir and Tecolote Tunnel, Gibraltar Reservoir and Mission Tunnel, 300 Acre Feet per Year (AFY) of contractual transfer from Montecito Water district, groundwater, State Water Project entitlement, desalination, and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by displacing demand that would otherwise have to be supplied by additional sources. In 1994, based on the comprehensive review of the City's water supply in the Long Term Water Supply Alternatives Analysis (LTWSAA), the City Council approved the Long Term Water Supply Program (LTWSP). The LTWSP outlines a strategy to use the above sources to meet the projected demand of 17,900 AFY (including 1,500 AFY of demand projected to be met with conservation) plus a 10 percent safety margin for a total of 19,700 AFY. Therefore, the target for the amount of water the system will actually have to supply, including the safety margin, is 18,200 AFY. The 2003 Water Supply Management Report documents an actual system demand of 13,460 AFY and a theoretical commitment of 16,170 AFY. Of the total system production, 95% was potable water and 5% was reclaimed water.

The proposed project is estimated to demand 0.84 AFY. The City's long-term water supply and existing water treatment and distribution facilities with proposed facility hook-ups for the new structures and landscaping would adequately serve the project. The potential increase in demand would constitute a *less than significant* impact to the City water supply.

Sewer

The project site is currently developed with a single family residence. There is an existing sewer main in the public street that fronts the subject property. The proposed project would be subject to conditions of approval to provide sewer service for the 2 new residential units. The project's estimated net new sewer demand is 0.73 acre feet/year. The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day and there is adequate capacity at the El Estero Treatment Plant for planned future growth. Increased sewage treatment associated by the project can be accommodated by the existing City sewer system and sewage treatment plant, and would represent a *less than significant* impact.

9.j) Solid Waste Generation/ Disposal

Most of the waste generated in the City is transported on a daily basis to seven landfills located around the County. The County of Santa Barbara, which operates the landfills, has developed impact significance thresholds related to the impacts of development on remaining landfill capacity. The County thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2% annual increase (approximately 4000 tons per year) in solid waste generation over the 15-year period.

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

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

Long-Term (Operational). There are no existing land uses on the site; therefore no solid waste is generated from the site. The project proposes 3 new condominium units, the project site is estimated to generate 0.84 TPY of solid waste (2.65 people/3 units x .95 tons/year), *a less than significant impact.*

Short-Term (Demolition and Construction). The project proposes 25 cubic yards of cut and 135 cubic yards of fill outside the main building footprint. Grading under the main building footprints would involve 110 cubic yards of cut. Construction-related waste generation would consist of tree and shrub debris and grading cut. The green waste would be transported to a facility to compost; the grading cut would be transported to another construction site that may require grading fill or to an appropriate disposal location. Demolition of the single existing residence on site would not exceed any thresholds of the county of Santa Barbara for demolition waste. Short-term project related impacts to solid waste disposal would be *less than significant* with application of recommended standard mitigation to reduce, re-use, and recycle construction waste to the extent feasible would minimize this effect.

Public Services – Recommended Mitigation

PS-1 Demolition/Construction Materials Recycling. Recycling and/or reuse of demolition/construction materials shall be carried out and containers shall be provided on-site for that purpose in order to minimize construction-generated waste conveyed to the landfill.

Public Services – Residual Impacts

The project impacts are *less than significant* and would be further reduced with the implementation of the recommended mitigation measure PS-1.

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

Recreation - Discussion

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

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

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

Recreation – Existing Conditions and Project Impacts

10.a) Recreational Demand

The project may increase the demand for recreational facilities. The project involves 2 new residential units which is considered an incremental increase in the number of potential users for existing recreational facilities.

The minor increase in demand relative to recreational facilities would result in a *less than significant* impact because adequate recreation facilities are available to meet the anticipated increase in demand.

10.b) Existing Recreational Facilities

The project site is adjacent to existing recreational facilities including La Mesa Park, Washington Elementary School, and Shoreline Park. Other nearby recreational areas include the Waterfront, the beaches and parks, Los Baños pool, etc. Given the number of existing recreational facilities and the slight increase in demand associated with the project, impact to the existing recreational facilities would be *less than significant.*

Recreation – Residual Impacts

Less than significant.

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

Transportation - Discussion

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

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

Vehicle Traffic

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

Circulation and Traffic Safety

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

Parking

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

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

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

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

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

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

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

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

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

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

Transportation – Existing Conditions and Project Impacts

11.a) Traffic

Long-Term Traffic

According to City Transportation Planning Staff, based on the Institute of Traffic Engineers (ITE) trip generation rate for condominiums, the project is expected to generate up to one (1) additional a.m. peak hour trips, up to one (1) additional 5 p.m. peak hour trips and eight (8) average daily trips. When these trips are added to the existing street network, they would not result in significant traffic impacts. In distributing trips on the street network, Transportation Planning Staff follows the distribution until there are fewer than five trips through an intersection. Because there are only one (1) peak hour trips, maximum, distribution of trips would not reach an impacted intersection. The Level of Service of intersections would not be impacted after development of this project; therefore the project impacts relative to long term traffic impacts would be *less than significant.*

Short-Term Construction Traffic

The overall project construction process is estimated to last approximately nine (9) months. This would include grading for site preparation for approximately one month, and estimated construction duration of eight (8) months. Grading processes would involve three (3) workers, and construction of the structure would require up to 40 workers on-site, on occasion. Working hours during the construction process are proposed to be 7a.m. –5 p.m. weekdays, excluding holidays. Staging, equipment, materials storage, and temporary construction worker parking would occur on-site.

The project would generate construction-related traffic that would occur over the sixteen-month construction period and would vary depending on the stage of construction. Temporary construction traffic is generally considered an adverse but not significant impact for a project this size. In this case, given traffic levels in the area and the duration of the construction process, short-term construction-related traffic would be a *less than significant* impact. Standard mitigation measures would be applied as appropriate, including restrictions on the hours permitted for construction trips and approval of routes for construction traffic. Some of these measures are repeated in Recommended Mitigation below.

11.b, c, e) Access/ Circulation/ Safety

Access to the project site is provided by a single existing driveway, at the westerly property line fronting Los Aguajes Avenue. The proposed project includes the elimination of the existing driveway and the installation of a new driveway at the easterly property line.

The proposed driveway would be adequate to serve the proposed project; therefore, project impacts to access, circulation and safety would be *less than significant*. However, City transportation is requiring public improvements and a disabled access plan to demonstrate on final plans the project's compliance with federal, state, and local codes and to provide enhanced access to the site. A portion of these measures are repeated below as recommended mitigation.

11.d) Parking

Existing Parking Supply and Parking Demand

There is a one-car garage on the site and the site generates a parking demand of two spaces.

Project Parking Supply and Parking Demand

The proposed three condominiums require a total of five parking spaces and the development requires no guest parking spaces. The project provides all the required parking on-site with two two-car garages and a one-car garage, with no on-site guest parking spaces. The project impacts related to parking supply and demand are considered *less than significant.* Parking for construction workers would be provided on-site.

Transportation – Recommended Mitigation

T-1 **Construction Traffic.** The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. and consider peak school traffic hours as well as surrounding area) to help reduce truck traffic and noise on adjacent streets and roadways. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods.

T-2 **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:

a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.

b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.

c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.

T-3 **Disabled Accessibility.** Project circulation shall provide for disabled accessibility or equivalent facilitation in accordance with American Disabilities Act requirements.

Transportation – Residual Impact

The project impacts are less than significant, with the implementation of the recommended mitigation measures the project impacts would be further reduced.

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

Water – Discussion

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

Impact Evaluation Guidelines: A significant impact would result from:

Water Resources and Drainage

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

Flooding

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

Water Quality

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

Water Resources – Existing Conditions and Project Impacts

12.a,d,e) Drainage

The existing on-site drainage sheet flows southerly across the property, down an embankment, over an existing curb and gutter onto Los Aguajes Avenue. Drainage on Los Aguajes Avenue surface flows in existing curb and gutter easterly down the street into an existing drop inlet.

The proposed on-site drainage would follow the same drainage course as the existing drainage except that all on-site drainage would be collected by a series of catch basins and bioswales and transported to Los Aguajes Avenue via curb outlet drains. Construction of the project would result in a decrease in runoff of 0.05 cubic feet (cfs) of flow. Following project approval, grading and construction drawings and public improvements plans would be reviewed and subject to approval by City Building and Public Works staff to assure compliance with applicable codes and standards. Sufficient engineered design and adequate mitigation measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water quality pollutants, or groundwater pollutants would result from the project. The project is subject to several standard conditions of approval to improve drainage and protect water quality and drainage during construction that are repeated as Recommended Mitigation below to ensure compliance with

City code and Storm Water Management Plan. Therefore, long-term project impacts related to drainage are considered to be *less than significant.*

12.b) Flooding

The project site is located in flood hazard zone AH, an area prone to flooding. The flooding potential would not change following project construction or substantially alter the course or flow of flood waters. The building and zoning codes require that any structure within the AH zone construct the buildings foundations above the 100 year flood plane level. Therefore, project impacts related to flooding are considered *less than significant.*

12.c, d) Water Quality

The project site is currently developed with a single-family residence and one-car detached garage; surface drainage is not treated.

The project will include an on-site retention reservoir under the pervious vehicular access and driveway which will return 3,071 gallons of water to the underlying site soils and a bioswale/retention basin that has been designed along a portion of the westerly property line. This swale will hold, filter, and return 1,100 gallons of water to the underlying soils. This will reduce the runoff from the site by 12.8% or 12.6 gallons per minute (gpm) in a 50-year storm event. All project runoff would be filtered by pollution interceptor devices prior to entering the storm drain system.

Construction/Short term. Project impacts of grading would be a *less than significant* impact with implementation of standard drainage/erosion and water quality conditions to minimize runoff during grading and construction activities. During construction, all runoff from the site shall be retained on-site using properly designed and sited detention basins.

Water Resources – Recommended Mitigation

W-1 **Drainage and Water Quality.** Final project plans for grading, drainage, stormwater facilities, and project development shall be subject to review and approval by City Building Division and Public Works Department per City regulations prior to issuance of any building or public works permits. At a minimum, any increase in stormwater runoff (based on a 25-year storm event) shall be retained on-site, and the project shall be designed to capture and treat the calculated amount of runoff from the project site for a 1 inch storm event, over a 24-hour period. Sufficient engineered design and adequate mitigation measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water quality pollutants, or groundwater pollutants would result from the project.

W-2 **Erosion Control/Water Quality Protection Plan.** Prior to the issuance of a demolition permit for the proposed project, the applicant or project developer shall prepare a final erosion control plan that is consistent with the requirements outlined in the *Procedures for the Control of Runoff into Storm Drains and Watercourses* and the Building and Safety Division *Erosion/Sedimentation Control Policy* (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.

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

- Paving and Grinding
- Sandbag Barriers
- Spill Prevention/Control
- Solid Waste Management
- Storm Drain Inlet Protection

- Stabilize Site Entrances and Exits
- Illicit Connections and Illegal Discharges
- Water Conservation
- Stockpile Management
- Liquid Wastes
- Street Sweeping and Vacuuming
- Concrete Waste Management
- Sanitary/Septic Waste Management
- Vehicle and Equipment Maintenance
- Vehicle and Equipment Cleaning
- Vehicle and Equipment Fueling

W-3 **Minimization of Storm Water Pollutants of Concern.** The Owner shall submit final project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The approved facilities shall be maintained in working order for the life of the project.

W-4 **Storm Drain System Stenciling and Signage.** Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report to City annually.

W-5 **Passive Drainage Techniques.** Passive/nature water treatment design techniques such as bioswales, infiltration basins, etc, shall be incorporated into open space areas, groundcover, and courtyards to treat the small, frequent storm events that impact water quality in Santa Barbara (a 1 inch storm event, over a 24-hour period). These types of passive/natural capture and filtration design options shall be implemented as opposed to mechanical/underground options, which pose maintenance problems and often times, do not treat runoff as efficiently. These measures shall be incorporated into the drainage plan and shall be subject to review and approval by City Building Division and Public Works Department per City regulations prior to issuance of any building or public works permits.

Water Resources – Residual Impact

The projects impacts would be less than significant and further reduced with the implementation of Mitigation Measures W-1 through W-6.

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

INITIAL STUDY CONCLUSION

On the basis of this initial evaluation it has been determined that with identified mitigation measures agreed-to by the applicant, potentially significant impacts would be avoided or reduced to less than significant levels. A Mitigated Negative Declaration will be prepared.

Initial Study Preparer: _____ Suzanne Johnston, Assistant Planner

_____ 4/6/09

Environmental Analyst Date

EXHIBITS:

A. Project Plans (available for review at the public counter)

B. Mitigation Monitoring and Reporting Program

C. ABR Minutes, November 8, 2004, January 3, 2006 and February 13 and 27, 2006

D. Biological Resources Evaluation letters prepared by Lawrence E Hunt, dated November 1, 2005, and May 5, 2006.

E. Historic Structures Report prepared by Fermina B. Murray, dated January 12, 2005

F. Planning Commission minutes, dated November 2, 2006

G. Noise Study prepared by Dohn & Associates dated January 25, 2006 and addendum dated August 2008

H. Response to Comment

I. Public Comment Letters

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY

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

California Environmental Quality Act (CEQA) & CEQA Guidelines

General Plan Circulation Element

General Plan Conservation Element

1995 Housing Element

General Plan Land Use Element

General Plan Noise Element w/appendices

General Plan Map

General Plan Seismic Safety/Safety Element

Geology Assessment for the City of Santa Barbara

Institute of Traffic Engineers Parking Generation Manual

Institute of Traffic Engineers Trip Generation Manual

Local Coastal Plan *(Main or Airport)*

Master Environmental Assessment

Parking Design Standards

Santa Barbara Municipal Code & City Charter

Special District Map

Uniform Building Code as adopted by City

Zoning Ordinance & Zoning Map