

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

Proposal Justification Questionnaire for Annexations, Detachments and Reorganizations

1. Name of Application: (The name should match the title on the map and legal description; list all boundary changes that are part of the application) *Cieneguitas Reorganization: Annexation to City of Santa Barbara/ Detachment from Santa Barbara County Fire Protection District/ Detachment from County Service Area No. 32/ Detachment from County Service Area No. 3/ Detachment from Goleta Sanitary District/ Detachment from Goleta Water District/*
2. Describe the acreage and general location; include street addresses if known: *Approximately 4.31 acres located at the southwest corner of Foothill and Cieneguitas Roads (4151 Foothill Road and 675 and 681 Cieneguitas Road).*
3. List the Assessor's Parcels within the proposal area:
*059-160-017,
059-160-021, and
059-160-023*
4. Purpose of proposal: (Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.) *To allow the development of the Foothill Centre Project. LAFCO approval is requested for annexation to the City of Santa Barbara, detachment from Goleta Water District, detachment from Goleta Sanitary District, detachment from County Fire Projection District, detachment from County Service Area No. 3, and detachment from County Service Area No. 32. Other actions required for the overall project are listed in 5.F. below.*
5. Land Use and Zoning - Present and Future
 - A. Describe the existing land uses within the proposal area. Be specific. *APN 059-160-023 is vacant. APN 059-160-017 contains an abandoned service station (approved for demolition by County of Santa Barbara). APN 059-160-021 contains a veterinary clinic.*
 - B. Describe any changes in land uses that would result from or be facilitated by this proposed boundary change. *The abandoned service station would be demolished and two medical office buildings totaling approximately 60,122 net square feet would be developed on APN's 059-160-017 and -023. The veterinary clinic would remain on APN 059-160-021.*
 - C. Describe the existing zoning designations within the proposal area. *APN 059-160-017, 059-160-021 and 059-160-023 are all zoned "SC" Shopping Center by the County of Santa Barbara .*
 - D. Describe any proposed change in zoning for the proposal area. Do the existing and proposed uses conform with this zoning? *The zoning designation for all three parcels*

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would be C-1/S-D-2 (Limited Commercial/Special District 2 Upper State Street Area). Proposed uses would be consistent with this zoning designation.

- E. (For City Annexations) Describe the rezoning that will apply to the proposal area upon annexation. Do the proposed uses conform with this rezoning?
See item D.
- F. List all known entitlement applications pending for the property (i.e., zone change, land division or other entitlements).
 1. General Plan Amendment – upon annexation, to add subject parcels to the City's General Plan Map. *The subject parcels would have a General Plan Land Use designation of Commercial/Medium High Density Residential.*
 2. Zoning Map Amendment – upon annexation, the subject parcels would be designated C-1/S-D-2 (Limited Commercial/Special District 2 Upper State Street Area).
 3. Development Plan – to allow 58,372 square feet of net new non-residential development on APN's 059-160-023 and -017. .
 4. Final Economic Development Designation – a Final Economic Development Designation for 13,526 square feet of nonresidential floor area.

[Note: These applications have been approved by the City Planning Commission and City Council, but are contingent on approval of the Reorganization.]
6. Describe the area surrounding the proposal
Using Table A, describe existing land uses, general plans and zoning designations for lands adjacent to and surrounding the proposal area. The application is incomplete without this table.
Please see attached Table A.
7. Conformity with Spheres of influence
 - A. Is the proposal area within the sphere of influence of the annexing agency? *Yes.*
 - B. If not, include a proposal to revise the sphere of influence. *N/A.*
8. Conformity with County and City General Plans
 - A. Describe the existing County General Plan designation for the proposal area. *Neighborhood Commercial.*
 - B. (For City Annexations) Describe the City general plan designation for the area. *Proposed as Commercial/Medium High Density Residential.*

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- C. Do the proposed uses conform with these plans? If not, please explain. **Yes.**
9. Topography and Natural Features
- A. Describe the general topography of the proposal area and any significant natural features that may affect the proposal. *The site has an average slope of approximately 3%. The subject site was previously disturbed and slopes downward from north to south.*
- B. Describe the general topography of the area surrounding the proposal. *Generally the same as the project site. North of the site, across Foothill Road, topography slopes upward to San Marcos Pass foothills.*
10. Impact on Agriculture
- A. Does the affected property currently produce a commercial agricultural commodity? *No.*
- B. Is the affected property fallow land under a crop rotational program or is it enrolled in an agricultural subsidy or set-aside program? *No.*
- C. Is the affected property Prime Agricultural Land as defined in Government Code §56064? *No.*
- D. Is any portion of the proposal area within a Land Conservation (Williamson) Act contract? *No.*
- 1) If “yes,” provide the contract number and the date the contract was executed. *N/A*
 - 2) If “yes”, has a notice of non-renewal be filed? If so, when? *N/A*
 - 3) If this proposal is an annexation to a city, provide a copy of any protest filed by the annexing city against the contract when it was approved. *N/A.*
11. Impact on Open Space
- Is the affected property Open Space land as defined in Government Code Section 65560? *No.*
12. Relationship to Regional Housing Goals and Policies (City annexations only)
- If this proposal will result in or facilitate an increase in the number of housing units, describe the extent to which the proposal will assist the annexing city in achieving its fair share of regional housing needs as determined by SBCAG. *N/A - Proposed development (approved contingent on LAFCO approval of the reorganization) does not include housing, and there is a deed restricting that prohibits housing units.*

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13. Population
- A. Describe the number and type of existing dwelling units within the proposal area. *None.*
- B. How many new dwelling units could result from or be facilitated by the proposal?
- Single-family 0 Multi-family 0
14. Government Services and Controls – Plan for Providing Services (per §56653)
- A. Describe the services to be extended to the affected territory by this proposal. *Upon annexation the property would receive city services comparable to other properties within the City, including fire protection, law enforcement, sanitation collection, land use planning and regulation, public works services including water supply, treatment and disposal, drainage, street maintenance, street lighting and street sweeping.*
- Private utilities such as electricity, gas and telephone service will be extended to the property in connection with future development.*
- B. Describe the level and range of the proposed services. *All services will be available and are adequate. The level of services would be similar to other City properties.*
- C. Indicate when the services can feasibly be provided to the proposal area. *All public services are available upon connection.*
- D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal. *The project proposal includes construction of road frontage improvements along Foothill and Cieneguitas Roads. These include street lights, sidewalks, landscaping, curb and gutter, fire hydrants, etc. The project would include the extension of the existing sewer main on Cieneguitas Road approximately 800 feet to the north.*
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation. *Construction of all public improvements will be financed by the project applicant and will subsequently become part of the public system. City buy-in fees are required as part of the annexation to offset the City's costs for providing services for on-going maintenance and operation. Ongoing maintenance and operation will be funded by payments for utility services including water and sewer fees and by general city revenues including property tax and sales tax revenues.*
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services. *There are no reasonable or feasible alternatives.*

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15. Ability of the annexing agency to provide services

Attach a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues (per Gov't Code §56668j).

See attached letter dated July 19, 2012, from Christine F. Anderson, Public Works Director, regarding availability of City Services.

The City has discussed the proposed detachment with the Goleta Water District and Goleta Sanitary District staff.

16. Dependability of Water Supply for Projected Needs (as per §56653)

If the proposal will result in or facilitate an increase in water usage, attach a statement from the retail water purveyor that describes the timely availability of water supplies that will be adequate for the projected needs.

See attached letter dated July 19, 2012, from Christine F. Anderson, Public Works Director, regarding availability of City Services.

17. Bonded indebtedness and zones – These questions pertain to long term debt that applies or will be applied to the affected property.

- A. Do agencies whose boundaries are being changed have existing bonded debt? No
If so, please describe.
- B. Will the proposal area be liable for payment of its share of this existing debt? No
If yes, how will this indebtedness be repaid (property taxes, assessments, water sales, etc.)
- C. Should the proposal area be included within any 'Division or Zone for debt repayment? No
If yes, please describe.
- D. (For detachments) Does the detaching agency propose that the subject territory continue to be liable for existing bonded debt? No . If yes, please describe.

18. Environmental Impact of the Proposal

- A. Who is the "lead agency" for this proposal? City of Santa Barbara
- B. What type of environmental document has been prepared?

None, Categorically Exempt -- Class _____

EIR ___ Negative Declaration __ Mitigated ND X (adopted June 21, 2012 by City Planning Commission)

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Subsequent Use of Previous EIR _____ Identify the prior report. _____

- C. If an EIR has been prepared, attach the lead agency's resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations." *N/A*

19. Boundaries

- A. Why are these particular boundaries being used? Ideally, what other properties should be included in the proposal?

These particular boundaries are proposed because they were proposed by the property owner/applicant (4151 Foothill Road and 681 Cieneguitas Road), and recommended by LAFCO staff (675 Cieneguitas Road). The subject has been reviewed with LAFCO and City staff and a general consensus was reached that the proposed boundaries are appropriate.

City policies encourage annexation of unincorporated islands and peninsulas of land contiguous to the City and within the City's sphere of influence at the earliest convenience. Ideally, all such unincorporated islands would be included in this proposal. However, pursuant to City Council Resolution No. 96-118, the City will initiate annexation of unincorporated territory into the City of Santa Barbara only in response to: 1) property owner(s) request, 2) State mandate, or 3) direction from LAFCO. Therefore, the City did not mandate that any additional land be included in the annexation request.

- B. If any landowners have included only part of the contiguous land under their ownership, explain why the additional property is not included. *N/A*.

20. Final Comments

- A. Describe any conditions that should be included in LAFCO's resolution of approval. *Project shall be subject to all applicable taxes and fees.*
- B. Provide any other comments or justifications regarding the proposal. *The annexation would decrease the size of an existing unincorporated peninsula within the City's Sphere of Influence.*
- C. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

See attached.

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21. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

- | | <u>Name</u> | <u>Address</u> |
|----|----------------------|---|
| A. | Allison De Busk | City of Santa Barbara – Planning Division
PO Box 1990
Santa Barbara, CA 93102 |
| B. | Michael Towbes | The Towbes Group, Inc.
21 East Victoria Street, Suite 200
Santa Barbara, CA 93101 |
| C. | Steven M. Fort, AICP | Suzanne Elledge Planning & Permitting Services, Inc.
800 Santa Barbara Street
Santa Barbara, CA 93101 |

Who should be contacted if there are questions about this application?

- | <u>Name</u> | <u>Address</u> | <u>Phone</u> |
|-----------------|--|---------------------|
| Allison De Busk | City of Santa Barbara
Planning Division
630 Garden Street
Santa Barbara, CA 93101 | 564-5470, ext. 4552 |

Signature 

Date 7-31-12

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TABLE A

Information regarding the areas surrounding the proposal area

	Existing Land Use	General Plan Designation	Zoning Designation
East	Multi and Single Family Residential	Residential 12 units/acre (City)	R-2/S-D-2- Two Family Residence Zone/Upper State Street Area (City). 7-R-2 - Residential 7,000 sf Minimum Lot Size. DR-10 – Design Residential 10 units/acre (County)
West	Hwy. 154 interchange with State Route 192.	Residential (County)	DR-1 Design Residential – 1 unit/acre (County)
North	Public Utility/Electric Sub-station, Residential	UT-Public Utility (County) Residential (County)	PU – Public Utility (County) DR-8 – Design Residential - 8 units/acre (County)
South	Hwy 154 corridor, Residential	Residential, 12 units/acre (City) Residential, 5 units/acre (City)	E-3/S-D-2 – One Family Residence/Upper State Street Area (City)

Other comments or notations:



CITY OF SANTA BARBARA SUBMISSION PACKET #12-4

Public Works Department

www.SantaBarbaraCA.gov

July 19, 2012

Main Office
630 Garden Street
P.O. Box 1990
Santa Barbara, CA
93102-1990

Administration
Tel: 805.564.5377
Fax: 805.897.2613

Engineering
Tel: 805.564.5383
Fax: 805.564.5467

Facilities
Tel: 805.564.5415
Fax: 805.897.2577

Street Maintenance
Tel: 805.564.5413
Fax: 805.897.1991

Transportation
Tel: 805.564.5385
Fax: 805.564.5467

Water Resources
Tel: 805.564.5387
Fax: 805.897.2613

Bob Braitman
Executive Director
Local Agency Formation Commission
105 East Anapamu Street
Santa Barbara, CA 93101

SUBJECT: Cieneguitas Reorganization: 4151 Foothill Road, APN: 059-160-017; 675 Cieneguitas Road, APN 059-160-021; and 681 Cieneguitas Road, APN 059-160-023

Dear Mr. Braitman:

As a part of the application for the subject area, the City of Santa Barbara (City), as the annexing agency, will need to provide public services and water supply. The applicant (The City of Santa Barbara) intends to detach from the Goleta Water District, the Goleta Sanitary District, the Santa Barbara County Fire Protection District, County Service Area 3 (Goleta Valley – Multipurpose) and County Service Area 32 (unincorporated area - law enforcement), and will connect to the City's infrastructure.

The City will be the retail water purveyor for the subject project. The City's Long-Term Water Supply Program, adopted in June 2011, identifies the water supplies available to the City. The water supplies are sufficient to meet the projected demand of 14,000 acre-feet per year (AFY), plus a safety margin of 1,400 AFY, for a total demand target of 15,400 AFY. The safety margin was added to the demand target to address shortfalls that might occur as a result of supply disruptions, as well as unaccounted for increases in demand, including annexations. The subject properties are well within the City's ability to serve.

The City's wastewater collection system has the hydraulic capacity to accept the flows that would be generated by this project. The existing 8-inch sewer main on Cieneguitas Road will need to be extended approximately 360 feet along the length of the property frontage to connect the subject project with the City collection system. An easement will not be required since the existing and proposed sewer mains are within the City limits and no flows other than sewer will be directed to the City collection system.

The City is already providing public street maintenance for Cieneguitas Road and will continue to maintain this road after the required public improvements are completed, as outlined in the Conditions of Approval associated with the annexation. The City's Public Works Department has existing programs and a budget for street maintenance. This type of street maintenance is a part of the City's Pavement Management System, which is funded in annual Streets Capital Budget in the amount of approximately \$3,800,000. There is a budget of \$2,800,000 for pavement management. The Foothill Road frontage will remain in the unincorporated County, within Caltrans' right of way. The Foothill Road frontage improvements, including the street trees, will be maintained by the developer, which will be outlined in an agreement between the developer and Caltrans.

Please feel free to call Mark Wilde, Supervising Civil Engineer, at (805) 564-5552 with any questions.

Sincerely,

Christine F. Andersen
Public Works Director

MW/kts

- cc: Pat Kelly, Assistant Public Works Director/City Engineer
- Rebecca Bjork, Water Resources Manager
- Browning Allen, Transportation Manager
- John Ewasiuk, Principal Civil Engineer
- Steve Foley, Supervising Transportation Planner
- Mark Wilde, Supervising Civil Engineer
- Danny Kato, Supervising Planner
- Allison De Buske, Associate Planner
- Theresa Lancy, Water Supply Specialist

EXHIBIT A

CIENEGUITAS REORGANIZATION
LAFCO NO. 12-04
ANNEXATION TO THE CITY OF SANTA BARBARA
DETACHMENT FROM THE GOLETA WATER DISTRICT
GOLETA SANITARY DISTRICT
SANTA BARBARA COUNTY FIRE PROTECTION DISTRICT
AND FROM COUNTY SERVICE AREAS 3 & 32

Legal Description

That portion of the land in the County of Santa Barbara, State of California, described as follows:

Beginning at a point in the westerly line of Cieneguitas Road, 65.00 feet wide, at the southwest corner of the Gainor Annexation to the City of Santa Barbara, as described in Ordinance No. 3293, approved and adopted by the City Council of Santa Barbara on April 23, 1968, said point also being the southeast corner of Parcel One, as described in the deed to Webster Properties, LP, recorded January 6, 1999 in the office of the County Recorder of said County as Instrument No. 99-000922 of Official Records;

Thence, 1st, along said westerly line of Cieneguitas Road, and the westerly line of said Gainor Annexation, and the easterly line of said Parcel One, North 00°24'30" East, 585.47 feet to the beginning of a curve concave southwesterly having a radius of 50.00 feet;

Thence, 2nd, continuing along said Annexation boundary and said Parcel One boundary, northwesterly, along said curve, through a central angle of 64°31'55", an arc distance of 56.32 feet to a line parallel with and distant southerly 5.00 feet, measured at right angles, from the southerly line of Foothill Road, 80.00 feet wide;

Thence, 3rd, leaving said Gainor Annexation boundary, along said parallel line, North 89°57'56" West, 247.95 feet;

Thence, 4th, leaving said parallel line, South 88°24'55" West 52.02 feet to the intersection with the easterly line of Parcel 1, conveyed to the State of California for State Highway purposes, as described in the Final Order of Condemnation recorded June 25, 1971 as Instrument No. 19618, in Book 2352, Page 1432 of Official Records;

Thence, along said easterly line the following eight (8) courses:

5th, South 00°06'13" West, 7.41 feet to an angle point therein;

6th, South 87°11'47" West, 95.87 feet to an angle point therein;

7th, South 27°57'11" West, 46.03 feet to an angle point therein;

8th, South 31°23'53" East, 385.22 feet to an angle point therein;

9th, South 31°20'26" East, 289.55 feet to the northwest corner of Parcel A of Parcel Map No. 11,276, filed in the office of said County Recorder in Book 7, Page 63 of Parcel Maps;

10th, continuing along said easterly line and along the westerly line of said Parcel A, South 31°20'26" East, 56.33 feet to an angle point;

11th, South 10°39'16" East, 140.00 feet to the southwest corner of said Parcel A and an angle point in said easterly line;

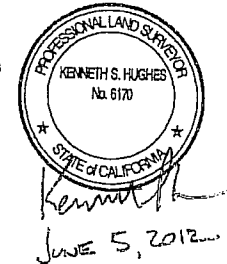
and 12th, South 89°36'56" East, 33.51 feet to the southeast corner of said Parcel A, being a point in the westerly line of the Reino Annexation to the City of Santa Barbara, as described in the Certificate of Completion of LAFCO Resolution No. 82-616, recorded in the office of the Santa Barbara County Recorder August 16, 1982 as Instrument No. 82-34183 of Official Records;

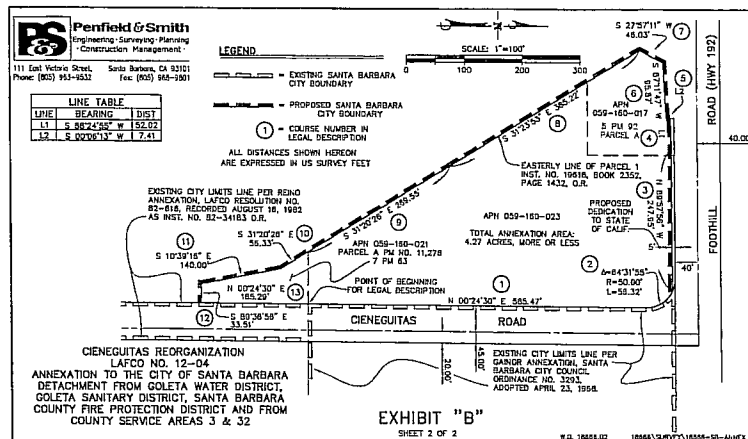
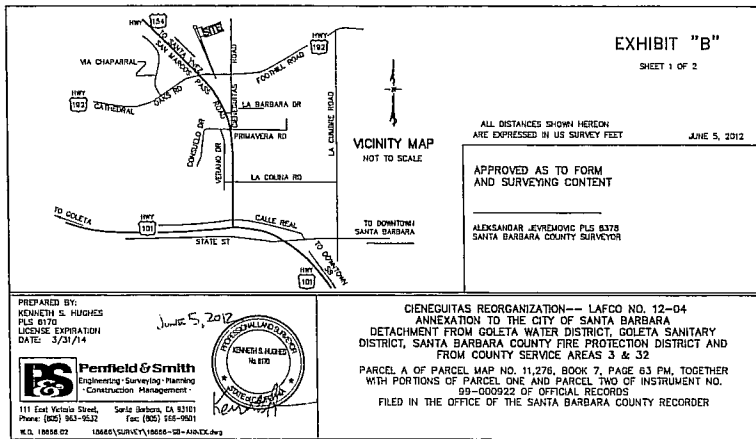
Thence, 13th, along said westerly line and the easterly line of said Parcel A, North 00°24'30" East, 185.29 feet to the point of beginning.

Containing 4.27 acres, more or less.

Prepared by:

Kenneth S. Hughes
PLS 6170
License expiration
date: 3/31/14





ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

RESOLUTION NO. 12-055

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA REQUESTING INITIATION OF PROCEEDINGS FOR A REORGANIZATION OF BOUNDARIES, ANNEXATION TO THE CITY OF SANTA BARBARA AND DETACHMENT FROM THE GOLETA WATER DISTRICT, GOLETA SANITARY DISTRICT, SANTA BARBARA COUNTY FIRE PROTECTION DISTRICT, COUNTY SERVICE AREA 3 (GOLETA VALLEY - MULTIPURPOSE), AND COUNTY SERVICE AREA 32 (UNINCORPORATED AREA - LAW ENFORCEMENT) FOR CERTAIN REAL PROPERTY LOCATED AT 4151 FOOTHILL ROAD (ASSESSOR'S PARCEL NUMBER 059-160-017), 675 CIENEGUITAS ROAD (ASSESSOR'S PARCEL NUMBER 059-160-021) AND 681 CIENEGUITAS ROAD (ASSESSOR'S PARCEL NUMBER 059-160-023)

WHEREAS, the City accepted an application from Foothill Centre, LP, owners of 4151 Foothill Road and 681 Cieneguitas Road, in order to process a request for: 1. Annexation of the subject property from the unincorporated area of Santa Barbara County to the City of Santa Barbara; 2. A General Plan Amendment Upon Annexation to add the property to the City's General Plan Map; 3. A Zoning Map Amendment Upon Annexation; 4. A Development Plan; and 5. An Economic Development Designation;

WHEREAS, due to previously-imposed conditions on the adjoining property to the south, staff requests initiation of annexation of the 0.23 acre lot known as 675 Cieneguitas Road (APN 059-160-021) to be included with the applicant's request. This lot is owned by Britschgi, LLC;

WHEREAS, the proposed reorganization has been reviewed and recommended for approval by the Planning Commission with respect to environmental and planning matters;

WHEREAS, the City Council has read and considered the Final Mitigated Negative Declaration for the project together with comments received during the public review process and in its independent judgment and analysis and on the basis of the record before it, determined that there is no substantial evidence that the project will have a significant effect on the environment; and

WHEREAS, the City desires to initiate a proceeding for the adjustment of boundaries specified herein.

NOW, THEREFORE, the City Council does hereby resolve and order as follows:

- 1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization

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- 11. Consent is given to the waiver of conducting authority proceedings, with the condition that LAFCO does not subject completion of this annexation to the initiation or completion of annexations other than those listed in this Resolution.
- 12. The City Clerk is directed to transmit two (2) certified copies of this resolution to the Santa Barbara Local Agency Formation Commission.

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EXHIBIT A

DRAFT

**CIENEGUITAS REORGANIZATION
LAFCO NO. 12-XX
ANNEXATION TO THE CITY OF SANTA BARBARA
DETACHMENT FROM THE GOLETA WATER DISTRICT
GOLETA SANITARY DISTRICT
SANTA BARBARA COUNTY FIRE PROTECTION DISTRICT
AND FROM COUNTY SERVICE AREAS 3 & 32**

Legal Description

That portion of the land in the County of Santa Barbara, State of California, described as follows:

Beginning at a point in the westerly line of Cieneguitas Road, 65.00 feet wide, at the southwest corner of the Gainor Annexation to the City of Santa Barbara, as described in Ordinance No. 3293, approved and adopted by the City Council of Santa Barbara on April 23, 1968, said point also being the southeast corner of Parcel One, as described in the deed to Webster Properties, LP, recorded January 6, 1999 in the office of the County Recorder of said County as Instrument No. 99-000922 of Official Records;

Thence, 1st, along said westerly line of Cieneguitas Road, and the westerly line of said Gainor Annexation, and the easterly line of said Parcel One, North 00°24'30" East, 585.47 feet to the beginning of a curve concave southwesterly having a radius of 50.00 feet;

Thence, 2nd, continuing along said Annexation boundary and said Parcel One boundary, northwesterly, along said curve, through a central angle of 64°31'55", an arc distance of 56.32 feet to a line parallel with and distant southerly 5.00 feet, measured at right angles, from the southerly line of Foothill Road, 80.00 feet wide;

Thence, 3rd, leaving said Gainor Annexation boundary, along said parallel line, North 89°57'56" West, 247.95 feet;

Thence, 4th, leaving said parallel line, South 88°24'55" West 52.02 feet to the intersection with the easterly line of Parcel 1, conveyed to the State of California for State Highway purposes, as described in the Final Order of Condemnation recorded June 25, 1971 as Instrument No. 19618, in Book 2352, Page 1432 of Official Records;

Thence, along said easterly line the following eight (8) courses:

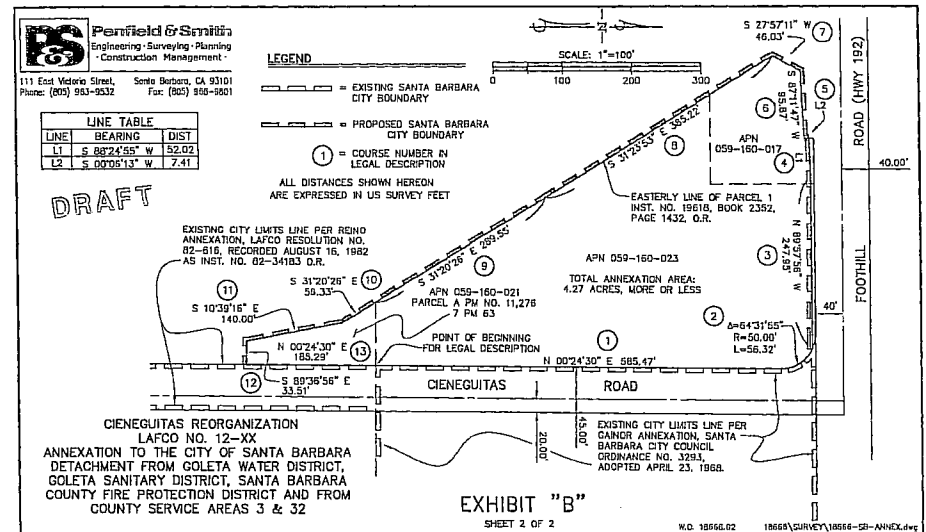
5th, South 00°06'13" West, 7.41 feet to an angle point therein;

6th, South 87°11'47" West, 95.87 feet to an angle point therein;

7th, South 27°57'11" West, 46.03 feet to an angle point therein;

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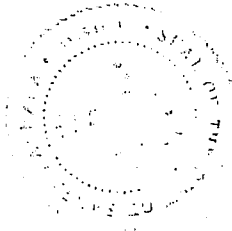


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STATE OF CALIFORNIA)
)
 COUNTY OF SANTA BARBARA) ss.
)
 CITY OF SANTA BARBARA)

I, Gwen Peirce, City Clerk Services Manager, in and for the City of Santa Barbara, California, DO HEREBY CERTIFY that attached is a full, true and correct copy of City Council Resolution No. 12-055, adopted by the City Council of the City of Santa Barbara at their regular meeting held on July 24, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of said City to be affixed this 26th day of July, 2012.



(SEAL)

Gwen Peirce
 Gwen Peirce, CMC
 City Clerk Services Manager

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Notice of Determination

Appendix D

To: Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

From: Public Agency: City of Santa Barbara
 Address: P.O. Box 1990
Santa Barbara, CA 93102
 Contact: Allison De Busk, Project Planner
 Phone: 805-564-5470, ext. 4552

County Clerk
 County of: Santa Barbara
 Address: 1100 Anacapa Street
Santa Barbara, CA 93101

Lead Agency (if different from above): _____
 Address: _____
 Contact: _____
 Phone: _____

SUBJECT: *Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.*

State Clearinghouse Number (if submitted to State Clearinghouse): 2012042003
 Project Title: Foothill Triangle Annexation and Development
 Project Applicant: Steve Fort, Suzanne Elledge Planning and Permitting Services
 Project Location (Include county): 4151 Foothill Road and 675 and 681 Cieneguitas Road (Santa Barbara Co.)
 Project Description:
 Annexation of three parcels into the city of Santa Barbara and detachment from applicable special districts; and development of 4151 Foothill Road and 681 Cieneguitas Road with a 60,122 square foot office development for use as an outpatient surgery center, medical clinic and administrative offices for Sansum Clinic.

This is to advise that the City of Santa Barbara has approved the above
 Lead Agency or Responsible Agency)
 described project on 6-21-12 and has made the following determinations regarding the above
 (date)
 described project.

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was was not adopted for this project.
5. A statement of Overriding Considerations was was not adopted for this project.
6. Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
630 Garden Street, Santa Barbara, CA 93101

Signature (Public Agency): Allison De Busk Title: Project Planner
 Date: 7-24-12 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
 Reference Section 21000-21174, Public Resources Code.

Revised 2011



COUNTY OF SANTA BARBARA X 2005454

COB

Department

Date 7/26/12

Received from The Towbes Group

In Payment of NOD - Foothill Triangle Annexation + Development

Two thousand one hundred one and 50 Dollars \$ 2101.50

Received original of the above numbered receipt

CREDIT CARD	
CASH	
1931 CHECK	<input checked="" type="checkbox"/>

Chic

AC-147

SIGNATURE OF PAYOR

AUTHORIZED SIGNATURE



COUNTY OF SANTA BARBARA X 2005455

COB

Department

Date 7/26/12

Received from The Towbes Group

In Payment of NOD - Foothill Triangle Annexation + Development Processing fee

Fifty dollars and 00 Dollars \$ 50.00

Received original of the above numbered receipt

CREDIT CARD	
CASH	
1900 CHECK	<input checked="" type="checkbox"/>

Chic

AC-147

SIGNATURE OF PAYOR

AUTHORIZED SIGNATURE



CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT
FINAL MITIGATED NEGATIVE DECLARATION - MST2008-00496
SCH# 2012042003
JUNE 11, 2012

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

PROJECT LOCATION: 4151 Foothill Road, 681 Cieneguitas Road and 675 Cieneguitas Road

PROJECT PROPONENT: Steve Fort, Suzanne Elledge Planning & Permitting Services, Inc.

PROJECT DESCRIPTION: The project involves the annexation of three parcels (4.31 acres) into the city of Santa Barbara, and detachment from the Goleta Water District, the Goleta Sanitary District, the Santa Barbara County Fire Protection District, County Service Area 3 and County Service Area 32. A City General Plan designation of Commercial/Medium High Density Residential is proposed, with a zoning designation of Limited Commercial/Upper State Street Overlay (C-1/SD-2).

4151 Foothill Road & 681 Cieneguitas Road: These parcels would be merged and the existing abandoned gas station (1,750 net square feet) at the corner of Foothill Road and Highway 154 would be demolished. Two new two-story office buildings totaling 60,122 net square feet would be constructed on the merged parcel. The larger of the two buildings (46,600 net square feet) would be located parallel to Foothill Road, and the smaller building (13,522 net square feet) would face Cieneguitas Road. The proposed new office buildings would be occupied by Sansum Clinic and would include an outpatient surgery center, a medical clinic and administrative offices. A parking lot containing 225 parking spaces (including five on the adjacent 675 Cieneguitas Road parcel) would be located between and behind the proposed new buildings. Access would be provided via two driveways on Cieneguitas Road. A detention basin and vegetated swales would accommodate increased storm water run-off. Ground water remediation due to contamination from the previous use as a full service gas station is currently on-going and would continue.

675 Cieneguitas: The existing 2,500 square foot building, currently used as a veterinary hospital, would remain. The only change would be the addition of five parking spaces in an existing easement along the north property line for use by the occupants of the new office buildings described above.

IDENTIFIED MITIGATION: The Final MND identifies potentially significant environmental impacts related to hazards. The Final MND includes mitigation measures to reduce these impacts to a less than significant level. Mitigation measures to further reduce adverse but less than significant impacts related to biological resources, geophysical conditions and noise have also been identified in the MND.

PUBLIC REVIEW:

1. Legal Notice Method: Santa Barbara Daily Sound [April 4, 2012]
2. Mailed Notice : 300-foot radius, Interested Parties, Neighborhood Groups and Environmental Distribution List
3. Document Posting Period April 4, 2012 – May 4, 2012

MITIGATED NEGATIVE DECLARATION FINDING:

Based on the findings contained in the attached Initial Study and the mitigation measures identified, it has been determined that the proposed project will not have a significant effect on the environment.

Prepared By:

Approved By:

Allison De Busk 6/12/12
Allison De Busk [DATE]
Project Planner

Melissa Hetrick 6/12/12
Melissa Hetrick [DATE]
Environmental Analyst

INITIAL STUDY/ ENVIRONMENTAL CHECKLIST MST2008-00496

PROJECT: 4151 Foothill Road

~~March 22, 2012~~ June 11, 2012

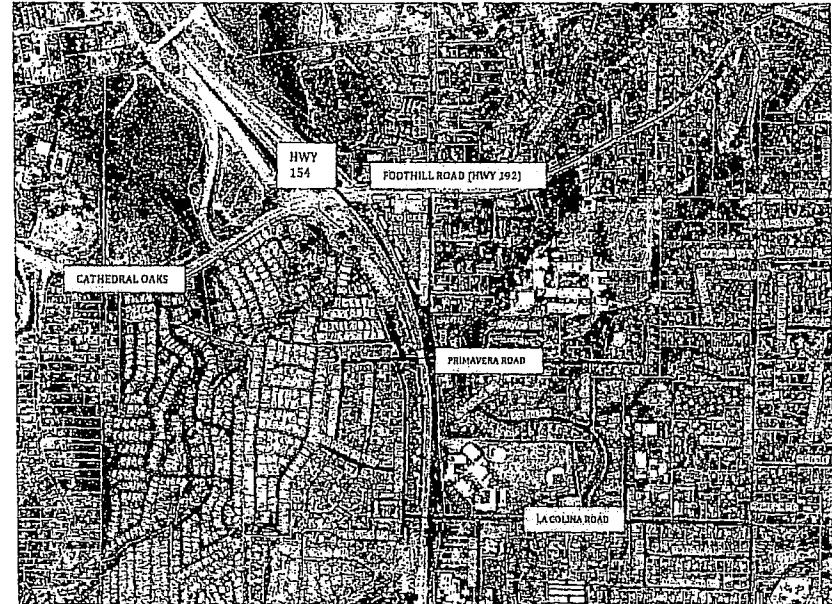
This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) or Mitigated Negative Declaration (MND) 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: Foothill Centre, LP and Britschgi 1, LLC

Applicant Representatives: Steve Fort, Suzanne Elledge Planning & Permitting Services, Inc.

PROJECT ADDRESS/LOCATION 4151 Foothill Road, 681 Cieneguitas Road and 675 Cieneguitas Road



The project site encompasses 4.31 acres and is a triangular site bounded by Foothill Road to the north, Cieneguitas Road to the east and Highway 154 to the west/southwest. It is commonly referred to as the "Foothill Triangle" due to its shape. The project site includes three parcels: 4151 Foothill Road (0.51 acre), 681 Cieneguitas Road (3.5 acres) and 675

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

Cieneguitas Road (0.23 acre). The project site is currently located in the jurisdiction of the County of Santa Barbara. If annexed to the city of Santa Barbara as proposed, the site would be located in the Hope neighborhood of the city of Santa Barbara.

PROJECT DESCRIPTION (See Exhibit 1-Project Plans)

Project Components: The project involves the annexation of three parcels into the city of Santa Barbara, and detachment from the Goleta Water District, the Goleta Sanitary District, the Santa Barbara County Fire Protection District, County Service Area 3 and County Service Area 32. A City General Plan designation of Commercial/Medium High Density Residential is proposed, with a zoning designation of Limited Commercial/Upper State Street Overlay (C-1/SD-2).

4151 Foothill Road & 681 Cieneguitas Road: These parcels (4.08 acres) would be merged, and the existing abandoned gas station (1,750 net square feet) at the corner of Foothill Road and Highway 154 would be demolished. Two new two-story office buildings totaling 60,122 net (61,745 gross) square feet would be constructed on the merged parcel (this development is referred to hereafter as the "Foothill Centre"). The larger of the two buildings, Building A, would contain 46,600 net square feet (sq. ft.), which is evenly divided between the first and second floors. Building A is proposed as a rectangular building and would be oriented parallel to Foothill Road, and located approximately 50 feet south of Foothill Road and 33 feet west of Cieneguitas. Primary access to Building A would be from the parking lot, with secondary access from Cieneguitas Road. The smaller building, Building B, would contain 13,522 net square feet, which is evenly divided between the first and second floors. Building B is a square building and would be located approximately 360 feet south of Foothill Road and 20 feet west of Cieneguitas Road. Access to Building B would be provided from Cieneguitas Road and the parking lot.

The Foothill Centre's 61,745 gross square feet of building area would be used as follows:

Medical Clinic	41,950 gross sq. ft.
Surgery Center	15,375 gross sq. ft.
General Office Space	4,420 gross sq. ft.
TOTAL	61,745 gross sq. ft.

A parking lot containing 225 parking spaces (including five on the adjacent 675 Cieneguitas Road parcel) would be located between and behind the proposed new buildings. Access would be provided via two driveways on Cieneguitas Road. A detention basin and vegetated swales would accommodate increased storm water run-off. Ground water remediation due to contamination from the previous use as a full service gas station is currently on-going and would continue.

675 Cieneguitas: The existing 2,500 square foot building, currently used as a veterinary hospital, would remain. The only change would be the addition of five parking spaces in an existing easement along the northern property line for use by the new Foothill Centre development (described above).

Public Improvements: The project includes curb, gutter and sidewalk improvements along Foothill and Cieneguitas Roads. The project also includes extension of the existing northbound left-turn pocket along Cieneguitas at the Foothill Road/Cieneguitas Road intersection from 50 feet to 125 feet in length, with a 60-foot bay taper. Striping changes are proposed along Foothill Road along the property frontage to create a bike lane within the existing eastbound traffic lane, and the existing westbound left turn arrows painted in the two-way left turn lane would be removed (all Foothill Road improvements are subject to Caltrans approval).

Project Operations: The proposed new office buildings would be occupied by Sansum Clinic. They would include an outpatient surgery center, a medical clinic and administrative offices. This new development would allow Sansum to consolidate facilities, and it is estimated that some of the operations and staff at the existing Pesetas Lane facility (215 Pesetas Lane) would be relocated to the new Foothill Centre facility. Vacancies at Pesetas Lane would be backfilled by operations and staff currently housed at leased facilities on the South Coast.

Anticipated standard hours of operation would be 8:00 a.m. until 5:00 p.m. On occasion, the surgery center would accommodate patients (no more than four) for up to, but not more than, 24 hours to ensure patients are stable and functioning after a surgery. When patients (up to four) are on site after normal business hours, approximately one Sansum Clinic staff per patient would also be onsite.

Demolition/Construction: The project would involve demolition of the existing gas station, and construction would require 17,327 cubic yards (c.y.) of cut and fill. The majority of the earthwork would be cut located outside the building

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

footprint (13,185 c.y.) It is estimated that there would be 16,527 c.y. of export. Construction activities are anticipated to last for approximately 13 months.

Discretionary Actions Required:

The project would require the following discretionary actions:

1. Annexation of the three properties to the city of Santa Barbara and Detachment from Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, County Service Area 3 and County Service Area 32;
2. A General Plan Amendment to designate the property as Commercial/Medium High Density Residential upon annexation;
3. A Zoning Map Amendment to zone the property C-1/S-D-2 (Limited Commercial and Upper State Street Overlay) upon annexation;
4. A Development Plan to allow the construction of 58,372 square feet of nonresidential development on APNs 059-160-017 and -023 (SBMC §28.87.300); and
5. Final Economic Development Designation by the City Council for 13,526 square feet from the Economic Development category for a medical office/clinic on APNs 059-160-017 and -023 (SBMC 28.87.300).

Other Public Agency Approvals Required:

1. Local Agency Formation Commission (LAFCO)
2. Santa Barbara Air Pollution Control District (APCD)
3. California Department of Transportation (Caltrans)

ENVIRONMENTAL SETTING

Existing Site Characteristics

Topography: The site has a gentle slope (3.2%) from the northwest corner to the southeast.

Creeks/Drainage: The site does not contain any creeks or drainages. The closest creeks are Atascadero Creek (to the northwest) and Cieneguitas Creek (to the east); however, urban development is located between the project site and these creeks.

Hazards: In 1985, the project site was identified as having contaminated ground water and soil as a result of a leaking underground fuel tank associated with the previously operating gas station. A Cleanup and Abatement Order was issued by the State of California Regional Water Quality Control Board, and a remediation program was begun in 1985. Soil and ground water remediation have occurred, and monitoring wells were installed. Two interceptor trenches are currently located in the eastern and southern portions of the property. Plans for abandonment of these trenches have been approved by the Santa Barbara County Fire Department, and work has begun, but is not yet complete. The project site is currently in a monitored natural attenuation phase.

Noise: The majority of the project site is subject to noise levels of 60-65 dBA; the southern tip of the site is subject to noise levels of 65-70 dBA. Traffic noise from Highway 154 and Foothill Road are the major noise-generating sources in the area.

Existing Land Use

Existing Facilities and Uses: The project site is currently developed with an abandoned gas station and a veterinary hospital, although the majority of the site is vacant. Monitoring wells associated with the ground water contamination remediation are located throughout the site. The gas station would be demolished and the veterinary hospital would remain. Monitoring wells would be removed/relocated as needed to complete the project.

Access and Parking: There are currently four driveway curb cuts along Foothill Road and three along Cieneguitas Road; however, a perimeter fence prevents public access to the site from all curb cuts on Foothill, and the two northern curb cuts on Cieneguitas Road. The third driveway on Cieneguitas Road (the southernmost driveway) provides access to the existing veterinary hospital located at 675 Cieneguitas Road. There is no formal parking on the majority of the site (area proposed for development); however, there is a seven-space parking lot that serves the veterinary hospital.

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Neighboring Land Uses and Characteristics

To the north of the site is Foothill Road (Highway 192), residential development, an electric substation and Atascadero Creek. These parcels are within the jurisdiction of the County of Santa Barbara, and are zoned for residential and public utility use. Development includes one- and two-story residences.

To the east of the site is Cieneguitas Road and single and multi-family residential development on land zoned for duplex and single-family residential use. These parcels are primarily within the jurisdiction of the City; however, there are parcels along La Barbara Drive that are in the County's jurisdiction. Development includes one- and two-story residences. Beyond the residential development is Cieneguitas Creek and La Colina Junior High School.

To the south of the site is residential development zoned for duplex and single-family residential use. It is within the jurisdiction of the City. Farther south is Bishop Garcia Diego High School.

To the west of the site is Highway 154 and residential development (mobile home park and single-family residential). These parcels are within the jurisdiction of the County and are residentially zoned.

PROPERTY CHARACTERISTICS

Assessor's Parcel Number:	Address:	Parcel Size:	Existing Land Use	Owner:
059-160-021	675 Cieneguitas Road	10,018 sq. ft.	Veterinary Hospital	Britschgi I, LLC
059-160-023	681 Cieneguitas Road	155,384 sq. ft.	Vacant	Foothill Centre LP
059-160-017	4151 Foothill Road	22,321 sq. ft.	Former gas station	Foothill Centre LP
		187,723 sq. ft. (4.31 acres)		
Existing Zoning:	SC - Shopping Center (County)	Existing General Plan Designation:	Neighborhood Commercial (County)	
Proposed Zoning:	C-1 - Limited Commercial / S-D-2 - Upper State Street Area Overlay Special District (City)	Proposed General Plan Designation:	Commercial/Medium High Density Residential (City)	
Existing Land Use:	Vacant and veterinary hospital			
Proposed Land Use:	Medical office and veterinary hospital			
Slope:	3.2% NW to SE			
SURROUNDING LAND USES:				
North:	Foothill Road and Residential	East:	Cieneguitas Road and Residential	
South:	Residential	West:	Hwy 154 and Residential	

PLANS AND POLICY DISCUSSION

Land Use and Zoning Designations:

The project site would be located in the Hope Neighborhood, which is described in the Land Use Element of the City's General Plan as being bounded by the City limit line to the north and west, Arroyo Burro Creek to the east, and Via Lucero to the south. The Hope Neighborhood includes single family, duplex and multi-family development, as well as senior and affordable housing complexes. The subject project would move the City's jurisdictional limits to the west at the northern edge of this neighborhood.

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The project site is currently located within the jurisdiction of County of Santa Barbara, and is zoned Shopping Center (SC). The SC zone is applied to areas appropriate for clustered shopping center uses. The intent is to establish provisions for the comprehensive development of property suitable for commercial use, and to prevent piecemeal commercial development in areas that may be more appropriate for a clustered shopping center use. This zone allows either a convenience shopping center (where the everyday, frequent needs of the consumer are served) or a community shopping center (where consumer goods and services are provided and shoppers are provided the opportunity to comparison shop).

The current County General Plan Land Use Plan designation is Neighborhood Commercial. Neighborhood Commercial is located within the neighborhood and serves such day-to-day needs of residents in the immediate area as food, drugs, gasoline, and other incidentals. These uses typically require 5,000-10,000 people, or from 1,700-3,300 dwelling units in the neighborhood for support.

As part of the project, the site would be annexed to the City and rezoned to Limited Commercial and Upper State Street Area Overlay Special District Zone (C-1/SD-2). The intent of the C-1 zone district is to provide a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air and existing visual amenities. The Upper State Street Overlay is intended to limit traffic through specific setback, parking and building size requirements. The General Plan land use designation would become Commercial/Medium High Density Residential, which is intended for commercial centers typically located in residential areas. A broad variety of retail commercial outlets, restaurants, offices, medical offices, and grocery stores are allowed uses under this designation.

The proposed development of the medical office buildings would be consistent with the proposed City land use and zoning designations.

Existing and Proposed Parking Supply and Parking Demand:

The project site is currently developed with a veterinary hospital that contains seven parking spaces. This building and associated parking would not change as a result of the proposed project.

The currently undeveloped portion of the site would be developed with a medical office building and parking. Per the City's Zoning Ordinance standards, 168 parking spaces would be required for the Foothill Centre, based on its use as an office development of 60,122 square feet. However, the proposed development is intended for use as a medical office, which has a higher parking demand than a typical office development. A Traffic, Circulation and Parking Study dated November 14, 2011 (*Exhibit 8*) and a Parking Analysis Addendum dated February 2, 2012 were prepared for the project by Associated Transportation Engineers. Based on analysis contained in those studies, the project is anticipated to demand 239 parking spaces. The Foothill Centre development is proposing 225 parking spaces, space to accommodate three cars in the passenger drop-off area, and one loading space. A Transportation Demand Management (TDM) Plan is proposed as part of the development to reduce the project's overall parking demand. The Parking Analysis Addendum concludes that the TDM Plan should reduce peak parking demand by approximately 15%, which results in a peak demand of 218 parking spaces (based on 138 employees). The project exceeds the Zoning Ordinance requirements as they relate to parking, and the TDM measures proposed in order to reduce the anticipated parking demand are being provided at the applicant's discretion in order to minimize on-street parking and associated impacts to the surrounding neighborhood.

Land Use Compatibility:

Certain land uses have the potential to result in incompatibility with existing surrounding land uses or activities. Typically, development applications for General Plan Amendments, Rezones, Conditional Use Permits, Performance Standard Permits, and certain modifications have the greatest potential to result in land use compatibility issues. Incompatibility can result from a proposed project's generation of noise, odor, safety hazards, traffic, visual effects, or other environmental impacts. This Initial Study provides an analysis of environmental impacts, including land use compatibility, within the primary impact sections (i.e. noise, air quality, etc.). However, in instances where an impact does not rise to a level of significance, land use compatibility concerns may still exist due to adverse (less than significant) impacts. These adverse impacts require careful evaluation by decision-makers at the time the proposed project's permit requests are considered.

The subject project has a number of environmental impacts that are either less than significant as proposed or reduced to a less than significant level with mitigation measures. For the subject project, adverse impacts associated with hazards, geophysical conditions and short-term construction impacts (biological resources and noise) were identified. However, the identified impacts do not raise any significant neighborhood compatibility issues. A full analysis of the required findings to approve the use and a discussion of neighborhood compatibility will be provided in the project's staff report.

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General Plan Policies:

As discussed above, if annexed to the City, the project site would be located in the Hope neighborhood, as defined in the General Plan. This neighborhood is primarily developed with single-family residences. However, the area also includes several schools and is located in close proximity to medical and office uses in the North State neighborhood. The project would not change the site's existing commercial land use designation, but would add land that is in the City's Sphere of Influence into City limits. One City goal noted in the General Plan is to simplify the present City boundaries and provision of services by encouraging annexation of unincorporated islands and peninsulas of land contiguous to the City. The proposed annexation and land use designation could be found potentially consistent with the General Plan. Analysis of compliance with specific elements of the General Plan is identified below.

1. Land Use Element

The City's Land Use Element contains goals and policies to ensure long-term sustainability ("living within our resources"), management of non-residential growth, protection of community character, and encouragement for the construction of affordable housing. With respect to the proposed annexation and development, there are several land use policies that are particularly applicable (refer to *Exhibit 10* for complete text):

- LG2 Limit Non-Residential Growth
- LG7 Community Benefit Non-Residential Land Uses
- R3 Regional Planning
- R4 Future Annexations

The project site is located within the City's existing Sphere of Influence, and in an area (south of Foothill Road in the Hope neighborhood) that is identified to be annexed at the earliest opportunity (Policy R4). As identified in this Initial Study, the City has the resource capacity to serve the project site (Policy R3). As the Foothill Centre development project includes new non-residential square footage, the project is subject to the City's non-residential square footage limitations (Policy LG2) and special findings to approve this development will be required. The Foothill Centre development project is also requesting allocation of economic development square footage in order to construct the proposed buildings (Policy LG7). The proposed project could be found potentially consistent with the Land Use Element of the General Plan.

2. Housing Element

Although construction of housing, and particularly community benefit housing, is a priority of the General Plan and specifically the Housing Element, the project site has a deed restriction that prevents it from being developed with any housing. This restriction was put in place by the prior owner (Mobil) and is a result of the contamination from a previously existing underground fuel tank. The current owner has been unsuccessful in having this residential deed restriction removed from the site. As such, the Housing Element is not applicable to the project site.

3. Open Space, Parks and Recreation Element (includes prior Open Space and Parks and Recreation Elements)

The project site is neither designated open space nor contiguous with open space. It is privately held and has previously been developed. As identified in this Initial Study, impacts associated with use of City parks and recreational facilities would be less than significant. Therefore, the proposed project could be found potentially consistent with the Open Space, Parks and Recreation Element of the General Plan.

4. Economy and Fiscal Health Element

The City's Economy and Fiscal Health Element addresses local and regional economic considerations, and includes policies to promote economic resiliency and equity. The project involves a new facility for an existing local medical clinic. It is anticipated that this new facility will assist in retention and recruitment of medical professionals for the Santa Barbara area. Therefore, the project could be found potentially consistent with the Economy and Fiscal Health Element of the General Plan.

5. Historic Resources Element

Cultural resources are not on or near the project site, as identified in this Initial Study. Therefore the Historic Resources Element is not applicable to the project site.

6. Environmental Resources Element (includes prior Conservation Element and prior Noise Element)

City Environmental Resources Element policies provide that the City's natural resources (including air quality, biology, surface and ground water resources, noise, visual resources, climate change, energy and food and agriculture) be

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

preserved, protected and enhanced.

With respect to the subject development, there are two policies under the Environmental Resources Element that directly apply to the project site, which are listed below:

- ER11 Native and Other Trees and Landscaping. "Protect and maintain native and other urban trees, and landscaped spaces, and promote the use of native or Mediterranean drought-tolerant species in landscaping to save energy and water, incorporate habitat, and provide shade."
- ER24 Visual Resources Protection. "New development or redevelopment shall preserve or enhance important public views and viewpoints for public enjoyment, where such protection would not preclude reasonable development of a property."

Additionally, there are two visual resources policies and three implementation strategies in the Conservation Element that apply to the project, which are listed below"

Visual Resources Policy 3.0 – "New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City."

Visual Resources Policy 4.0 – "Trees enhance the general appearance of the City's landscape and should be preserved and protected."

- Implementation Strategy 4.1 – "Mature trees should be integrated into project design rather than removed..."
- Implementation Strategy 4.2 – "All feasible options should be exhausted prior to the removal of a tree."
- Implementation Strategy 4.3 – "Major trees removed as a result of development or other property improvement shall be replaced by specimen trees on a minimum one-for-one basis."

Environmental issues associated with the Environmental Resources Element are discussed in the Aesthetics, Air Quality, Biological Resources, Noise and Water Environment sections of this Initial Study, which found that there would be no significant impacts to these resources. Based on this analysis, the project could be found potentially consistent with the Environmental Resources Element of the General Plan.

7. Circulation Element (includes prior Circulation Element and prior Scenic Highways 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 and sustainability goals. With respect to the proposed annexation and development, there are several land use policies that are particularly applicable (refer to *Exhibit 10* for complete text):

- C1 Transportation Infrastructure Enhancement and Preservation
- C1.1 Pedestrian and Bicycle Infrastructure
- C6 Circulation Improvements
- 3.2 Transit Stops, Shelters and Information Systems
- 6.1 and 6.1.4 Local And Regional Transportation Demand Management Programs

The project includes pedestrian, bicyclist and bus stop improvements to increase the availability and attractiveness of alternative transportation (Policies C1, C1.1 and 3.2). The project also includes a Transportation Demand Management Plan to reduce traffic and parking demands at the site (Policies C6, 6.1 and 6.1.4). As identified in this Initial Study, traffic and circulation impacts resulting from the proposed project are less than significant, and thus the project could be found potentially consistent with the Circulation Element.

8. Public Services Element (includes prior Seismic Safety/Safety Element)

The City's Public Services Element requires that public infrastructure and services be planned, sited, upgraded and maintained to meet present and future service needs efficiently, economically and in a manner consistent with a sustainable community and climate change, as well as to emphasize safety and emergency preparedness as an integral part

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of land use and planning. The prior Seismic Safety/Safety Element addresses a number of potential hazards including, geology, seismicity, flooding, liquefaction, tsunamis, high groundwater, and erosion. Potential impacts associated with the site's prior contamination and associated public safety hazards would be reduced to a less than significant level through implementation of identified mitigation measures. As discussed in this Initial Study analysis, potential impacts associated with public services (water supply and wastewater, solid waste and recycling) and geophysical conditions are less than significant. Therefore, the proposed project could be found potentially consistent with the Public Services Element.

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.

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1. AESTHETICS		NO	YES
Could the project:			<i>Level of Significance</i>
a)	Have a substantial adverse effect on a scenic vista enjoyed by a large portion of the community?		Less Than Significant
b)	Substantially damage scenic resources including, but not limited to trees, rock outcroppings, and historic buildings, within a state scenic highway?		Less Than Significant
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?		Less Than Significant
d)	Create a new source of substantial light or glare?		Less Than Significant

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 and larger community wide views (those things visible by a larger community, as opposed to select individuals). 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, and how many people can see the views. 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 or community-wide scenic views, including 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.
- Substantially damage scenic resources within a state scenic highway (Highway 154) or within an eligible or potential scenic highway (Highway 101; Cabrillo Blvd between Highway 101 and Castillo Street; Sycamore Canyon Road (144)/Stanwood Drive (192)/Mission Ridge Road (192)/Mountain Drive to the Old Mission on Los Olivos Street); or a potential City scenic route (Shoreline Drive from Castillo Street to the end of Shoreline Park).
- 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, disrupts sensitive wildlife, or substantially affects day or nighttime views.

Aesthetics – Existing Conditions and Project Impacts

Annexation of the property into the City would not result in visual changes; however, development of the Foothill Centre would result in a visual change at the project site. The proposed Foothill Centre development includes construction of two new two-story buildings. Both buildings are designed in an art deco style with a flat tiled sloped roof. The buildings would each have a maximum height of approximately 35-37 feet (Building A would be 27-29 feet above existing grade along Foothill Road).

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The project includes the removal of approximately 17 trees, protection of 22 trees (24 oaks and a stone pine) and planting of approximately 160 trees, including approximately 25 coast live oaks, 11 street trees on Cieneguitas Road and 9 street trees on Foothill Road. Although some tree removal is proposed, existing trees do not represent skyline or specimen trees and, overall, the site would be re-landscaped with significantly more trees than currently exist.

Photo simulations of the proposed development were prepared by Interacta (December 10, 2009) and are incorporated by reference and summarized herein (*Exhibit 3 - Photo Simulations*). It should be noted that the photo simulations are for a prior iteration of the project, which included development of the site with three two-story buildings totaling 65,600 sq. ft. (Building A = 41,056 sq. ft. located in approximately the same location as the currently proposed Building A, Building B = 13,247 sq. ft. located along Cieneguitas approximately 250 feet south of Foothill Road, and Building C = 13,247 sq. ft. located in approximately the same location as the currently proposed Building B). The primary difference between this prior iteration and the current proposal is the elimination of the former Building B, and an increase in building height of approximately 24 inches. Surface parking is now located where the prior Building B was. Therefore, the photo simulations represent a worst-case analysis of the Foothill Centre development in terms of the number of buildings and the change in building height is minimal in terms of the simulations. Therefore, the visual simulations and are adequate for use in analyzing the current proposal.

1.a) Scenic Views

The City's Master Environmental Assessment (MEA) maps do not identify the subject parcels as being located in an area of visual sensitivity. However, there are views of the mountains from Cieneguitas looking north across the project site. The City has identified mountains, open space and hillsides that provide a scenic backdrop as important natural scenic features.

The site itself is not considered to be "open space" due to its previous development, existing perimeter fencing and on-going on-site remediation. Therefore there is no visual impact related to a substantial loss of important public open space as a result of the proposed development.

The project site is located in an urban environment; existing development in the project vicinity is a mix of architectural styles and housing types. The overall height of the proposed Foothill Centre development would be 35-37 feet from existing grade. This is similar to the existing surrounding developments, which consist of both one- and two-story buildings.

There are views of the mountains provided as one looks north/northwest from Cieneguitas Road (refer to *Exhibit 4 - Site Photographs*). This view is interrupted by existing development, vegetation and utility poles along Cieneguitas Road and at the Foothill/Cieneguitas Road intersection. The proposed development, including proposed landscaping, would affect this existing view. However, the existing view is not pristine, the ridgeline of the mountains would still be visible, Cieneguitas Road is not considered a high use public viewpoint, and the public views are typically not of substantial duration. Therefore, the project would result in a *less than significant* impact to scenic views because the new construction would not obstruct any important visual resources, and no designated open spaces would be impacted by the proposed project.

1.b) Scenic Highway

State Highway 154 ("San Marcos Pass Road") is an officially designated State Scenic Highway by the California Department of Transportation (Nov. 12, 1968). The project site is adjacent to Highway 154 and would be visible from it (refer to *Exhibit 3 - Photo Simulations*). When travelling south on Highway 154, the final eight miles are downhill, and from them travelers are afforded views of the Pacific Ocean, coastal communities and the Channel Islands. Due to the topography and location of the project site as Highway 154 reaches the project site, impacts to views when travelling south on Highway 154 would be minimal, and are considered *less than significant*.

When travelling north on Highway 154, the project site and proposed development would be more prominent (refer to *Exhibit 3 - Photo Simulations*). However, the new buildings would be located in an area that has existing development as its backdrop. Additionally, Highway 154 is elevated from the project site, so the new development does not block views as it might if the Highway were at ground level. The new buildings would change the existing views when travelling northbound on Highway 154 and would be more prominent than the existing primarily vacant site due to its proximity to Highway 154, but their environmental impact would be *less than significant*.

1.c) Visual Character and Quality

The Foothill Centre project would permanently alter the appearance of the site by constructing two, two-story buildings, approximately 35-37 feet in height. If the project site is annexed to the City as proposed, the size and design of the project

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would be subject to review and approval by the City's Architectural Board of Review (ABR). The proposed development of the Foothill Centre has been reviewed conceptually by the ABR on three occasions (refer to *Exhibit 5 - ABR Minutes*). Overall, the ABR was satisfied with the site planning and proposed architectural style. The ABR conducted the Compatibility Analysis and found the proposed project to be in compliance with the City Charter and applicable Municipal Code requirements, consistent with the Design Guidelines, and compatible with the architectural character of the City and the surrounding neighborhood.

Prior to building permit issuance, the Foothill Centre development, including grading and landform alteration, structural design, landscaping, and lighting, would require Project Design Approval and Final Approval by the ABR for consistency with design guidelines for views, visual aesthetics and compatibility, and lighting. Based on the generally positive conceptual comments from the ABR, the project appears to be consistent with adopted Design Guidelines for the area.

Based on the context of its surroundings, the proposed development would be visually compatible with existing development. Therefore, aesthetic impacts resulting from development of this urban in-fill parcel would be *less than significant*.

1.d) Lighting and Glare

The Foothill Centre project would result in the construction of two new, two-story medical office buildings and associated parking lot, which would require outdoor lighting typical of an office park development. Exterior lighting would be subject to compliance with the requirements of Santa Barbara Municipal Code Chapter 22.75, the City's Outdoor Lighting and Design Ordinance. The ordinance provides that exterior lighting be shielded and directed to the ground such that no undue lighting or glare would affect surrounding residents, roads, or habitat areas. Outdoor lighting would be primarily for security purposes, as the hours of operation would typically be from 8:00 a.m. to 5:00 p.m. Additionally, proposed building materials do not include materials with the potential for significant glare. As such, project impacts on lighting and glare would be *less than significant*.

Aesthetics - Mitigation

No mitigation is required.

Aesthetics - Residual Impacts

Less than significant.

2. AIR QUALITY		NO	YES
Could the project:			<i>Level of Significance</i>
a)	Conflict with or obstruct implementation of the applicable air quality plan?		Less Than Significant
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		Less Than Significant
d)	Expose sensitive receptors to substantial pollutants?		Less Than Significant
e)	Create objectionable odors affecting a substantial number of people?	X	
f)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		Less Than Significant
g)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?		Less Than Significant

Air Quality - Discussion

Issues. Air quality issues involve pollutant emissions from vehicle exhaust, stationary sources (i.e. gas stations, boilers, diesel generators, dry cleaners, oil and gas processing facilities, etc), and minor stationary sources called “area sources” (i.e. residential heating and cooling, fireplaces, etc.) that contribute to smog, particulates and nuisance dust associated with grading and construction processes, and nuisance odors. Stationary sources of air emissions are of particular concern to sensitive receptors, as is construction dust and particulate matter. 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.

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen [NOx] and reactive organic compounds [ROC] (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 (PM₁₀ and PM_{2.5}) include demolition, grading, road dust, agricultural tilling, mineral quarries, and vehicle exhaust.

The City of Santa Barbara is part of the South Coast Air Basin. 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 (APCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan.

Santa Barbara County is considered in attainment of the federal eight-hour ozone standard, and in attainment of the state one-hour ozone standard. The County does not meet the state eight-hour ozone standard or the state standard for particulate matter less than ten microns in diameter (PM₁₀); but does meet the federal PM₁₀ standard. The County is in attainment for the federal PM_{2.5} standard and unclassified for the state PM_{2.5} standard.

The APCD has also issued several notifications and requirements regarding toxic air emissions generated from activities such as gasoline dispensing, dry cleaning, freeways, manufacturing, etc., that may require projects with these components to mitigate or redesign features of the project to avoid excessive health risks. Additionally, APCD requires submittal of

an asbestos notification form for each regulated structure that is proposed to be demolished or renovated. The California Air Resources Board (CARB) and APCD also recommend a buffer between Highway 101 and new residential developments or other sensitive receptors in order to reduce potential health risks associated with traffic-related air pollutant emissions, particularly diesel particulates. Based on analysis in the citywide Program EIR (2010) for the Plan Santa Barbara General Plan Update, the City established an interim policy limiting the introduction of new residential construction or sensitive receptor uses within 250 feet of Highway 101 (excluding minor additions or remodels of existing homes or the construction of one new residential unit on vacant property), until CARB implements further statewide phased diesel reduction measures and/or the City otherwise determines a satisfactory reduction of diesel reduction risks citywide or on individual projects. Certain projects also have the potential to create objectionable odors that could create a substantial nuisance to neighboring residential areas or sensitive receptors and should be evaluated in CEQA documents.

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. Although there is not unanimous agreement regarding the occurrence, causes, or effects of GCC, there is a substantial body of evidence that climate change is occurring due the introduction of gases that trap heat in the atmosphere. Common greenhouse gases (GHG) include water vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, ozone and aerosols. Natural processes emit GHG that help to regulate the earth’s temperature; however, it is believed that substantial increases in emissions from human activities, such as electricity production and vehicle use, have substantially elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. While other greenhouse gases have higher global warming potential, carbon dioxide is emitted in such vastly higher quantities that it accounts for 85 percent (in terms of carbon dioxide equivalent) of all greenhouse gas emissions by the United States. Greenhouse gas emissions are typically measured in terms of mass carbon dioxide equivalents (CO₂e), which is the product of the mass of a particular greenhouse gas and its specific global warming potential (CO₂ has a global warming potential of 1).

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 (36.6 and 24.3 percent, respectively). Assembly Bill 32 created the California Global Warming Solutions Act of 2006 that requires the California Air Resources Board to adopt regulations to evaluate statewide greenhouse gas emissions, and then create a program and emission caps to limit statewide emissions to 1990 levels. California State Senate Bill 97, enacted in 2007, required that the CEQA Guidelines be amended to include “guidance for the mitigation of greenhouse gas emission or the effects of greenhouse gas emissions.” The California Office of Planning and Research developed amendments to the CEQA Guidelines which were adopted by the California Natural Resources Agency on December 30, 2009 and became effective March 18, 2010. These amendments established a general framework for addressing global climate change impacts in the CEQA process and require that all CEQA analysis include a significance determination for impacts related to greenhouse gas emissions. A number of state and regional agencies within California are working to develop procedures to evaluate climate change impacts in CEQA documents and to determine whether those impacts are significant. While these standards are being developed for Santa Barbara County, APCD recommends that CEQA documents include: 1) a discussion of a project’s impacts to and from global climate change; 2) a quantification of greenhouse gas emissions from all project sources; and 3) a discussion of how climate change impacts have been mitigated to the extent reasonably possible for each project. In order to satisfy the State requirements and the APCD recommendations, several jurisdictions around the State, including Santa Barbara County and the City of Santa Barbara, are temporarily using greenhouse gas emissions thresholds developed by the Bay Area Air Quality Management District (BAAQMD). Although BAAQMD formally adopted the thresholds in June 2010, the use of the thresholds by the District has been suspended while a CEQA lawsuit over the adoption process proceeds through the courts. Even though the thresholds are not currently effective for use by BAAQMD, the thresholds were developed through a scientifically valid process and serve as one of few examples of objective standards for analyzing greenhouse gas emissions. Therefore, until region-specific thresholds are developed, the city of Santa Barbara has elected to use the thresholds developed by BAAQMD for use in the City’s analysis of GHGs as is permitted and anticipated by CEQA Guideline section 15064.4.

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

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

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

- Emit (from all project sources, both stationary and mobile) less than 240 pounds per day for ROC and NO_x, and 80 pounds per day for PM₁₀;
- Emit less than 25 pounds per day of ROC or NO_x from motor vehicle trips only;
- Not cause a violation of any California or National Ambient Air Quality Standard (except ozone);
- Not exceed the APCD health risks public notification thresholds adopted by the APCD Board; and
- Be consistent with the adopted federal and state air quality plans for Santa Barbara.

Substantial long-term project emissions could potentially stem from stationary sources which may require permits from the APCD and from motor vehicles associated with the project and from mobile sources. Examples of stationary emission sources that require permits from APCD include gas stations, auto body shops, diesel generators, boilers and large water heaters, dry cleaners, oil and gas production and processing facilities, and wastewater treatment facilities.

Short-Term (Construction) Impacts Guidelines: Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM₁₀). Substantial dust-related impacts may be potentially significant, but are generally considered mitigable with the application of standard dust control mitigation measures. Standard dust mitigation measures are applied to projects with either significant or less than significant effects.

Exhaust from construction equipment also contributes to air pollution. Quantitative thresholds of significance are not currently in place for short-term or construction emissions for non-stationary sources. However, APCD uses the threshold for stationary sources as a guideline for determining the impacts of construction emissions for non-stationary sources. The stationary source threshold states that a projects combined emissions from all construction equipment cannot exceed 25 tons of any pollutant except carbon monoxide within a 12-month period. Standard equipment exhaust mitigation measures are recommended by APCD for projects with either significant or less than significant effects.

Cumulative Impacts and Consistency with Clean Air Plan: If the project-specific impact exceeds the ozone precursor 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.

Global Climate Change: According to recent amendments to Appendix G of the CEQA Guidelines, a project would have significant impacts related to greenhouse gas emission if it would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. A number of state and regional agencies within California are currently working to develop procedures to determine specifically how this significance determination should be interpreted and to develop plans and policies for the reduction of greenhouse gas emissions. In the meantime, projects should be designed to reduce greenhouse gas emissions to the extent reasonably possible.

As discussed above, a number of state and regional agencies within California are currently working to develop procedures to determine specifically how this significance determination should be interpreted and to develop plans and policies for the reduction of greenhouse gas emissions. In the meantime, the City is temporarily using greenhouse gas emissions thresholds developed by the Bay Area Air Quality Management District (BAAQMD) as guidance in evaluating greenhouse gas emissions impacts from projects. A detailed explanation from the County of Santa Barbara as to why the BAAQMD analysis and thresholds are appropriate guidance for land use project in Santa Barbara County, including the City of Santa Barbara, is provided as *Exhibit 6*. Consistent with the BAAQMD's guidance, the project's contribution to cumulative impacts to GHG emissions and climate change would likely be cumulatively considerable if the project's operations would produce in excess of 1,100 metric tons CO₂e/year. BAAQMD's Air Quality Guidelines (May 2011) presents a methodology for this analysis and uses a screening table for projects it has determined would not be likely to

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exceed this threshold. If a project exceeds the 1,100 metric tons CO₂e/year threshold, it can be evaluated using an efficiency based methodology outline in BAAQMD's 2011 Air Quality Guidelines document that factors in what kind of service population (employees and residents) the project would serve. If the project would not exceed 4.6 metric tons CO₂e/service population/year, then the project would not have significant impacts related to greenhouse gas emissions. The BAAQMD provides useful information for GHG emissions analysis; however, significance determinations are made on a case-by-case basis. The BAAQMD does not include a significant threshold for construction related greenhouse gas emissions.

Air Quality – Existing Conditions and Project Impacts

An Air Quality Technical Report and Greenhouse Gas Emissions Analysis ("Technical Report") was prepared for the Foothill Centre development project by Dudek, dated March 2012. The Technical Report is summarized below and incorporated herein by reference.

2.a) Clean Air Plan

Direct and indirect emissions associated with the project are accounted for in the 2010 Clean Air Plan emissions growth assumptions. Appropriate air quality conditions, including construction dust suppression, would be applied to the project, consistent with CAP and City policies, and are identified in *Exhibit 2* as standard conditions of approval. Since the proposed project would not result in a land use that would generate population or employment growth exceeding what was anticipated in the Santa Barbara County Association of Governments' Regional Growth Forecast, the project would be consistent with the adopted CAP. The project could be found consistent with the 2010 Clean Air Plan; therefore, impacts would be less than significant.

Because the project would not generate significant O₃ precursor emissions or localized pollutant impacts (as identified below), and as emissions have been taken into account in the most recent CAP growth projections, regional cumulative impacts would be less than significant.

b-d) Air Pollutant Emissions, Sensitive Receptors, and Cumulative Impacts

Long-Term Emissions:

As proposed, the project would include medical office development, with all of the uses and vehicle trips associated with this type of development. Vehicular traffic to and from the project site represents the project's primary long-term impact to air quality. Area sources associated with the project include space and water heating, landscape maintenance equipment, consumer products and architectural coatings. The only stationary emission source associated with the project is an emergency generator, which would only run during emergencies and during periodic testing and maintenance. Appropriate permits from APCD will be required for this generator, and operational parameters would be included in those permits to ensure the generator has less than significant impacts on the environment and sensitive receptors. Sensitive receptors are located to the north and east of the project site.

As identified in the Technical Report prepared by Dudek, utilizing the CalEEMod, Version 2011.1.1 computer model and APCD emission factor data, it is estimated that the proposed project would generate the following combined operational (vehicle) and area source emissions:

Pollutant	Vehicle (lbs/day)	Stationary/ Area Source (lbs/day)	Combined (lbs/day)	SBAPCD Threshold (lbs/day)
ROC	5.74	1.57	7.31	motor vehicle sources: 25; all sources combined: 240
NO _x	8.96	1.12	10.08	motor vehicle sources: 25; all sources combined: 240
PM ₁₀	6.36	0.07	6.43	all sources combined: 80

Project-related vehicle emissions would be below the threshold of significance of 25 pounds per day for both ROC and NO_x. The combined operational (vehicle), area, and stationary source emissions from all long term project sources would be below the APCD threshold of 240 pounds per day of ROC or NO_x and 80 pounds per day of PM₁₀. These estimates are considered conservative, as they do not account for the fact that the Foothill Centre would be closed on weekends, and that the project includes a Transportation Demand Management program to encourage alternative modes of transportation. Therefore, the proposed project is anticipated to have a less than significant effect on long term air quality.

Emissions of toxic air contaminants (TACs) would result from operation of the on-site emergency generator. As identified in the Technical Report, the maximum anticipated cancer risk associated with the project is 0.7 in 1 million at

the maximally exposed residential receptor based on a 70-year lifetime exposure. The assessment report also finds that the chronic hazard index for noncancer health impacts is well below 1.0 for the maximally exposed receptor. APCD staff reviewed the screening health risk assessment (HRA) contained in the Technical Report and disagreed with some of the model parameters that were employed. APCD conducted its own screening HRA, which found that operation of the generator for less than 45 hours per year for maintenance and testing would result in a less than significant health impact. As identified by the applicant, regular testing and maintenance of the generator is anticipated to be 13 hours per year, substantially less than 45 hours per year threshold. As such, the exposure of project-related TAC emission impacts to sensitive receptors during operation of the proposed project would be *less than significant*.

In analyzing cumulative impacts from the proposed project, the assessment must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the County is designated as nonattainment. The County is currently in attainment of NAAQS and is in attainment for all CAAQS with the exception of the state 8-hour O₃ standard and the state standards for PM₁₀. Construction and operation of the proposed project would generate emissions of ROC and VOC (O₃ precursors) and PM₁₀ emissions; however, the proposed project would not exceed SBCAPCD guidance for annual construction emissions or SBCAPCD thresholds for operational emissions. Since implementation of the project would result in less-than-significant short-term impacts to air quality associated with construction and less-than-significant long-term impacts associated with operation of the project, which includes project-generated vehicle traffic and energy use, the proposed project's contribution to the County's nonattainment status for state 8-hour O₃ and PM₁₀ standards would be *less than cumulatively considerable*.

Short-Term (Construction) Emissions:

As identified in the Technical Report prepared by Dudek, utilizing the CalEEMod, Version 2011.1.1 computer model and APCD emission factor data, it is estimated that the proposed project would generate the following construction emissions from all sources:

Pollutant	Proposed Construction Emissions (tons/year)	
	2012	2013
ROC	0.18	0.46
NO _x	1.31	0.36
CO	0.94	0.44
SO ₂	0	0
PM ₁₀	0.16	0.06
PM _{2.5}	0.07	0.02
Total Proposed Emissions (tons/year)	2.66	1.34
APCD Total Emissions Threshold (tons/year)	25	25

Construction of the proposed project could result in emissions of pollutants due to grading, fumes, and vehicle exhaust. Sensitive receptors located primarily to the east, but also to the north and south of the project site, could be affected by dust and particulates during project site grading and vehicle exhaust from construction equipment. The project would involve grading, paving, and landscaping activities which could cause localized dust related impacts resulting in increases in increases in particulate matter (PM₁₀ and PM_{2.5}). However, dust control measures are required for the project as standard conditions of approval (identified in *Exhibit 2*) and therefore dust-related impacts to sensitive receptors would be *less than significant*.

Diesel and gasoline powered construction equipment also emit particulate matter, NO_x, and ROC. In order for emissions from construction equipment to be considered a potentially significant environmental impact, combined emissions from all construction equipment would need to exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period. As shown in the table above, the total combined emissions over the 13-month construction period is 4.02 tons, which is significantly less than the 25 ton threshold. Therefore, with application of standard conditions of approval for dust control and compliance with APCD requirements for construction equipment engines (refer to *Exhibit 2*), the proposed project is anticipated to have a *less than significant* effect on the environment.

The proposed project would include demolition of the former gas station building, and this building may contain lead and asbestos. Depending on the type of product that incorporates asbestos (e.g. linoleum tiles), it can be classified as friable or non-friable. Friable asbestos represents an air quality health hazard. Prior to commencement of construction, the buildings would be assessed and tested as necessary to determine the presence of lead and asbestos. Should any of the material be found, demolition of the building would follow all the necessary protocols for permitting, removal and

disposal of the materials. Standard conditions of approval related to APCD Notification (*Exhibit 2*) would ensure *less than significant* impacts related to these substances.

2.e) Odors

The project is limited to medical and administrative office uses, and would not include land uses involving odors or smoke. The project would not contain features with the potential to emit substantial odorous emissions, from sources such as commercial cooking equipment, combustion or evaporation of fuels, sewer systems, or solvents and surface coatings.

Due to the nature of the proposed land use and limited size of the project, the project would have *no impact* related to odors.

2.f-g) Greenhouse Gases:

Sources of carbon dioxide emissions that could result from the project include project-related traffic, natural gas use, landscape maintenance, consumer product use, solid waste generations, site lighting, and potable water delivery. The City is temporarily using greenhouse gas emissions thresholds developed by the Bay Area Air Quality Management District (BAAQMD) as guidance in evaluating greenhouse gas emissions impacts from projects.

Long term operating emissions of greenhouse gases were calculated for the project using the methodology outlined in BAAQMD's Air Quality Guidelines (May 2011). These emissions include transit related emissions, water use, energy use, and solid waste disposal. As identified in the Technical Report prepared by Dudek, utilizing the CalEEMod, Version 2011.1.1 computer model, it has been estimated that the project would generate 946 MT of CO₂E/year. This is below the 1,100 MT of CO₂E/year threshold of significance for greenhouse gases.

Construction related emissions represent a small portion of greenhouse gas emissions. The project is estimated to emit 204 metric tons of CO₂ during construction. With the implementation of standard APCD conditions for dust and equipment exhaust control measures (refer to *Exhibit 2*), construction-related impacts to greenhouse gases are assumed to be less than significant for most projects. Finally, the project would not exceed other air quality significance thresholds adopted by the APCD.

The proposed project would incorporate energy efficient building design by exceeding Title 24 requirements and using water efficient landscaping. In addition, project-generated traffic would potentially be reduced by providing break areas to encourage employees to remain on site during meal breaks, and the proposed Transportation Demand Management program that is designed to reduce traffic and parking demands at the site would include incentives to encourage employees to use alternative modes of transportation, such as bus fare subsidies, ride sharing or carpooling programs, bicycle facilities, and guaranteed ride home programs. The potential reduction in vehicle trips would be consistent with the City's goal of reducing mobile-source GHG emissions.

Although the proposed project would generate GHG emissions that would contribute to the cumulative global climate change impact, the project would not cause a cumulatively considerable contribution to greenhouse gas emissions or impede the ability of the State to attain greenhouse gas reduction goals. Therefore, impacts would be considered *less than significant*.

Air Quality –Mitigation

No mitigation is required. Refer to *Exhibit 2* for Standard Conditions of Approval Applicable to Project.

Air Quality - Residual Impacts

Less than significant.

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3. BIOLOGICAL RESOURCES		NO	YES
Could the project result in impacts to:			<i>Level of Significance</i>
a)	Natural communities (e.g. oak woodland, coastal habitat, etc.)?		Less Than Significant
b)	Locally designated historic, Landmark or specimen trees?	X	
c)	Wetland and riparian habitats?		Less Than Significant
d)	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?		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 or sensitive 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, migration corridors, or habitats supporting sensitive species such as oak woodland, coastal strand, riparian, and wetlands.
- Substantial effect on a 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

A Biological Survey and Assessment of the project site prepared by Watershed Environmental, Inc. (October 20, 2009) is incorporated by reference and summarized herein (*Exhibit 7 – Biological Survey and Assessment*).

3.a.c) Natural Communities; Trees; Wetland and Riparian Habitats

The Foothill Centre site is primarily undeveloped; however the undeveloped portion has been heavily disturbed as a result of soil testing and remediation work resulting from a prior leaking underground fuel tank. Most of the property is covered with non-native annual grassland. The site is not designated critical habitat for any federally threatened or endangered species. There are no natural communities or wetland habitat within the project site.

The portion of the site proposed for development contains approximately 23 trees, of which 7 are Coast live oaks with trunk sizes ranging from 4.5 to 20 inches. The oaks appear to be volunteers, and are scattered in three locations. The proposed development includes the removal of 17 trees, of which ~~2-3~~ are Coast live oaks (with trunk sizes ranging from 4.5 to 8.7 inches) and the remainder are non-native trees that are not considered to be specimen or skyline trees. The project proposes to retain and protect ~~two-four~~ Coast live oaks and one Italian stone pine. The project includes the planting of 25 Coast live oaks, as well as approximately 135 additional trees. Although some oaks would be removed, they would be replaced at a ratio ~~higher than 10:1~~ of approximately 8:1, which is ~~fully~~ consistent with City policy. Overall, the landscape plan would result in more trees and vegetation than currently exist on site. Refer to *Exhibit 2* for Standard Conditions of Approval related to tree protection and replacement that would be applicable to the project.

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Impacts to natural communities, trees, and wetland and riparian habitat would be ~~less than significant~~ because the site does not contain any natural communities, critical habitat, or riparian or wetland habitat, and because proposed tree planting would mitigate any potential impacts related to loss of trees.

3.b) Locally Designated Trees

There are no locally designated historic or landmark trees on the project site, thus there would be *no impact* on historic, landmark or specimen trees.

3.d) Endangered, Threatened, or Rare Species

No sensitive (State or Federally listed rare, candidates for listing, threatened or endangered) plants or wildlife were found on the project site. A White-tailed kite (special status species) was observed southeast of the project site in 2003. As discussed above, the site is not designated critical habitat for any federally threatened or endangered species. Therefore, impacts to sensitive species would be *less than significant*.

3.e) Wildlife Dispersal and Migration Corridors

The site is fully surrounded by Highway 154, Foothill Road (Highway 192) and Cieneguitas Road, and is not considered to be a wildlife dispersal or migration corridor. However, the area north/northwest of the site, near Atascadero Creek, is considered to be an important wildlife area, and Atascadero Creek is an important movement corridor and a key riparian bird habitat area. Cieneguitas Creek to the east of the project site is also considered to be a movement corridor. Given prior and current activity on the site, and the geographic and physical separation from the creeks to the north and east by roads and development, it is unlikely that the project site serves as an important site for wildlife. Impacts associated with wildlife dispersal and migration corridors are considered *less than significant*. Nevertheless, there exists the possibility that migratory birds use the site for nesting. Avoidance of vegetation removal during the bird nesting season (or surveying the site to ensure there are no nesting birds) would further minimize any potentially adverse impacts.

Biological Resources – Recommended Mitigation

BIO-1 Bird Nesting. Removal of vegetation shall be avoided during the bird nesting season (February 15 to September 15) where feasible. If avoidance is not feasible, a qualified biologist shall conduct a nesting bird survey no more than seven (7) days prior to removal of any trees or vegetation scheduled to occur from February 15 through September 15. If nesting is found, the trees/vegetation shall not be removed until after the young have fledged and the biologist should establish a protective buffer around the nest as needed.

Refer to *Exhibit 2* for Standard Conditions of Approval Applicable to Project.

Biological Resources – Residual Impacts

Less than significant.

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

Cultural Resources - Discussion

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

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

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

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

Cultural Resources – Existing Conditions and Project Impacts

4.a) Archaeological Resources

The project site is not located in any known or mapped archaeological sensitivity zones. Additionally, the site has been extensively disturbed as part of the site remediation work, and no sensitive resources have been found. Therefore, the probability of encountering archeological resources is low and impacts are considered less than significant. However, as with any ground disturbing activity, there is the remote possibility of encountering unknown buried deposits. For this reason, a standard condition of approval (refer to *Exhibit 2*) would be added to the project to alert contractors and construction personnel to the possibility of encountering archaeological resources within the project site. If archaeological resources are encountered, work in the area of the find shall be halted and a professional archaeologist consulted.

4.b) Historic Resources

The project site contains an existing Veterinary Hospital and an abandoned gas station. The gas station, which is not a historic resource, would be removed as part of the project. No physical changes to the Veterinary Hospital would occur as part of the project. Therefore, there would be no impact to historic resources.

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4.c) Ethnic/Religious Resources

There is no evidence that the site involves any ethnic or religious use or importance. The project would have no impact on historic, ethnic or religious resources. Per Government Code, section 65352.3(a)(1), the City contacted local Native American tribes to invite them to discuss development of the project site; to date, no response has been received.

Cultural Resources – Mitigation

No mitigation is required. Refer to *Exhibit 2* for Standard Conditions of Approval Applicable to Project.

Cultural Resources – Residual Impacts

Less than significant.

5. GEOPHYSICAL CONDITIONS	NO	YES
Could the project result in or expose people to:		<i>Level of Significance</i>
a) Seismicity: fault rupture?		Less Than Significant
b) Seismicity: ground shaking or liquefaction?		Less Than Significant
c) Seismicity: seiche or tsunami?	X	
d) Landslides or mudslides?		Less Than Significant
e) Expansive soils?		Less Than Significant
f) Excessive grading, permanent changes in the topography or substantial soil erosion?		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 loses 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 of people or structures to risk of loss, injury, or death involving 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 30%, substantial topographic change, destruction of unique physical features; or substantial erosion of soils.

Geophysical Conditions – Existing Conditions and Project Impacts

A Geotechnical Engineering Report prepared by Fugro West, Inc. (April 2003) is summarized below and incorporated herein by reference. Soil at the site generally consists of alluvium that is comprised of medium stiff to very stiff fine-grained clayey soils with interbedded layers of medium dense to dense granular soils. Artificial fill is present in the northern and western portion of the site.

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5.a-c) Seismic Hazards

The city of Santa Barbara is not considered an Earthquake Fault Zone as prescribed under the Alquist-Priolo Earthquake Fault Zoning Act. Additionally, current building codes require that any development be constructed to address all geologic conditions of the site.

Fault Rupture:

The closest fault to the site is the San Jose (Foothill) fault, located approximately 1,000 feet south-southwest of the site. The More Ranch/Mission Ridge/Arroyo Parida fault is estimated to be 4,000-5,000 feet south of the project site. The North Channel Slope Fault is also considered a significant local fault and is mapped as a blind fault extending from the Santa Barbara Channel north beneath the Santa Barbara/Goleta coastal plain at depth. Given the information on mapped faults and the large distance to the nearest mapped fault (1,000 feet), the potential for ground rupture at the site is low, and impacts related to fault rupture would be *less than significant*.

Ground Shaking and Liquefaction:

The project site is located in a seismically active area of southern California. Significant ground shaking as a result of a local or regional earthquake is likely to occur during the life of the project. The soil testing encountered groundwater at a depth of 30-1/2 feet below existing ground surface.

The soils analysis determined that granular soils susceptible to liquefaction are present at the site. The consequences of liquefaction of the saturated course-grained soil materials under the present groundwater conditions at the site are generally anticipated to involve ground surface settlement. However, some localized movement from liquefaction could occur (estimated at 1/2 to 3/4 inches). By following the recommendations of the Geotechnical Engineering Report for site preparation and foundation design (as required prior to issuance of building permits), impacts related to ground shaking and liquefaction would be *less than significant*. This has been identified as a recommended mitigation measure.

Seiche or Tsunami:

The project site is not located adjacent to any lakes or other enclosed bodies of water, and is located several miles from the coast and outside the City's tsunami run up area. Therefore, because of the project location, there would be no impacts from a seiche or tsunami.

5.d-e) Geologic or Soil Instability

Landslides/Mudslides:

The site is located on relatively flat terrain and slope stability and landsliding are not anticipated to represent geologic hazards to the project. Therefore impacts would be *less than significant*.

Expansive Soils:

Site soils are considered to have a medium potential for expansion (moderately expansive soils). The Geotechnical Engineering Report included recommendations for grading and construction to minimize potential impacts. As part of the typical plan check process, prior to issuing a building permit for development of the site, the City's Building Division would require the project to comply with the recommendations of the Geotechnical Engineering Report. By following the recommendations of the Geotechnical Engineering Report for site preparation and foundation design (as required prior to issuance of building permits), impacts would be *less than significant*. This has been identified as a recommended mitigation measure.

5.g) Topography; Grading/Erosion

Topographic Changes:

The project site is relatively flat. Proposed construction of the Foothill Centre would essentially follow the existing contours of the site, although Building A would be slightly depressed from the existing grade along Foothill Road. The primary topographic changes would be for the creation of a detention basin, vegetated swales and bio-retention designs. Impacts associated with topographic changes would be *less than significant*.

Grading

Grading for the proposed Foothill Centre development includes 3,742 c.y. of cut and 19 c.y. of fill within the building footprints, and 13,185 c.y. of cut and 381 c.y. of fill outside the building footprints for a total of 17,327 c.y. of cut and fill. A majority of the cut is needed to create the proposed detention basin. It is anticipated that grading activities will result in

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the export of 16,527 c.y. of soil. The proposed grading would not alter the natural topography of the site (other than to provide for storm water treatment opportunities), destroy unique physical features, or cause substantial erosion of soils. Therefore, long-term impacts resulting from grading would be *less than significant*.

Short term impacts from erosion due to wind and storm water runoff that could occur during grading would be *less than significant*. Standard construction Building Division requirements for an erosion control plan would apply to the project. Standard conditions of approval related to dust control are discussed in the Air Quality section and identified in *Exhibit 2*, and would address potential wind erosion impacts. With implementation of these standard requirements and conditions of approval, any potential adverse impacts would be further reduced.

Geophysical Conditions – Recommended Mitigation

G-1 Geotechnical Studies. All recommendations contained in the Geotechnical Engineering Report prepared by Fugro West, Inc. (April 2003) shall be implemented. These recommendations shall include, but are not limited to requirements for grading and site development, foundation design, slabs on grade, pavement sections, corrosion and surface drainage consideration shall be followed. A Final Geotechnical Report shall be prepared and submitted to the City's Building Division as part of the City Building and Safety Division review and approval of the construction plans. Grading and foundation plans shall be reviewed by a Geotechnical Engineer and Engineering Geologist to ensure compliance with the recommendations in the Final Report. Compliance shall be demonstrated on plans submitted for grading and building permits and subject to City Building and Safety Division review and approval.

Geophysical Conditions – Residual Impacts

Less than significant.

6. HAZARDS		NO	YES
Could the project:			<i>Level of Significance</i>
a)	Involve a risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?		Less Than Significant
b)	Involve the creation of any health hazard or potential health hazards?		Less Than Significant
c)	Involve exposure of people to existing sources of potential health hazards?		Potentially Significant, Mitigable
d)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		Less Than Significant
e)	Involve 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.

Emergency evacuation is discussed in the Transportation Section below.

Hazards – Existing Conditions and Project Impacts

6.a-c) Public Health and Safety

The Foothill Centre development site has undergone remediation as a result of a leaking underground fuel tank associated with the prior use as a gas station. The site is currently in a monitored natural attenuation phase under the purview of the Santa Barbara County Fire Department, Fire Prevention Division, Leaking Underground Fuel Tank Program. The project site has an approved Work Plan dated May 13, 2011. The site also has an approved Work Plan for Trench Abandonment in order to abandon two existing interceptor trenches (by backfilling to 20 feet below ground surface with bentonite grout and cement, and replacing the top five feet with clean fill soil) and five associated extraction wells. Abandonment of the trenches has begun but is not yet complete. It is anticipated that the trenches will be fully abandoned prior to the start of construction for the Foothill Centre, and they are not part of the project description.

A Site Assessment Report prepared by Cardno ERI (December 6, 2011) is summarized below and incorporated herein by reference. This Report documented assessment activities at the site, verified the effectiveness of the vapor extraction system in remediating residual adsorbed phase hydrocarbons, evaluated the current distribution of adsorbed phase hydrocarbons in two wells, and also updated a vapor study and health risk assessment conducted by Komex (another consulting firm) in 2005. A letter prepared by Geosyntec (December 15, 2011) to clarify the results of the Cardno ERI Report is also summarized below and incorporated herein by reference. Analysis of the Foothill Centre project site concludes that petroleum hydrocarbons underlying the site are not expected to result in adverse impacts to human health

associated with indoor air exposure for the building occupants and visitors. Natural attenuation has generally occurred and continues to reduce residual benzene concentrations in the vadose zone (top of the ground surface to the water table) and capillary fringe (subsurface layer in which groundwater seeps up from water table by capillary action).

The Foothill Centre development is planned to move forward prior to the completion of the required site monitoring. In order to accomplish the proposed development without compromising the continued monitoring and potential additional clean up of the site, and to avoid health risks to construction workers, the County Fire Department has required that several conditions be met prior to project construction: monitoring well relocation, trench abandonment and soils management plan. With incorporation of the required conditions, impacts associated with soil and groundwater contamination and monitoring are considered *potentially significant, mitigable*.

The proposed use of the Foothill Centre as a medical office would require the use and storage of medical gas (nitrous oxide, oxygen and nitrogen). This gas would be housed in a medical gas storage room designed as an S-1 occupancy (moderate hazard storage) with a 1-hour fire separation from other uses. A compressed medical air system would be used. The amount of medical gas stored would be below the maximum allowable per the California Building Code (CBC), and the medical gas storage room would be vented and signed in compliance with the CBC and National Fire Protection Association requirements. Therefore, the project's impacts related to exposure of persons or the environment to hazardous substances due to improper use, storage, or disposal of hazardous materials would be *less than significant*. A condition of approval to require a Hazardous Materials Business Plan should certain quantities of hazardous materials be stored on site would be applied to the project to ensure safe storage of materials.

6.d) Hazards Near Schools

The project site is located approximately ¼-mile from La Colina Junior High and approximately ¼-mile from Bishop Diego High School. As a medical office, the Foothill Centre development project would require the use and storage of medical gas (nitrous oxide, oxygen and nitrogen). As identified above, these gases would be stored in a special room and would comply with all applicable building and fire safety standards. Therefore, impacts related to hazardous emissions and hazardous materials near a school would be *less than significant*.

6.e) Fire Hazard

The project site is not located in a designated High Fire Hazard Area, although the County High Fire Hazard Area begins on the north side of Foothill Road, near the project site. The new development on the site would not create a new fire hazard because it is not located in a High Fire Hazard Area, it is located in an area where adequate emergency response times can be accomplished and has adequate water pressure and access to fire hydrants. The project would have a *less than significant* impact associated with increased fire hazard.

Hazards – Required Mitigation

H-1 Monitoring Wells. Any monitoring well that is in conflict with a building or the detention basin shall be properly abandoned and replaced as required by the Santa Barbara County Fire Department Fire Prevention Division, prior to construction. A well abandonment workplan shall be submitted to the Fire Prevention Division and must be approved prior to issuance of a building permit for construction. All site wells that are not to be abandoned shall be protected during construction activities. This may involve cutting the wells down and capping them during site grading activities and then extending them back up to an appropriate monitoring well cover at the completion of the paving or landscaping activities.

H-2 Soils Management Plan. A soils management plan shall be submitted to the County Fire Prevention Division for review and approval prior to issuance of a building permit. The soils management plan shall describe the procedures to properly handle and dispose of hydrocarbon impacted soils that may be encountered during site grading activities.

H-3 Interceptor Trenches. Prior to the start of construction, both interceptor trenches shall be properly abandoned.

Hazards – Residual Impacts

Less than significant.

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7. NOISE		NO	YES
Could the project result in:			<i>Level of Significance</i>
a)	Substantial permanent increases in existing ambient noise levels?		Less Than Significant
b)	Exposure of people to severe noise levels or excessive ground borne vibration?		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:
 - **Commercial (retail, restaurant, etc.) / Office:** Normally acceptable maximum exterior ambient noise level of 75 dB(A); maximum interior noise level of 50 dB(A).
- Substantial noise or groundborne vibration from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

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~~Noise – Existing Conditions and Project Impacts~~

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

Long-Term Operational Noise:

The majority of the project site is located in an area where noise levels do not exceed 65 dB(A); however the southern tip of the site (approximately 675 Cieneguitas Road) is located in an area subject to noise levels of 65-70 dB(A).

Normally acceptable exterior noise levels for commercial or office uses are 65-75 dB(A), as identified in the City's Noise Element. The maximum interior exposure is 50 dB(A). The Foothill Centre development would occur where noise levels are less than 65 dB(A). Therefore, exterior noise levels would be acceptable and common construction practices would make the interior environment acceptable from a noise exposure perspective. Additionally, the proposed uses would not include activities that would generate significant noise such that it would impact surrounding residential development. Therefore, impacts associated with long-term noise are considered *less than significant*.

Temporary Construction Noise:

The project would result in temporary construction noise due to grading and construction activities. Noise from grading and construction equipment, truck traffic and vibration would affect surrounding areas during the construction period. The total construction period is anticipated to last approximately 13 months, ~~as follows:- grading activities would last approximately 3-½ months, construction activity (including finishes) would last approximately 8 months, and landscaping would last approximately 1-½ months.~~ For this project, it is estimated that grading activities would likely have the greatest impact on noise levels in the area. Construction noise would be short term and generally intermittent and sporadic. Therefore, noise impacts would be *less than significant*. Implementation of the three recommended mitigation measures identified below would further reduce any adverse impacts associated with construction noise.

Noise – Recommended Mitigation

N-1 Neighborhood Notification Prior to Construction. At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) and Contractor(s), site rules and Conditions of Approval pertaining to construction activities, and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction.

N-2: Construction Hours. Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m., excluding the following holidays: New Year's Day (January 1st); Martin Luther King Jr. Day (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.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the City to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

N-3: Construction Equipment Sound Control. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

~~N-4: Sound Barriers. The project shall employ sound control devices and techniques such as noise shields and blankets during the initial grading and construction period to reduce the level of noise to surrounding residents. Proposed measures shall be submitted to the Planning Division for approval and shall result in noise attenuation of 5-10 dB at the north-east and south property lines. Noise levels shall be monitored for compliance.~~

Noise – Residual Impact

Less than significant.

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

Population and Housing - Discussion

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

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

Population and Housing – Existing Conditions and Project Impacts

8.a) Growth-Inducing Impacts

The project 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 is anticipated to result in minor growth to the extent that new employment created by the project results in new residents to the area. It is estimated by Sansum that this new development would generate approximately 25-30 new employees on the South Coast, which could potentially increase population and housing demand in the South Coast. Growth-inducing impacts would be *less than significant* because the project site is in an urbanized area that is currently served by all required infrastructure and the increase in area employees is small.

8.b) Housing Displacement

The project would not involve any housing displacement. *No impact* would result from the project.

Population and Housing - Mitigation

No mitigation is required.

Population and Housing – Residual Impact

Less than significant.

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9. PUBLIC SERVICES		NO	YES
Could the project have an effect upon, or result in a need for new or altered services in any of the following areas:			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.

Facilities and Services: The project site is located in an urban area where all public services are available. In 2010, the City certified a Final Environmental Impact Report (FEIR) on the Plan Santa Barbara General Plan Update. The FEIR concluded that under the projected planned development and all studied alternatives, all public services could accommodate additional growth.

Water: The City of Santa Barbara's water supply comes primarily from the following sources, with the actual share of each determined by availability and level of customer demand: Lake Cachuma and Tecolote Tunnel; Gibraltar Reservoir, Devils Canyon and Mission Tunnel; groundwater; State Water Project Table A allotment; desalination; and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by offsetting demand that would otherwise have to be supplied by additional sources. On June 14, 2011, based on the comprehensive review of the City's water supply, the City Council approved the Long Term Water Supply Program (LTWSP) for the planning period 2011-2030. The LTWSP outlines a strategy to use the above sources to meet the City's estimated system demand (potable plus recycled water) of 14,000 AFY, plus a 10% safety margin equal to 1,400 AFY, for a total water supply target of 15,400 AFY. The LTWSP concludes that the City's water supply is adequate to serve the anticipated demand plus safety margin during the planning period.

Solid Waste: 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/year) 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]) for project operations. 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.

The County of Santa Barbara adopted revised solid waste generation thresholds and guidelines in October 2008. According to the County's thresholds of significance, any construction, demolition or remodeling project of a commercial, industrial or residential development that is projected to create more than 350 tons of construction and demolition debris is considered to have a significant impact on solid waste generation. The County's 350 ton threshold has not been formally adopted by the City; however, it provides a useful method for calculating and analyzing construction waste generated by a project.

Public Services – Existing Conditions and Project Impacts

9a-b and d-f. Facilities and Services

The project is not anticipated to create a substantially different demand on fire or police protection services, library services, or City buildings and facilities than that anticipated in the 2010 Plan Santa Barbara FEIR. The project site is within the City's sphere of influence and was included in the FEIR analysis for determining services for future growth. The project would be served with connections to existing public services for gas, electricity, cable, and telephone traversing the site, as well as access to existing roads, which can accommodate the minor increase in demand generated by the project. Therefore, impacts to fire protection, police protection, library services, City buildings and facilities, electrical power, natural gas, telephone, and cable telecommunication services are anticipated to be *less than significant*.

9.c) Schools

The project site is within the Hope Elementary School District for elementary school and within the Santa Barbara Unified School District for high school.

The project would result in a minor increase in area employees to the extent that new employment created by the project results in new residents to the area. It would be expected that some of the added employees would already reside in the area. Some portion of new employees may in-migrate or utilize local schools. Unlike a residential development that falls into a defined school attendance area, students generated by the proposed project could live and attend a school in any area of the South Coast. Some students generated by the project could also live outside the boundaries of the Santa Barbara Unified School District or attend private schools.

None of the school districts in the South Coast have been designated "overcrowded" as defined by California State law. School impact fees would be applied to the project in accordance with State law to offset the cost to the school district of providing additional infrastructure to accommodate new students generated by the development. Therefore, project impacts to schools would be *less than significant*.

9.g-i) Water and Sewer

Water

The Goleta Water District currently serves both the north and south sides of Foothill Road at the project site, as well as customers on both sides of Cieneguitas Road south of Foothill Road. The project includes detachment from the Goleta Water District and proposed service from the city of Santa Barbara. The project site (existing veterinary hospital and proposed Foothill Centre development) is estimated to demand 5.72 AFY of water (based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2). This increase in demand would not significantly impact the City's water supply.

Therefore, the City's long-term water supply and existing water treatment and distribution facilities would adequately serve the proposed project. The potential increase in demand from the proposed project would constitute a *less than significant* impact to the City water supply, treatment, and distribution facilities.

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Sewer

The Foothill Centre site is currently served by the Goleta Sanitary District. The veterinary hospital is currently served by City sewer. Residential properties east of the site are within the city of Santa Barbara city limits, and are currently served by the City's El Estero Treatment Plant. The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day (MGD), with current average daily flow of approximately 8 MGD. The proposed project's estimated net new sewer demand (existing veterinary hospital and proposed Foothill Centre development) is 4,242 gallons per day or 4.75 AFY. Increased sewage treatment associated with the project site's existing and proposed development 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

Long-Term (Operational). The proposed Foothill Centre development is estimated to generate 78 tons per year (TPY) of solid waste as follows: 60,122 s.f. x .0013 tons per s.f. = 78 TPY. With application of source reduction, reuse, and recycling, landfill disposal of solid waste would be reduced to 39 TPY. This represents a *less than significant* impact because it is under the 196 TPY project-specific threshold, and is below the 40 TPY cumulative threshold.

Short-Term (Demolition and Construction). Construction-related waste generation is estimated to be 839 tons prior to any recycling or diversion. Total short-term solid waste after implementation of the City's Construction and Demolition Ordinance (SBMC Ch. 7.18) requirement to divert 75% of total construction waste would be approximately 210 TPY. Because the project would generate less than 350 tons of construction and demolition debris, the project would have a *less than significant* impact related to short-term solid waste.

Public Services - Mitigation

No mitigation is required.

Public Services – Residual Impacts

Less than significant.

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

10. RECREATION	NO	YES
Could the project:		<i>Level of Significance</i>
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?	X	

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 would result in the construction of ~~58,627 net new~~ 60,122 square feet of medical office development. This new development would create some additional demand for parks and recreational facilities, but it would be less than that demanded by a residential development. Recreational demand from this additional commercial square footage would result in a *less than significant* impact to park or recreational facility demand. Within a one-mile radius are two local parks; within a two mile radius are seven parks that provide both passive and active recreational opportunities. Also within this radius is access to the front country trail system of the Los Padres National Forest, and the Municipal Golf Course. Therefore, there are a number of facilities within a short distance to provide a number of recreational opportunities for the new development.

10.b) Existing Recreational Facilities

The project site is not adjacent to existing park facilities. The closest park is located more than 1/4-mile away. The proposed project would not impact or interfere with parks or public trails. Therefore, there would be *no impact* to existing recreational facilities.

Recreation - Mitigation

No mitigation is required.

Recreation – Residual Impacts

Less than significant.

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

11. TRANSPORTATION/CIRCULATION	NO	YES
Could the project result in:		<i>Level of Significance</i>
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) Decreased performance or safety of pedestrian, bicycle, or public transit facilities?		Less Than Significant
e) Conflicts with adopted policies, plans, programs, or ordinances regarding congestion management and the circulation system, taking into account all modes of transportation.		Less Than Significant

Transportation - Discussion

Issues: Transportation issues include traffic, access, circulation and safety. 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 and traffic in the City.

Impact Evaluation Guidelines: A proposed project may have a significant impact on traffic and circulation 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 the 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 effectiveness, adequacy, or safety of pedestrian, bicycle, or public transit circulation.
- Result in inadequate emergency access on-site or to nearby uses.
- Conflict with regional and local plans, policies, or ordinances regarding the circulation system, including all modes of transportation (vehicle, pedestrian, bicycle, and public transportation).

Vehicle 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:

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

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

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

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

Transportation – Existing Conditions and Project Impacts

11.a) Traffic

Long-Term Traffic

A Traffic, Circulation and Parking Study was prepared for the Foothill Centre development project by Associated Transportation Engineers, dated November 14, 2011 (*Exhibit 8 – Traffic, Circulation and Parking Study*). The report is summarized below and incorporated herein by reference. All of the intersections located in the vicinity of the project site currently operate at a Level of Service (LOS) A or B. The Traffic Study concludes that the Foothill Centre development project would generate a net traffic increase of 1,208 average daily trips (ADT), 242 A.M. peak hour trips (PHT), and 189 P.M. PHT. When distributed to the surrounding street system, the Foothill Centre development project would result in a less than significant project-specific and cumulative impact because intersection LOS would not be significantly impacted.

The Traffic Study acknowledges that there is a spike in traffic within the Foothill Road corridor related to the beginning of classes at La Colina Jr. High School. This traffic peak occurs for a 15-20 minute period and then returns to more evenly distributed traffic flows. Therefore, this traffic peak does not cause area intersections to operate at unacceptable levels per LOS calculations.

Short-Term Construction Traffic

The overall project construction process is estimated to last approximately 13 months. This would include grading for site preparation over approximately 4 months, and construction duration of approximately 9 months. Grading processes would involve up to 33 workers per day, and construction could require up to a maximum of 117 workers on site on occasion. Working hours during the construction process are proposed to be 7 a.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 ten~~12~~-month construction period and would vary depending on the stage of construction. Temporary construction traffic is generally considered an adverse but not significant impact. 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 conditions of approval would be applied, including restrictions on the hours permitted for construction trips outside of peak traffic hours, approval of routes for construction traffic, and designation of specific construction staging and parking areas (refer to *Exhibit 2*).

11.b and c) Access/ Circulation/ Safety Hazards

Cieneguitas Road is a two-lane street that is not fully improved along the project frontage. The property frontage currently has three curb cuts along Cieneguitas Road, one located approximately 35 feet north of the southern property boundary, one located approximately 100 feet from the northern property boundary at Foothill Road, and a third curb cut located approximately 20 feet from the intersection of Foothill and Cieneguitas Roads. The southernmost driveway would remain to serve the Veterinary Hospital. The other two curb cuts would be removed and two new curb cuts and associated driveways would be located approximately 180 and 580 feet south of the northern property boundary at Foothill Road. These two new/replacement driveways would provide all vehicular access to the Foothill Centre development. The new driveways have been designed to provide adequate sight distance to and from the intersection of the driveway with Cieneguitas Road.

The project includes construction of formal curb, gutter, sidewalk and parkway within the Cieneguitas right-of-way, including widening the existing roadway and providing formalized on-street parking on the western side of the road. The project also includes extension of the existing northbound left-turn pocket at the Foothill Road/Cieneguitas Road intersection from 50 feet to 125 feet in length. This re-striping is intended to accommodate the increased northbound left-turn volumes associated with the Foothill Centre development in order to prevent congestion along Cieneguitas Road. The 125-foot left turn lane, with a 60-foot bay taper, would allow the left turn lane to transition back to the centerline of

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Cieneguitas without conflicting with the project site's northerly driveway. The new sidewalk would be six feet wide behind a six-foot wide parkway, consistent with the City's Pedestrian Master Plan.

Foothill Road (SR 192) is a two-lane State highway that is fully improved (curb, gutter, sidewalk) along the project frontage. The project includes re-construction of formal curb, gutter, sidewalk and parkway within the Foothill Road right-of-way. These improvements would not change the existing roadway alignment or lane configuration. However, striping changes are proposed to create a bike lane within the existing eastbound traffic lane. The property frontage on Foothill Road currently has four curb cuts. These four curb cuts would be removed and no vehicular access would be provided from Foothill Road. Accordingly, the existing westbound left turn arrows painted in the two-way left turn lane would be removed. The sidewalk along Foothill Road would be widened to twelve feet and would include tree wells with grates and new street trees, consistent with the City's Pedestrian Master Plan. All proposed improvements within the Foothill Road right-of-way will require review and approval by Caltrans.

The project site is located in an urbanized area and there are no incompatible uses that would result in a vehicle mix that could increase traffic hazards. The City Fire Department has determined that adequate emergency and fire access is provided for the project. Therefore, proposed project impacts associated with vehicular access, circulation and evacuation related to the new driveway location and access to and from the new development would be less than significant because it has been reviewed and found adequate by the City's Public Works, Engineering and Transportation Divisions, and Fire Department.

11.d) Bicycle/Pedestrian/Public Transit

A transit stop exists along the site's Foothill Road frontage. This transit stop is anticipated to provide adequate transit resources for the project demands. A new bus shelter would be provided as part of the Foothill Centre development to improve the usability of this transit stop. MTD's Line 10 (La Cumbre/State to Camino Real Marketplace) serves the area with hourly buses. There is also a school booster transit stop on the Cieneguitas frontage, which would be relocated approximately 240 feet to the south to better accommodate vehicles entering and exiting the project site. On-street bike lanes (Class II) in the area exist on Cathedral Oaks Road, State Street, La Cumbre Road and Hope Avenue, and a Class III bike lane is provided on Cieneguitas Road. There is also an existing off-street multi-purpose path that runs from Cieneguitas and Primavera Roads to Calle Real. The project ~~would~~ proposes to install a Class II bike lane (8 feet in width) along the eastbound side of Foothill Road from the Hwy 154 NB offramp to the intersection of Foothill and Cieneguitas Roads (subject to Caltrans approval).

There is existing sidewalk with tree wells along the project's Foothill Road frontage that would be improved and widened to provide a twelve-foot wide sidewalk with tree wells to serve the area's pedestrian needs (subject to Caltrans approval). A new six-foot wide sidewalk and six-foot wide parkway would be installed along Cieneguitas Road to serve the area's pedestrian needs. Pedestrians and bicyclists would continue to share the existing right-of-way, and these facilities would be improved as a result of the project. Project impacts associated with pedestrian, bicycle or public transit facilities would be less than significant because the new medical office development would not result in a substantial increase in the need for new transit facilities, bike lanes or sidewalks in the area, and the project is providing new and/or improved pedestrian and bike facilities on Foothill and Cieneguitas Roads.

11.e) Congestion Management

The Foothill Centre development project would also comply with the Santa Barbara County Association of Government's Congestion Management Program for the region, as analyzed in the Traffic Study. The project involves construction of a medical office development in an area surrounded by residential uses. The project site would have direct access from a public street and would not conflict with or impede implementation of any policies, plans, programs, or ordinances regarding congestion management and the circulation system, taking into account all modes of transportation. Therefore, there would be a less than significant impact to congestion management and the circulation system.

Transportation – Mitigation

No mitigation is required. Refer to *Exhibit 2* for Standard Conditions of Approval Applicable to Project.

Transportation – Residual Impact

Less than significant.

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12. WATER ENVIRONMENT	NO	YES
Could the project:		Level of Significance
a) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?		Less Than Significant
b) Violate any water quality standards or waste discharge requirements?		Less Than Significant
c) Otherwise substantially degrade water quality?		Less Than Significant
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		Less Than Significant
e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		Less Than Significant
f) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		Less Than Significant
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	X	
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of failure of a levee or dam?	X	

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.
- Altering drainage patterns or affecting creeks in a way that would cause substantial erosion, siltation, or on- or off-site flooding.

Water Quality

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

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The City of Santa Barbara began implementing the Storm Water Management Program (SWMP) in January of 2009. The purpose of the SWMP is to implement and enforce a program designed to reduce the discharge of pollutants to the "maximum extent practicable" (MEP) to protect water quality. The SWMP addresses discharge of pollutants both during construction and after construction. The water quality treatment requirement is to retain and treat the 1-inch, 24-hr. storm event. The peak runoff discharge rate requirement is that the peak runoff discharge rate shall not exceed the pre-development rate up to the 25 year storm. The volume reduction requirement is to retain on site the volume difference between pre and post conditions for the 25-yr, 24-hr storm or the 1-inch storm (whichever is larger).

Flooding and Hazards

- 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 Resources – Existing Conditions and Project Impacts

The majority of the site is undeveloped and is mostly grass/dirt with some small brush and trees. Drainage currently flows in a southerly direction and water naturally infiltrates into the exposed soil.

12.a-c) Groundwater Quantity and Quality

Refer to Hazards Section for a discussion of existing groundwater contamination. Ground water was encountered (March 2003) at approximately 30-1/2 feet below existing ground surface (approx. elevation of 185 feet above mean sea level). Runoff of pollutants from parking areas or other hardscape could degrade ground water quality. Compliance with standard City Storm Water Management Plan (SWMP) requirements would ensure the project's long-term ground water quality impacts are *less than significant*. These requirements include the preparation of an operation and maintenance plan for the use of storm drain surface water pollutant interceptors in the parking areas and the project's proposed storm water management plan, as discussed below. Additionally, the proposed bio-retention basin would be lined to eliminate potential impacts to groundwater associated with that storm water management and treatment area.

12.d-f) Drainage, Stormwater; Surface Water Quality; and Alteration of Creeks

The City and State require that onsite capture, retention, and treatment of storm water be incorporated into the design of the project. Pursuant to the City's SWMP and the NPDES General Permit for Storm Water Discharges, the City requires that any increase in storm water runoff (based on a 25-year storm event) be retained onsite and that projects be designed to capture and treat the calculated amount of runoff from the project site for a one-inch storm event, over a 24-hour period.

The project includes a detention basin, vegetated swales, planter boxes and bio-retention designs to capture and treat runoff prior to discharging into the public drainage system. A Preliminary Drainage Report, prepared by Penfield & Smith, summarized herein and incorporated by reference (*Exhibit 9*), indicates that the peak runoff flow rate and total volume difference for the pre- and post-project conditions for the 25 year storm event would be 10,236 cubic feet, with a peak runoff of 0.67 cubic feet per second (cfs). Pre-project runoff (25-year storm event) is 10.11 cfs, and post-project runoff (25-year storm event) would be 9.56 cfs, which represents a 0.55 cfs reduction in runoff for the 25-year storm event. The proposed storm water Best Management Practices have been designed to capture, retain or detain as appropriate and treat the post-construction storm water runoff. Therefore, the proposed storm water management plan complies with the City's SWMP requirements. Long-term water quality impacts are addressed by the Foothill Centre's proposed storm water management design as identified above, and impacts associated with drainage, storm water, and surface water quality would be *less than significant*.

Project grading activities create the potential for temporary, incremental and localized erosion and sedimentation affecting water quality. Numerous federal state and local regulatory programs have been established to minimize impacts to water quality resulting from construction operations. Surface water quality impacts are therefore considered *less than significant* through implementation of standard erosion control measures.

Due to the distance from surrounding creeks, and with implementation of the storm water management design identified above, the project's impacts to creeks would be *less than significant*.

12.g-i) Flooding

The project site is not located in a flood hazard zone or in an area prone to regular flooding. The flooding potential would not change following project occupancy, nor would the project substantially alter the course or flow of flood waters. Therefore, the project would have *no impact* related to flooding.

Water Resources - Mitigation

No mitigation required.

Water Resources – Residual Impact

Less than significant.

13. LAND USE AND PLANNING		YES	NO
Would the project:			
a)	Physically divide an established community?		X
b)	Conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?		X

Land Use and Planning – Discussion

13.a.) Physically Divide Community

The project does not involve a cross-town freeway, storm channel, utility transmission lines or any other improvements that have the potential to physically divide the community. The project would not close any existing bridges or roadways. The project would connect, via a new driveway, to the existing street system and would not create any physical barriers that would divide the community.

13.b.) Conflicts with Plans for Avoiding Environmental Effect

While completing each section of this Initial Study, an analysis was undertaken within each resource section and the Plans and Policy Section of the potential conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purposes of avoiding or mitigating an environmental effect. Required mitigation measures related to hazards would ensure that the project is consistent with applicable plans and policies for those resource areas. Mitigation Measures H-1 through H-3 are required to ensure that impacts associated with contaminated soil and/or groundwater are minimized and that the project is consistent with applicable policies of the City's General Plan Environmental Resources Element. Additional mitigation measures related to biological resources, geophysical conditions and short-term noise are recommended to further reduce any adverse but less than significant impacts and to ensure consistency with applicable policies of the general Plan.

Therefore, with mitigation, the project is not in conflict with any adopted land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Land Use and Planning – Required Mitigation

See H-1 through H-3.

Land Use and Planning – Recommended Mitigation

See BIO-1, G-1 and N-1 through N-3.

Land Use and Planning – Residual Impacts

Less than significant.

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 wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?		X
c)	Does the project have potential impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X
d)	Does the project have potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

a) Biological and Cultural Resources

As discussed in Section 3 (Biological Resources), the project would not reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section 4 (Cultural Resources), the project would not eliminate or impact important prehistoric or historic resources.

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

As discussed in Sections 1 through 12 of this Initial Study, the project, as mitigated, would not result in significant short- or long-term environmental impacts.

c) Cumulative Impacts

Sections 1 through 12 of this Initial Study consider potential cumulative impacts to environmental resources. As discussed in these sections, the project, as mitigated, would not result in any significant, cumulative impacts on the environment because the project contribution to cumulative impacts would not be considerable.

d) Other Environmental Effects

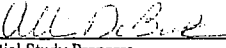
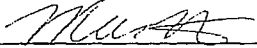
As discussed in Sections 1 through 12 of this Initial Study, no significant effects on humans (direct or indirect) would occur as a result of this project as mitigated. All potentially significant impacts related to hazards can be mitigated to a less than significant level. In addition, mitigation measures are recommended to further reduce adverse but less than significant impacts associated with biological resources, geophysical conditions and noise.

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4 INITIAL STUDY CONCLUSIONS

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.

MITIGATION MONITORING AND REPORTING PROGRAM

A draft Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project in compliance with Public Resources Code §21081.6. The draft MMRP is attached here as *Exhibit 11*.

	6-12-12
Initial Study Preparer	Date
<hr/>	
	6-12-12
Environmental Analyst	Date

EXHIBITS:

1. Project Plans
2. Standard Conditions of Approval Applicable to Project
3. Photo Simulations prepared by Interacta and dated December 10, 2009
4. Site Photographs taken December 2011
5. ABR Minutes dated June 1, 2009, January 25, 2010 and December 13, 2010
6. Support for Use of Bay Area Air Quality Management District Greenhouse Gas Emissions Standards
7. Biological Survey and Assessment prepared by Watershed Environmental, Inc. and dated October 20, 2009
8. Traffic, Circulation and Parking Study prepared by Associated Transportation Engineers and dated November 14, 2011 (Technical Appendix available upon request)
9. Preliminary Drainage Report prepared by Penfield & Smith and dated November 14, 2011
10. Applicable General Plan Policies
11. ~~Draft~~ Final Mitigation Monitoring and Reporting Program
12. Final Mitigated Negative Declaration Response to Comments prepared by City of Santa Barbara and dated June 11, 2012

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY AND RESPONSES TO COMMENTS

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.

Project Specific Sources

Air Quality Technical Report and Greenhouse Gas Emissions Analysis, prepared by Dudek and dated March 2012
Clarification of Cardno ERI Report (December 6, 2011), prepared by Geosyntec and dated December 15, 2011
Construction Schedule – Preliminary Plan dated November 14, 2011
Foothill Convenience Center Final Supplemental Environmental Impact Report, prepared by Santa Barbara County Resource Management Department and dated February 1992
Geotechnical Engineering Report, prepared by Fugro West, Inc. and dated April 2003
Geotechnical Response to September 28, 2011 DART Letter Comments, Review of Project Site Plan and Preliminary

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

Drainage Report, prepared by Fugro West, Inc. and dated October 2010
E-mail from Chris Shaeffer, Caltrans dated June 4, 2012 regarding LOS at SR 154 SB Ramps/Cathedral Oaks Road
E-mail from William Robertson, County of Santa Barbara dated June 11, 2012 clarifying comment regarding LOS at Highway 154/State Street intersection
Groundwater Modeling Study to Evaluate Potential Mounding due to trench Abandonment, prepared by Entrix and dated October 4, 2010
Opinions Regarding Infiltration Potential of On-Site Soils, prepared by Fugro West, Inc. and dated February 8, 2010
Parking Analysis Addendum, prepared by Associated Transportation Engineers and dated February 2, 2012
Response to Caltrans Comments prepared by Associated Transportation Engineers and dated April 3, 2012
Response to City of Santa Barbara Development Application Review Team (DART) Comments dated December 17, 2009, prepared by Fugro West, Inc. and dated January 14, 2010
Response to County of Santa Barbara Public Works Department Comments prepared by Associated Transportation Engineers and dated May 16, 2012
Response to Item A8, City of Santa Barbara Development Application Review Team Comments dated December 17, 2009, prepared by Fugro West, Inc. and dated May 3, 2010
Site Assessment Report, prepared by Cardno ERI and dated December 6, 2011
Soil Gas Survey and Vapor Migration Health Risk Assessment, prepared by Komex and dated April 11, 2005
Solid Waste Calculations Worksheet
Supplemental Review of Preliminary Grading and Drainage Plan and Response to DART Comment Regarding Construction Dewatering, prepared by Fugro Consultants and dated November 11, 2011
Traffic, Circulation and Parking Study Technical Appendix prepared by Associated Transportation Engineers and dated November 14, 2011
Water/Sewer Calculation Worksheet
Work Plan for Site Assessment Activities, prepared by Cardno ERI and dated May 13, 2011
Work Plan for Trench Abandonment, prepared by Environmental Resolutions, Inc. and dated July 1, 2010
General Sources
Bay Area Air Quality Management District Air Quality Guidelines (May 2011)
California Building Code as adopted by City
California Environmental Quality Act (CEQA) & CEQA Guidelines
General Plan (December 2011)
Land Use Element
Housing Element
Open Space, Parks and Recreation Element
Economy and Fiscal Health Element
Environmental Resources Element
Circulation Element
Safety and Public Services Element
General Plan Update Final Environmental Impact Report
Geology Assessment for the City of Santa Barbara
Institute of Traffic Engineers Parking Generation Manual
Institute of Traffic Engineers Trip Generation Manual
Long Term Water Supply Plan (2011)
Master Environmental Assessment
Master Environmental Assessment Maps (2008)
Parking Design Standards



CITY OF SANTA BARBARA
COUNCIL AGENDA REPORT

AGENDA DATE: July 24, 2012
TO: Mayor and Councilmembers
FROM: Planning Division, Community Development Department
SUBJECT: Introduction Of An Ordinance And Adoption of Resolutions For The Annexation Of 4151 Foothill Road and 675 and 681 Cieneguitas Road and a Final Economic Development Designation for 4151 Foothill Road and 681 Cieneguitas Road

RECOMMENDATION: That Council:

- A. Consider the Planning Commission's recommendation to approve the annexation of properties located at 4151 Foothill Road and 675 and 681 Cieneguitas Road;
- B. Make the environmental findings contained in the Council Agenda Report;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Zoning Upon Annexation of Assessor's Parcel Number 059-160-017 Located at 4151 Foothill Road, Assessor's Parcel Number 059-160-021 Located at 675 Cieneguitas Road and Assessor's Parcel Number 059-160-023 Located at 681 Cieneguitas Road in the Hope Neighborhood;
- D. Adopt, by a reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting Initiation of Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara and Detachment from the Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, County Service Area 3 (Goleta Valley - Multipurpose) and County Service Area 32 (Unincorporated Area - Law Enforcement) for Certain Real Property Located at 4151 Foothill Road (Assessor's Parcel Number 059-160-017), 675 Cieneguitas Road (Assessor's Parcel Number 059-160-021) and 681 Cieneguitas Road (Assessor's Parcel Number 059-160-023);
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Assessor's Parcel Number 059-160-017 Located at 4151 Foothill Road, Assessor's Parcel Number 059-160-021 Located at 675 Cieneguitas Road and Assessor's Parcel Number 059-160-023 Located at 681 Cieneguitas Road, Which Will Be Annexed to the City of Santa Barbara; and

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4
Council Agenda Report

Introduction Of An Ordinance And Adoption of Resolutions For The Annexation Of 4151 Foothill Road and 675 and 681 Cieneguitas Road and a Final Economic Development Designation for 4151 Foothill Road and 681 Cieneguitas Road
July 24, 2012
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- F. Find that the development project at 4151 Foothill Road and 681 Cieneguitas Road meets the definition of an Economic Development Project for the reasons stated in this report, and grant the project a Final Economic Development Designation for an allocation of 13,526 square feet of nonresidential floor area.

EXECUTIVE SUMMARY:

The project site includes three parcels, comprised of a vacant parcel addressed as 681 Cieneguitas Road, a parcel developed with an abandoned gas station addressed as 4151 Foothill Road, and a parcel developed with a veterinary hospital addressed as 675 Cieneguitas Road. The three parcels are proposed to be annexed to the City with a commercial land use designation.

On June 21, 2012, the Planning Commission approved a Development Plan for the construction of a 60,122 square foot medical office building for Sansum Clinic at 4151 Foothill Road and 681 Cieneguitas Road (refer to Attachments 1-3 for additional information). In order to effectuate this Development Plan approval, the applicant is requesting a final Economic Development designation for 13,526 square feet of nonresidential floor area.

The annexation request complies with the City Council Resolution 96-118, which requires that the subject parcels that are within the City's Sphere of Influence and are adjacent to existing City boundaries be annexed. Therefore, Staff recommends that the project site be annexed to the City with a Zoning Designation of Limited Commercial/Special District 2 (C-1/S-D-2) and a General Plan Designation of Commercial//Medium High Density Residential.

The findings to support a designation as an economic development project can be made; therefore, staff is supportive of the designation for 13,526 square feet from the Economic Development category.

DISCUSSION:

Background

The proposed annexation is at the request of the property owner of 4151 Foothill Road and 681 Cieneguitas Road. The owner of 675 Cieneguitas waived the right to protest annexation of the lot at the time their parcel was connected to City sewer. Because of this agreement, the LAFCO Executive Director encouraged the inclusion of 675 Cieneguitas Road in the proposed annexation of 4151 Foothill Road and 681 Cieneguitas Road.

On March 18, 2003, the City Council initiated annexation of the subject lots with a proposed General Plan designation of General Commerce and a proposed zoning designation of C-1/ S-D-2 by a vote of 6-0.

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4
Council Agenda Report

Introduction Of An Ordinance And Adoption of Resolutions For The Annexation Of 4151 Foothill Road and 675 and 681 Cieneguitas Road and a Final Economic Development Designation for 4151 Foothill Road and 681 Cieneguitas Road
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On June 21, 2012, the Planning Commission, on a 4-2 vote, adopted a Mitigated Negative Declaration and approved a Development Plan for development of a medical office on the parcels addressed as 4151 Foothill Road and 681 Cieneguitas Road. The Planning Commission also recommended that the City Council annex the three parcels to the City and detach from applicable special districts, with a General Plan designation of Commercial//Medium High Density Residential and a zoning designation of C-1/S-D-2 (Attachment 1 – Resolution 009-012).

Project Request

Annexation

Because all three parcels are within the County jurisdiction, the project includes a request that Council initiate a "Reorganization" that includes six separate "Changes of Organization" included in one proceeding. These Changes of Organizations are as follows:

1. Annexation to the City of Santa Barbara,
2. Detachment from the Goleta Water District,
3. Detachment from the Goleta Sanitary District,
4. Detachment from the Santa Barbara County Fire Protection District,
5. Detachment from County Service Area No. 3 (Goleta Valley - Multipurpose), and
6. Detachment from County Service Area No. 32 (Unincorporated Law Enforcement).

City Council Resolution 96-118 establishes procedures for reviewing applications for annexation of territory to the City of Santa Barbara. This resolution limits the acceptance of applications requesting the initiation of annexations to parcels that are within the City's Sphere of Influence and are adjacent to the existing City boundaries.

The application complies with the procedures and requirements established in Resolution 96-118. The project would add land that is in the City's Sphere of Influence into City limits. One City goal noted in the General Plan is to simplify the present City boundaries and provision of services by encouraging annexation of unincorporated islands and peninsulas of land contiguous to the City. The project site is located in an area (south of Foothill Road in the Hope neighborhood) that is identified to be annexed at the earliest opportunity. The proposed project could be found potentially consistent with the Land Use Element of the General Plan.

If approved, the project site would become part of the Hope Neighborhood, which is described in the Land Use Element of the City's General Plan as being bounded by the City limit line to the north and west, Arroyo Burro Creek to the east, and Via Lucero to the south. The annexation would move the City's jurisdictional limits to the west at the northern edge of this neighborhood.

It should be noted that the 675 Cieneguitas parcel currently contains a pole sign. Pole signs are prohibited in the City (SBMC §22.70.030.C.23). The proposed Ordinance amendment gives this property a five year period in which to either remove the pole sign or receive an exception pursuant to SBMC §22.70.080.C.3).

Zoning and General Plan Amendments

The project site currently has a County Comprehensive Plan designation of Neighborhood Commercial, and is zoned Shopping Center (SC). Refer to Planning Commission Staff Report dated June 14, 2012 (Attachment 3) for additional discussion.

A City General Plan designation of Commercial / Medium High Density Residential and a City Zoning designation of Limited Commercial/Special District 2 (C-1/S-D-2) is proposed. The proposed land use and zoning designations would allow a variety of commercial uses, including office. Therefore, the proposed medical clinic and the existing veterinary clinic would be allowed uses. The S-D-2 overlay designation that is a part of the zoning request is commonly known as the Upper State Street Area. The subject parcels are within the defined boundaries of the S-D-2 area. Staff and the Planning Commission find that the proposed designations are appropriate and compatible with the surrounding neighborhood, which is primarily residential.

Request for Economic Development Designation

The Measure E Economic Development category was added to the Charter through a ballot measure in 1995, and was intended to provide for unanticipated future needs related to the City's economic health. The Economic Development category is supplied with square footage from expired Approved and Pending Projects (as defined in SBMC, §28.87.300) and unallocated Small Additions (any unused amount from the annual 30,000 square foot allotment). Currently, there is 539,737 square feet of unallocated square footage in the Economic Development category.

On March 18, 2003, when the project site was initiated for annexation, the City Council also gave the project a preliminary allocation of 22,499 square feet from the Economic Development category. At that time, the development included Fielding Institute as the primary tenant. See Attachment 4 for a table of projects with Preliminary or Final Economic Development Designations.

As outlined in SBMC §28.87.300 (Development Plan Review and Approval), a project that has an Economic Development Designation will enhance the standard of living¹ for City and South Coast residents and will strengthen the local or regional economy by either creating new permanent employment opportunities or enhancing the City's revenue base, and will accomplish one or more of the following:

¹ "Standard of living" is defined in §28.87.300.B.3 as "wages, employment, environment, resources, public safety, housing, schools, parks and recreation, social and human services, and cultural arts"

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

The City Council must make a final determination that the use of the building by Sansum qualifies as an Economic Development Project. The updated request is for 13,526 square feet rather than the 22,499 square feet granted preliminarily. Refer to Planning Commission Staff Report dated June 14, 2012 (Attachment 3) for additional discussion of the development project.

Planning Commission and Staff believe that the proposed development qualifies as an Economic Development Project because the use as a medical office, and more specifically as an outpatient surgery center, would support diversity and balance in the local economy by providing services that are currently in limited supply in the region. The project would also enhance the standard of living for City and South Coast residents and strengthen the local economy by creating new permanent employment opportunities. Additionally, the project would have no significant impacts on traffic, water or housing.

Environmental Review

A Mitigated Negative Declaration (MND) was prepared for the project in accordance with the California Environmental Quality Act (CEQA). Project impacts were a mix of no impacts, less than significant impacts and potentially significant but mitigable impacts. Required mitigations for the project relate to hazards, and the on-going remediation of the site due to contaminated soil and groundwater. Additionally, recommended mitigations are included to further reduce the adverse but less than significant impacts related to biological resources (construction-related), geophysical conditions and noise (construction-related). These recommended mitigations were included as conditions of approval. The Planning Commission adopted the Final MND on June 21, 2012.

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

Procedures

Under the City's Charter Section 1507, amendments to the City's General Plan and Zoning Ordinance require a minimum of five affirmative votes of the City Council, and findings that the amendments comply with the City's policy of living within our

resources. Rezones are carried out by Ordinance, and General Plan Amendments are adopted by Resolution.

Next Steps

If the annexation is approved by Council, the proposed Zoning Ordinance Amendment will return to Council for adoption and then the City will submit an application to the Local Agency Formation Commission (LAFCO) for the Reorganization. Prior to LAFCO consideration, a tax exchange agreement (see discussion below) will be presented to the City Council and County Board of Supervisors. Following LAFCO consideration and approval of these actions, LAFCO will transmit a Certificate of Completion to the County Recorder and a Statement of Boundary Change to the State Board of Equalization.

BUDGET/FINANCIAL INFORMATION:

Property Tax

State law governing annexations requires that the City and the County negotiate a tax exchange agreement. The tax exchange agreement determines what portion of the property tax paid on the property will be allocated to the City. The property tax exchange agreement between the City and County will be prepared during the LAFCO application process. The tax exchange agreement will be negotiated and subsequently, a resolution providing for a negotiated exchange of property tax revenues will be prepared for Council approval.

Annexation Buy-in Fees

Chapter 4.04 of the Municipal Code (Annexation and Charges) requires owners of annexed property to pay an annexation "buy-in" fee for potential units to be developed on the property. Because the project does not include residential development, annexation buy-in fees are not required. Appropriate utility connection and buy-in fees would be required.

CONCLUSION AND FINDINGS:

The project is consistent with current annexation requirements in that the parcel is located within the City's Sphere of Influence and adjacent to City boundaries. The proposed Zoning and General Plan designations can be found compatible with the pattern of development of the existing neighborhood. Additionally, the proposed development at 4151 Foothill Road and 681 Cieneguitas Road qualifies as an Economic Development Project. Therefore, staff recommends that Council make the environmental findings below, consent to the reorganization, including the General Plan and Zoning Map amendments, adopt the resolutions, introduce and subsequently adopt the ordinance and find that the development project meets the definition of an Economic Development Project.

California Environmental Quality Act (CEQA) Findings:

1. The City Council has read and considered the Final Mitigated Negative Declaration together with comments received during the public review process. In this agency's independent judgment and analysis and on the basis of the record before the City Council, there is no substantial evidence that the project will have a significant effect on the environment.
2. The custodian of the environmental documents and record of the proceedings upon which this decision is based is the Environmental Analyst for the city of Santa Barbara Planning Division located at 630 Garden St., Santa Barbara, CA.

- ATTACHMENTS:**
1. Planning Commission Resolution 009-12, June 21, 2012
 2. Planning Commission Minutes, June 21, 2012
 3. Planning Commission Staff Report dated June 14, 2012
 4. Economic Development Designations

NOTE: The documents listed below have been separately delivered to the City Council and are available for public review in the City Clerk's Office and the Planning Division offices at 630 Garden St. (MND is also available on the City Website at the address below):

- Final Mitigated Negative Declaration dated June 11, 2012
(http://www.santabarbara.gov/Resident/Environmental_Documents/4151_Foothill_Road/)
- Project Plans

PREPARED BY: Allison De Busk, Project Planner

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office



**City of Santa Barbara
California**

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 009-12

4151 FOOTHILL ROAD, 675 CIENEGUITAS ROAD AND 681 CIENEGUITAS ROAD
ANNEXATION, GENERAL PLAN AMENDMENT, ZONING MAP AMENDMENT, ECONOMIC DEVELOPMENT
DESIGNATION, DEVELOPMENT PLAN
JUNE 21, 2012

**APPLICATION OF STEVE FORT, SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES,
FOR FOOTHILL CENTRE, LP, 4151 FOOTHILL ROAD AND 681 CIENEGUITAS ROAD, APN 059-
160-017 AND -023; SC (SHOPPING CENTER) ZONE (COUNTY), GENERAL PLAN DESIGNATION:
NEIGHBORHOOD COMMERCIAL (COUNTY) (MST2008-00496)**

The project consists of the annexation of three parcels (4151 Foothill Road and 675 and 681 Cieneguitas Road) totaling 4.31 acres into the city of Santa Barbara, and detachment from the Goleta Water District, the Goleta Sanitary District, the Santa Barbara County Fire Protection District, County Service Area 3 and County Service Area 32. Upon annexation, a City General Plan designation of Commercial/Medium High Density Residential is proposed, with a zoning designation of Limited Commercial/Upper State Street Overlay (C-1/S-D-2).

Proposed development would include two new 37-foot tall two-story office buildings totaling 60,122 net sq. ft., constructed at 4151 Foothill Road and 681 Cieneguitas Road, for use by Sansum Clinic. A 225-space parking lot would be constructed, with access from Cieneguitas Road. The existing abandoned gas station would be demolished. The existing 2,500 sq. ft. building at 675 Cieneguitas Road, currently used as a veterinary hospital, would remain.

The discretionary applications required for this project are:

Actions requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council and LAFCO:

1. Reorganization of APNs 059-160-017, -021 and -023, including Annexation to the city of Santa Barbara and Detachment from Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, County Service Area 3 (Goleta Valley - Multipurpose) and County Service Area 32 (Unincorporated Area - Law Enforcement);
2. A General Plan Amendment to designate the three parcels (APNs 059-160-017, -021 and -023) as Commercial/Medium High Density Residential upon annexation;
3. A Zoning Map Amendment to zone the three parcels (APNs 059-160-017, -021 and -023) C-1/S-D-2 (Limited Commercial and Upper State Street Overlay) upon annexation;

Action requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council:

4. Final Economic Development Designation by the City Council for 13,526 square feet from the Economic Development category for a medical office/clinic on APNs 059-160-017 and -023 (SBMC 28.87.300); and

Actions by the Planning Commission, contingent upon recommendation of the actions listed above:

5. A Development Plan to allow the construction of 58,372 square feet of net new nonresidential development on APNs 059-160-017 and -023 (SBMC §28.87.300).

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

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and 6 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 14, 2012
2. Site Plans
3. Updated Conditions of Approval dated June 21, 2012
4. Correspondence received in opposition to the project or with concerns:
 - a. Patty Ferguson and Ron Lopez, via email
 - b. David Jones, via email
 - c. Ray and Colleen Evans, via email
 - d. Richard Battles for Michael D. Rittenberg, Foothill Pet Hospital, via email
 - e. Paula Westbury, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. **FINAL MITIGATED NEGATIVE DECLARATION ADOPTION**

1. The Planning Commission has considered the proposed Final Mitigated Negative Declaration, dated June 11, 2012 for the 4151 Foothill Road Project (MST2008-00496) and comments received during the public review process.
2. In the Planning Commission's independent judgment and analysis based on the whole record (including the initial study and comments received), there is no substantial evidence that the Project will have a significant effect on the environment.
3. The location and custodian of documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, CA 93101.
4. Mitigation measures identified in the Mitigated Negative Declaration that would avoid or reduce all potentially significant impacts to less than significant levels have been included in the project or made a condition of approval. Additional mitigation measures to minimize adverse but less than significant environmental effects have also been included as conditions of approval. A Mitigation Monitoring and Reporting Program,

prepared in compliance with the requirements of Public Resources Code § 21081.6, is included in the Final Mitigated Negative Declaration for the Project and is hereby adopted.

B. DEVELOPMENT PLAN (SBMC §28.87.300.D)

1. The proposed development complies with all provisions of Title 28.

As identified in Section VI.A of the staff report, the project complies with all provisions of the City's Zoning Ordinance (Title 28).

2. The proposed development is consistent with the principles of sound community planning.

The project is an infill project proposed in an area where commercial and residential development are permitted uses. The project site has been previously developed, and has been undergoing remediation for many years. Redevelopment of the site would eliminate an unkempt, essentially vacant lot with a new commercial/office development that has been found to be compatible with surrounding development and with the City's aesthetic criteria. As identified in the Mitigated Negative Declaration, the project will have no significant unmitigated environmental impacts. The project is adequately served by public streets, public transportation and utilities.

3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood.

As described in Section VIII of the staff report, the design has been reviewed by the City's Architectural Board of Review, which found the architecture and site design appropriate, and found the project consistent with applicable Design Guidelines and compatible with the architectural character of the City and the surrounding neighborhood. Additionally, the Mitigated Negative Declaration prepared for the project analyzed the project's aesthetic and view impacts and found that the project would not have a significant environmental impact on aesthetics. The immediate neighborhood contains a mixture of one and two-story residential developments.

Final review of the project, including architectural details, outdoor lighting, mechanical equipment and landscaping will be provided by the Architectural Board of Review.

4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock.

The project includes development of a medical office complex for use by Sansum Clinic. The proposed new offices would result in the consolidation of several offices currently used by Sansum. It is estimated that the Foothill Centre development project will result in 25-30 new employees on the south coast, which represents a very small increase in area employees. The project does not include the demolition of any housing, nor does it include construction of new housing. The applicant prepared a Housing Mitigation Calculation based on the Regional Growth Impact Study (1980), which estimated that the Foothill Centre development would generate a demand for 10 low to moderate income housing units. The project developer has recently constructed 200 residential units in Goleta (Sumida Gardens), of

which 34 were designated for low-income homebuyers. The project will not have an adverse impact on affordable housing stock.

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

As described in Section VII of the staff report and in more detail in the project's Mitigated Negative Declaration, adequate City services, including water, are currently available to the project site. Water resource impacts are not anticipated as a result of the construction of the Foothill Centre development.

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

As identified in Section VII of the staff report and in more detail in the project's Mitigated Negative Declaration, the project will not generate substantial traffic and will not significantly impact any area intersections.

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

The project site is adequately served by existing public streets and utilities. Traffic improvements proposed as part of the project (extension of left turn lane on Cieneguitas Road) and required sidewalk improvements must be completed prior to project occupancy, as outlined in the project's conditions of approval.

C. RECOMMENDATIONS TO CITY COUNCIL:

1. ANNEXATION

The proposed annexation is appropriate since the project site is within the City's Sphere of Influence, and is identified in the Land Use Element as an area that should be annexed to the City. The project site is surrounded on two sides by property currently within the City's jurisdiction. A City maintained road (Cieneguitas Road) serves the site and some City services are currently provided to the site.

2. GENERAL PLAN AMENDMENT

The proposed General Plan designation of Commercial / Medium High Density Residential is consistent with the existing County General Plan designation and with the proposed zoning designation. This land use designation would be consistent and compatible with surrounding development and land uses in this neighborhood.

3. ZONING MAP AMENDMENT

The proposed rezone from Santa Barbara County Shopping Center zoning to the City zoning designation of Limited Commercial and Special District 2 "Upper State Street Area" (C-1/SD-2) Zone is compatible with the surrounding neighborhood zoning. This zoning designation would also be consistent with the proposed General Plan designation of Commercial/Medium High Density Residential. The uses allowed under this designation would also be compatible with surrounding development and would provide a buffer between Highway 154 and existing residential development.

4. ECONOMIC DEVELOPMENT FINDINGS

As discussed in Section VI.A.2 of the staff report, the proposed development qualifies as an Economic Development Project because it will enhance the standard of living (defined as wages, employment, environment, resources, public safety, housing, schools, parks and recreation, social and human services, and cultural arts) for City and South Coast residents and strengthen the local or regional economy by creating new permanent employment opportunities. It will also support diversity and balance in the local and regional economy by providing services (outpatient surgery center and medical clinic) that are currently in limited supply both locally and regionally.

II. Said approval is subject to the following conditions:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all additional land use approvals. Refer to condition B "Approval Contingent upon Annexation, Adoption of General Plan and Zoning Map Amendments, and Final Economic Development Allocation."
2. Pay Fish and Game fee immediately upon project approval by City Council. Delays in payment will result in delays in filing the required Notice of Determination.
3. Submit DRAFT LAFCO Annexation Map to Public Works.
4. Obtain LAFCO Approval and Complete Annexation.
5. Abate nonconforming pole sign on 675 Cieneguitas Road within 180 days of annexation completion.
6. Obtain all required design review approvals.
7. Pay Land Development Team Recovery Fee at time of first permit application.
8. Make application and obtain a Building Permit (BLD) to demolish any structures / improvements and/or perform rough grading. Comply with condition G "Construction Implementation Requirements."
9. Make application to the Public Works counter to process a Voluntary Merger prior to issuance of any Building Permits or other Public Works permits.
10. Record any required documents (see Recorded Conditions Agreement section).
11. Permits.
 - a. Make application and obtain a Building Permit (BLD) for construction of approved development.
 - b. Make application and obtain a Public Works Permit (PBW) for all required public improvements.

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Approval Contingent Upon Annexation, Adoption of General Plan and Zoning Map Amendments, and Final Economic Development Allocation.** Approval of the subject project is contingent upon approval of the Annexation, General Plan and Zoning Map Amendment, and

Final Economic Development Allocation by the City Council and Local Agency Formation Commission (as applicable), and completion of the annexation.

C. **Recorded Conditions Agreement (APNs 059-160-017 and -023).** The Owner of APNs 059-160-017 and -023 shall execute a *written instrument*, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on June 21, 2012 is limited to annexation of these parcels into the City, and merger and development of those lots. The merged lots will be developed with the Foothill Centre, which includes approximately 60,122 net square feet of building area contained in two, two-story buildings, 225 parking spaces, 24 bike parking spaces, and the improvements described in the Final Mitigated Negative Declaration and shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
5. **Tree Protection.** The four existing oak tree(s) and one stone pine shown on the Landscape Plan as to be protected, shall be preserved, protected, and maintained.
6. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
7. **Transportation Demand Management.** The following alternative mode incentives, which were proposed in the parking study prepared by Associated Transportation

Engineers dated February 2, 2012, are included as part of the approved project to minimize potential parking and traffic impacts caused by the project. The Transportation Demand Management (TDM) Program shall consist of a combination of the following, based on coordination with employees and which programs prove to be the most effective. The effectiveness of the TDM Program will be reviewed annually and adjustments may be made based on the success of the individual components. Any proposed changes to the Program will require approval by the City. Owner shall be responsible for ensuring that all tenants comply with the provisions of the approved TDM Program.

- a. **TDM Administrator.** The Owner shall appoint a TDM Administrator responsible for the alternative mode incentives. The TDM Administrator shall coordinate with Traffic Solutions or successor agency for training and assistance in administering their program in order to maximize the effectiveness of the programs offered. The TDM Administrator will also be in charge of parking monitoring and will be the designated contact person for the public to reach concerning any parking/circulation issues in the adjacent neighborhood.

For the first three years of operation, the TDM Administrator shall provide an annual report to the Community Development Director and the Transportation Manager illustrating the number of users, describing the marketing techniques and program results, including successes and failures.
- b. **Carpool Parking Spaces.** Preferential parking spaces for carpools/rideshares shall be provided and designated by "Carpool Permit Parking Only" signs. Carpool permits shall be issued to those employees who carpool and are eligible.
- c. **Commuter Bus And MTD Subsidies.** The employer shall pay for a portion (50%) of the costs for employees who use the Clean Air Express and Coastal Express commuter bus programs and local Metropolitan Transit District (MTD) bus routes. Notice of these incentives shall be provided to existing employees and new employees when they are hired. MTD Line 10 directly serves the Foothill site. The existing bus stop on Pesetas Lane currently serves the Clean Air and Coastal Express commuter lines and MTD Line 8. A shuttle system shall be tied into this program in order to transport employees from the existing bus stop at the Pesetas Lane site to and from the Foothill site.
- d. **TDM Incentives Posted.** Employer shall post the incentives offered and any other applicable and pertinent information related to alternative transportation options in a central (public) location accessible to employees.
- e. **Bus Routes and Schedules Posted.** Notice of MTD bus routes and schedules shall be placed and maintained up-to-date in a central (public) location accessible to employees.
- f. **Bicycle Use.** Employer will creatively offer incentives to support those who bike and encourage those who might, by offering secure bicycle parking on site, including new bicycle lockers.

- g. **Shower and Locker Facilities.** Male and female employee shower and locker facilities shall be provided and maintained as approved by the Transportation Manager. The showers shall be available for use before and during work hours. Notice of these facilities shall be provided when employees are hired.
 - h. **Ride-Sharing / Carpooling Program.** Employees shall be made aware of the Ride-Sharing Program or similar successor programs administered by Traffic Solutions or successor agency. The Owner and/or all employers shall have all employees registered with the Traffic Solutions ride matching Program to encourage ridesharing and carpooling.
 - i. **Employee Lunch Room.** An employee lunchroom shall be provided in the building, including the following amenities: refrigerator, microwave oven, sink, food preparation area, tables and chairs. Hot and cold drinks and cold foods shall be made available for purchase to employees.
 - j. **Guaranteed Ride Home.** In the event of an emergency or work requirement that interferes with the normal transportation arrangement of any employee using mass transportation, a carpool, rideshare or a vanpool to get to work, the Owner or employer shall provide cab fare, a company car, or other means to guarantee a free ride home.
8. **Off-Site Parking Agreement.** An off-site parking agreement, or similar equivalent legal arrangement subject to acceptance by the City, shall be prepared by the Applicant in order to provide for the five parking spaces located on APN 059-160-021.
 9. **Areas Available for Parking.** All parking areas and access thereto shall be kept open and available in the manner in which it was designed and permitted.
- D. **Recorded Conditions Agreement (APN 059-160-021).** The Owner of APN 059-160-021 shall execute a *written instrument*, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Approved Development.** The development of the Real Property approved by the Planning Commission on June 21, 2012 is limited to annexation of the parcel into the City, and the improvements described in the Final Mitigated Negative Declaration and shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 2. **Pole Sign.** The existing pole sign located at 675 Cieneguitas Road must be brought into conformance with the City's Sign Ordinance within 180 days of completion of the annexation (as evidenced by Notice of Completion from LAFCO). This requires removal or approval of an exception to SBMC §22.70.080, pursuant to SBMC §22.70.080.C.3.
 3. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 4. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.

5. **Areas Available for Parking.** All parking areas and access thereto shall be kept open and available in the manner in which it was designed and permitted.
- E. **Design Review.** The Foothill Centre development project, including public improvements, is subject to the review and approval of the Architectural Board of Review (ABR). The ABR shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
 1. **Tree Removal and Replacement.** All trees removed, except fruit trees and street trees approved for removal without replacement by the Parks Department, shall be replaced on-site on a one-for-one basis with minimum 15 gallon size tree(s) of an appropriate species or like species, in order to maintain the site's visual appearance and reduce impacts resulting from the loss of trees.
 2. **Tree Protection Measures.** The landscape plan and grading plan shall include the following tree protection measures:
 - a. **Tree Protection.** All trees not indicated for removal on the approved landscape plan shall be preserved, protected, and maintained, in accordance with any related Conditions of Approval.
 - b. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s), as determined by the ABR.
 - c. **Oak Trees.** The following additional provisions shall apply to existing, protected oak trees on site:
 - (1) No irrigation system shall be installed within three feet of the dripline of any oak tree, unless comparable oak protection measures are approved by the Planning Division and ABR.
 - (2) Oak trees greater than four inches (4") in diameter at four feet (4') above grade removed as a result of the project shall be replaced at an eight to one (8:1) ratio, at a minimum five (5) gallon size, from South Coastal Santa Barbara County Stock.
 - (3) The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
 - (4) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
 - d. **During Construction.**
 - (1) All trees proposed to remain within 25 feet of proposed construction activity shall be fenced three feet outside the dripline for protection.
 - (2) A qualified Arborist shall be present during any excavation beneath the dripline(s) of the tree(s) which are required to be protected. All excavation within the dripline(s) of the tree(s) shall be minimized and shall be done with hand tools.
 - (3) Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.

- (4) Any root pruning and trimming shall be done under the direction of a qualified Arborist.
 - (5) No heavy equipment, storage of materials or parking shall take place under the dripline of any tree(s), or within five (5) feet of the dripline of any oak tree.
 - (6) Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.
3. **Screened Backflow Device.** The backflow devices for fire sprinklers, solar panels, all commercial buildings and irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the ABR.
 4. **Project Directory.** A project directory listing all units on-site shall be indicated on the project plans. This directory shall be lit sufficiently for readability for site visitors and placed in a location or locations acceptable to the Fire Department, shall meet current accessibility requirements, and is subject to Design Review Approval.
 5. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.
 6. **Covered Parking.** Applicant to consider some inclusion of covered parking with solar benefits.
 7. **Storm Water Capture.** Applicant to consider parking lot improvements incorporating storm water capture.
- F. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
 - a. **Approved Public Improvement Plans.** Public Improvement Plans as identified in conditions F.1.g "Foothill Road Public Improvements" and E.1.g "Cieneguitas Road Public Improvements" shall be submitted to the Public Works Department for review and approval separately from the Building Plans. Upon acceptance of approximately 60% complete (at a minimum) public improvement plans, a

Building permit may be issued after the Owner has submitted securities for public improvements and executed the *Agreement to Construct and Install Improvements (Not a Subdivision)*.

- b. **Dedication.** Offer and Dedication of Easements, as shown on the approved site plan and described as follows, subject to approval of the easement scope and location by the Public Works Department and/or the Building and Safety Division:
- (1) Offer a Sidewalk Easement to the City of Santa Barbara along the Foothill Road property frontage in order to establish an additional 4.9-foot wide public sidewalk.
- c. **Water Rights Assignment Agreements.**
- (1) Prior to issuance of any permit for development on APNs 059-160-017 or -023, the Owner of APNs 059-160-017 and -023 shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreements for the Owners' signatures.
- (2) **Water Rights Assignment Agreements.** Within 180 days of annexation, or prior to issuance of any permit for development on APN 059-160-021, whichever is sooner, the Owner of APN 059-160-021 shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreements for the Owners' signatures.
- d. **Drainage and Water Quality.** The Foothill Centre development project is required to comply with Tier 3 of the Storm Water Management Plan (treatment, rate and volume). The Owner shall submit a hydrology report including worksheets from the Storm Water BMP Guidance Manual for Post Construction Practices, prepared by a registered civil engineer demonstrating that the new development will comply with the City's Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.
- The Owner shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing pillows, etc.) for the operation and use of the storm drain surface pollutant interceptors. The Plan shall be reviewed and approved consistent with the Storm Water Management Plan BMP Guidance Manual.

- e. **Lot Merger Required.** Following annexation, and prior to issuance of any permits, the Real Property known as APN 059-160-017 and APN 059-160-023 shall be merged into one (1) lot, following the procedure in Santa Barbara Municipal Code Chapter 27.30.
- f. **Encroachment Permit.** In addition to City construction permits, an Encroachment Permit shall be obtained from the State of California (Caltrans) by the Owner, for construction of improvements, striping and re-striping (*including any required appurtenances*) within their rights of way.
- g. **Foothill Road Public Improvements.** The Owner of APNs 059-160-017 and -023 shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on Foothill Road. Public Works C-1 plans shall be submitted to the Public Work counter separately from plans submitted for a Building Permit, and shall be prepared by a licensed civil engineer registered in the State of California. As determined by the Public Works Department and the State of California (Caltrans), the improvements shall include the following to City standards:
- (1) Coordinate with Goleta Water District to abandon and remove the existing water meter and water service line (near abandoned gas station).
- (2) Construct (N) twelve-foot wide sidewalk, nine (N) tree wells [4-ft x 5-ft] along entire property frontage, and City staff recommends that the applicant supply and install eight (N) street trees (*Acrocarpus fraxinifolius*, Pink Cedar Tree) per approval of the Parks & Recreation Commission (if applicable) and ABR. Maintenance of these street trees and applicable public improvements along Foothill Road shall be borne by the applicant as implemented through a Maintenance Agreement.
- (3) Remove four (E) driveway aprons and construct (N) curb and gutter where (E) driveway aprons are removed.
- (4) Construct (N) MTD shelter on Foothill Road subject to MTD, ABR and Caltrans approval.
- (5) Slurry seal to the centerline of Foothill Road along entire subject property frontage, and slurry seal a minimum of 20 feet beyond the limits of all trenching, subject to Caltrans approval.
- (6) Re-stripe existing pavement delineations following slurry seal per Caltrans recommendations.
- (7) Replace existing residential fire hydrant located in front of 4120-4134 Foothill Road with a commercial fire hydrant and install Fire Hydrant Guard Post (if required) in accordance with City Standards.
- (8) Supply and install four commercial height 200 watt City standard Dome Style street lights approximately 200-feet apart. Install one (N) meter pedestal, and coordinate with Public Works Inspector and Edison to energize all (N) street lights.

- (9) Preserve and/or reset survey monuments (if any), protect and relocate existing contractor stamps to tree wells (if any), and supply and install directional/regulatory traffic control signs per the CA MUTCD during construction.
 - (10) Provide adequate positive drainage from site.
 - (11) Any work in the public right-of-way requires a Permit.
- h. **Cieneguitas Road Public Improvements.** The Owner of APNs 059-160-017 and -023 shall submit C-1 public improvement plans for construction of improvements along the property frontage on Cieneguitas Road. Public Works C-1 plans shall be submitted to the Public Work counter separately from plans submitted for a Building Permit, and shall be prepared by a licensed civil engineer registered in the State of California. As determined by the Public Works Department, the improvements shall include the following to City standards:
- (1) Coordinate with Goleta Water District to abandon and remove the existing water meter and water service line. Coordinate with City to install two (N) 2-inch copper water service lines, two 2-inch water meters, two (N) fire lines (size TBD), one (N) irrigation meter, and connect to City water main.
 - (2) Remove two (E) driveway aprons and construct two (N) commercial driveway aprons modified to meet Title 24 requirements with a maximum width of 20-feet each.
 - (3) Construct six-foot sidewalk and six-foot parkway along the entire subject property frontage, and supply and install eleven new street trees (*Olea europaea* 'Swan Hill') per approval of the Parks & Recreation Commission (if applicable) and ABR. Provide five-foot wide minimum sidewalk connection to existing sidewalk fronting APN 059-160-021.
 - (4) Construct new curb and gutter along entire subject property frontage and transition to match (E) curb and gutter in front of APN 059-160-021.
 - (5) Extend existing left turn lane to approximately 125' with a 60' bay taper, per ATE recommendations, subject to the approval of the City Transportation Engineer.
 - (6) Construct new bus stop to MTD standards subject to MTD and ABR approval.
 - (7) Slurry seal to centerline and a minimum of 20 feet beyond the limits of all trenching.
 - (8) Construct +/-310 L.F. of new eight inch City sewer main, two (N) private sewer laterals, and connect to City sewer main.
 - (9) Replace (E) residential fire hydrants FH-A03-005 and FH-A03-006 with a commercial fire hydrant and Fire Hydrant Guard Post (if required), in accordance with City Standards.

- (10) Public drainage improvements shall be consistent with hydrology report for installation of four (N) curb drain outlets and to connect to existing City storm drain.
 - (11) Supply and install three commercial 200 watt City standard Dome Style street light(s) a minimum of 200 feet apart, install one meter pedestal, coordinate with Public Works Inspector and Edison to energize all street lights, and coordinate with Public Works staff and Edison to retire (E) street light standard from (E) traffic signal at intersection.
 - (12) Preserve and/or reset survey monuments (if any), protect and relocate existing contractor stamps to parkway (if any), supply and install directional/regulatory traffic control signs per the CA MUTCD during construction.
 - (13) Provide adequate positive drainage from site.
 - (14) Any work in the public right-of-way requires a Public Works Permit.
- i. **Haul Routes Require Separate Permit.** Apply for a Public Works permit to establish the haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more entering or exiting the site. The Haul Routes shall be approved by the Transportation Engineer.
- j. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more 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.) in order to help reduce truck traffic on adjacent streets and roadways.
- k. **Agreement to Construct and Install Improvements.** The Owner of APNs 059-160-017 and -023 shall submit an executed *Agreement to Construct and Install Improvements (not a subdivision)*, prepared by the Engineering Division. Prior to submitting the executed Agreement, the Owner shall submit an Engineer's Estimate, signed and stamped by a registered civil engineer. After approval of the estimate, and prior to issuance of any permits, the Owner shall submit securities for construction of improvements.
- l. **Goleta Water District Abandonment.** Owner shall make arrangements with the Goleta Water District for permits and payment of any required deposits related to abandonment of District facilities serving the project site. Evidence of payment shall be provided to the City prior to issuance of any building permit. Timing of compliance with this condition may be extended subject to approval by the Public Works Department.
- m. **Goleta Sanitary District Abandonment.** Owner shall make arrangements with the Goleta Sanitary District for permits and payment of any required deposits related to abandonment of District facilities serving the project site. Evidence of payment shall be provided to the City prior to issuance of any building permit. Timing of compliance with this condition may be extended subject to approval by the Public Works Department.

2. **Community Development Department.**

a. **Recordation of Agreements.**

- (1) Prior to issuance of any permit for APNs 059-160-017 or -023, the Owner of APNs 059-160-017 and -023 shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition C "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits
- (2) Within 180 days of annexation, or prior to issuance of any permit for development on APN 059-160-021, whichever is sooner, the Owner of APNs 059-160-021 shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition D "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.

b. **Project Environmental Coordinator Required.** Submit to the Planning Division a contract with a qualified independent consultant to act as the Project Environmental Coordinator (PEC). Both the PEC and the contract are subject to approval by the City's Environmental Analyst. The PEC shall be responsible for assuring full compliance with the provisions of the Mitigation Monitoring and Reporting Program (MMRP) and Conditions of Approval to the City. The contract shall include the following, at a minimum:

- (1) The frequency and/or schedule of the monitoring of the mitigation measures.
- (2) A method for monitoring the mitigation measures.
- (3) A list of reporting procedures, including the responsible party, and frequency.
- (4) A list of other monitors to be hired, if applicable, and their qualifications.
- (5) Submittal of biweekly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP and condition compliance by the PEC to the Community Development Department/Case Planner.
- (6) Submittal of a Final Mitigation Monitoring Report.
- (7) The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in the MMRP and conditions of approval, including the authority to stop work, if necessary, to achieve compliance with mitigation measures.

c. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of

Approval. Submit a draft copy of the notice to the Planning Division for review and approval.

- d. **Letter of Commitment for Neighborhood Notification Prior to Construction.** The Owner shall submit to the Planning Division a letter of commitment to provide the written notice specified in condition G.1 "Neighborhood Notification Prior to Construction" below. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.
- e. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment to hold the Pre-Construction Conference identified in condition G.2 "Pre-Construction Conference" prior to disturbing any part of the project site for any reason.
- f. **Evidence of Off-Site Parking Agreement Recordation.** Evidence shall be provided to the Community Development Director that the Off-Site Parking Agreement required in Section C "Recorded Conditions Agreement" has been recorded.
- g. **APCD Permits.** APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g. firewater pumps and emergency generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.
- h. **Small Boilers.** Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to installation. See APCD website for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas must be certified by the SBCAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas.
- i. **Asbestos & Lead-Containing Materials.** Pursuant to APCD Rule 1001, the applicant is required to complete and submit an Asbestos Demolition / Renovation Notification form for each regulated structure to be demolished or renovated. The completed notification shall be provided to the Santa Barbara County APCD with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. Any abatement or removal of asbestos and lead-containing materials must be performed in accordance with applicable federal, State, and local regulations. Disposal of material containing asbestos and/or lead shall be in sent to appropriate landfills that are certified to accept this material.
- j. **Hazardous Materials Business Plan.** A Hazardous Materials Business Plan shall be required if a business handles or stores any hazardous materials or hazardous waste at any one time during a calendar year in quantities equal to or greater than: 55 gallons, 500 pounds or 20 cubic feet of a compressed gas at

standard temperature and pressure. If the development includes facilities that handle chemicals, annual permits for the use and storage of hazardous wastes are required 30 days prior to operation.

k. **Energy Efficiency.** The project shall be designed to exceed Title 24 requirements.

l. **Geotechnical Studies.**

- (1) All recommendations contained in the Geotechnical Engineering Report prepared by Fugro West, Inc. (April 2003) shall be implemented. These recommendations include, but are not limited to requirements for grading and site development, foundation design, slabs on grade, pavement sections, corrosion and surface drainage consideration.
- (2) A Final Geotechnical Report shall be prepared and submitted to the City's Building Division as part of the City Building and Safety Division review and approval of the construction plans.
- (3) Grading and foundation plans shall be reviewed by a Geotechnical Engineer and Engineering Geologist to ensure compliance with the recommendations in the Final Report. Compliance shall be demonstrated on plans submitted for grading and building permits and subject to City Building and Safety Division review and approval.

(G-1)

m. **Monitoring Wells.** Any monitoring well that is in conflict with a building or the detention basin shall be properly abandoned and replaced as required by the Santa Barbara County Fire Department Fire Prevention Division, prior to construction. A well abandonment workplan shall be submitted to the Fire Prevention Division, and must be approved prior to issuance of a building permit for construction. All site wells that are not to be abandoned shall be protected during construction activities. This may involve cutting the wells down and capping them during site grading activities and then extending them back up to an appropriate monitoring well cover at the completion of the paving or landscaping activities.

(H-1)

n. **Soils Management Plan.** A soils management plan shall be submitted to the County Fire Prevention Division for review and approval prior to issuance of a building permit. The soils management plan shall describe the procedures to properly handle and dispose of hydrocarbon impacted soils that may be encountered during site grading activities.

(H-2)

o. **Interceptor Trenches.** Prior to the start of construction, both interceptor trenches shall be properly abandoned.

(H-3)

p. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section E "Design Review," and all elements/specifications shall be implemented on-site.

q. **Mitigation Monitoring and Reporting Requirement.** Note on the plans that the Owner shall implement the Mitigation Monitoring and Reporting Program (MMRP) for the project's mitigation measures, as outlined in the Mitigated Negative Declaration for the project.

r. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner	Date	
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

1. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) and Contractor(s), site rules and Conditions of Approval pertaining to construction activities, and any additional information that will assist Building Inspectors, Police Officers and the public in addressing problems that may arise during construction.

(N-1)

2. **Pre-Construction Conference.** Not less than 10 days or more than 20 days prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Community Development Department Building and Planning Divisions, the Property Owner, Architect, Arborist, Project Engineer, Project Environmental Coordinator, Mitigation Monitors, Contractor and each Subcontractor.

ATTACHMENT C - LAFCO SUBMISSION PACKET #12-4

PLANNING COMMISSION RESOLUTION No. 009-12
 4151 FOOTHILL ROAD, 675 CIENEGUITAS ROAD AND 681 CIENEGUITAS ROAD
 JUNE 21, 2012
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3. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) and Project Environmental Coordinator's (PEC) name, contractor(s) and PEC's telephone number(s), construction work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone.
4. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m., excluding the following holidays:

New Year's Day	January 1st*
Martin Luther King, Jr. Day	3rd Monday in January
Presidents' 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
Following Thanksgiving Day	Friday following Thanksgiving Day
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.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the City to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.
(N-2)
5. **Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
(N-3)
6. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.
7. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation Manager.
8. **Bird Nesting.** Removal of vegetation shall be avoided during the bird nesting season (February 15 to September 15) where feasible. If avoidance is not feasible, a qualified

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- biologist shall conduct a nesting bird survey no more than seven (7) days prior to removal of any trees or vegetation scheduled to occur from February 15 through September 15. If nesting is found, the trees/vegetation shall not be removed until after the young have fledged and the biologist should establish a protective buffer around the nest as needed.
(BIO-1)
9. **HMU Contact.** Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) if visual contamination or chemical odors are detected while implementing the approved work at the site. Resumption of work requires approval of the HMU, 805-686-8170.
 10. **Air Quality.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:
 - a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
 - b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
 - d. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
 - e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
 - f. 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 work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
 - g. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
 - h. Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to

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reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.

- i. All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
 - j. 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.
 - k. Diesel powered equipment should be replaced by electric equipment whenever feasible.
 - l. If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
 - m. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
 - n. All construction equipment shall be maintained in tune per the manufacturer's specifications.
 - o. The engine size of construction equipment shall be the minimum practical size.
 - p. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
 - q. If contaminated soils are found at the project site, the APCD must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required.
 - r. Petroleum storage tank degassing activities shall comply with APCD Rule 343, *Petroleum Storage Tank Degassing*.
 - s. At all times, idling of heavy-duty diesel trucks must be limited to a maximum of five minutes; auxiliary power units should be used whenever possible. State law requires that drivers of diesel-fueled commercial vehicles: shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location and shall not idle a diesel-fueled auxiliary power system (APS) for more than five minutes to power a heater, air conditioner, or any ancillary equipment of the vehicle.
 - t. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.
11. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment

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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 such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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

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

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 any certificate of occupancy for the project.

12. **Mitigation Monitoring Compliance Reports.** The PEC shall submit biweekly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP compliance to the Community Development Department Planning Division.
- H. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
 2. **Complete Public Improvements.** Public improvements, as shown on the public improvement plans, shall be completed.

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3. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 1/2 x 11" board and submitted to the Planning Division.
4. **Mitigation Monitoring Report.** Submit a final construction report for mitigation monitoring.

I. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
2. **Approval Limitations.**
 - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
 - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission / Staff Hearing Officer.
 - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
3. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fees required are \$2,919.00 for projects with Environmental Impact Reports and \$2,101.50 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination cannot be filed and the project approval is not operative, vested, or final. The fee shall be delivered to the Planning Division immediately upon project approval by the City Council in the form of a check payable to the California Department of Fish and Game. Please note that a filing fee of \$50.00 is also required to be submitted with the Fish and game fee in the form of a separate check payable to the County of Santa Barbara.
4. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid at time of the first City permit application.
5. **Site Maintenance.** The existing site shall be maintained and secured. Any landscaping shall be watered and maintained until construction begins.

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6. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF DEVELOPMENT PLAN TIME LIMITS:

The development plan approved, per Santa Barbara Municipal Code §28.87.350, shall expire four (4) years from the date of approval, subject to the timing commencement provisions in Santa Barbara Municipal Code §28.87.370.D, unless:

1. A building or grading permit for the work authorized by the development plan is issued prior to the expiration date of the approval.
2. The Community Development Director grants an extension of the development plan approval upon finding that the applicant has demonstrated due diligence in implementing and completing the proposed project. The Community Development Director may grant one (1) one-year extension of the development plan approval.

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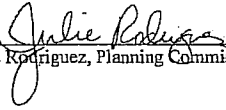
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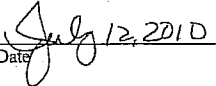
This motion was passed and adopted on the 21st day of June, 2012 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 2 (Bartlett, Lodge) ABSTAIN: 0 ABSENT: 1 (Larson)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.



Julie Rodriguez, Planning Commission Secretary



Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL
WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE
PLANNING COMMISSION.



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

June 21, 2012

CALL TO ORDER:

Chair Lodge called the meeting to order at 1:01 P.M.

I. ROLL CALL

Chair: Sheila Lodge, Vice Chair: Mike Jordan, Commissioners: Bruce Bartlett, John P. Campanella, Deborah L. Schwartz, and Addison Thompson.

Absent: Commissioner Stella Larson

STAFF PRESENT:

Bettie Weiss, City Planner
 Danny Kato, Senior Planner
 N. Scott Vincent, Assistant City Attorney
 Rob Dayton, Principal Transportation Planner
 Steve Foley, Supervising Transportation Planner
 Allison De Busk, Project Planner
 Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
None.
- B. Announcements and appeals.
Mr. Kato announced that the appeal for 1085 Coast Village Road will be heard by City Council next Tuesday, June 26, 2012.
- C. Comments from members of the public pertaining to items not on this agenda.
Chair Lodge opened the public hearing at 1:03 P.M. and, with no one wishing to speak, closed the hearing.

III. NEW ITEM:

ACTUAL TIME: 1:03 P.M.

APPLICATION OF STEVE FORT, SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES, FOR FOOTHILL CENTRE, LP, 4151 FOOTHILL ROAD AND 681 CIENEGUITAS ROAD, APN 059-160-017 AND -023; SC (SHOPPING CENTER) ZONE (COUNTY), GENERAL PLAN DESIGNATION: NEIGHBORHOOD COMMERCIAL (COUNTY) (MST2008-00496)

The project consists of the annexation of three parcels (4151 Foothill Road and 675 and 681 Cieneguitas Road) totaling 4.31 acres into the city of Santa Barbara, and detachment from the Goleta Water District, the Goleta Sanitary District, the Santa Barbara County Fire Protection District, County Service Area 3 and County Service Area 32. Upon annexation, a City General Plan designation of Commercial/Medium High Density Residential is proposed, with a zoning designation of Limited Commercial/Upper State Street Overlay (C-1/S-D-2).

Proposed development would include two new 37-foot tall two-story office buildings totaling 60,122 net sq. ft., constructed at 4151 Foothill Road and 681 Cieneguitas Road, for use by Sansum Clinic. A 225-space parking lot would be constructed, with access from Cieneguitas Road. The existing abandoned gas station would be demolished. The existing 2,500 sq. ft. building at 675 Cieneguitas Road, currently used as a veterinary hospital, would remain.

The discretionary applications required for this project are:

Actions requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council and LAFCO:

1. Reorganization of APNs 059-160-017, -021 and -023, including Annexation to the city of Santa Barbara and Detachment from Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, County Service Area 3 (Goleta Valley - Multipurpose) and County Service Area 32 (Unincorporated Area - Law Enforcement);
2. A General Plan Amendment to designate the three parcels (APNs 059-160-017, -021 and -023) as Commercial/Medium High Density Residential upon annexation;
3. A Zoning Map Amendment to zone the three parcels (APNs 059-160-017, -021 and -023) C-1/S-D-2 (Limited Commercial and Upper State Street Overlay) upon annexation;

Action requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council:

4. Final Economic Development Designation by the City Council for 13,526 square feet from the Economic Development category for a medical office/clinic on APNs 059-160-017 and -023 (SBMC 28.87.300); and

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Actions by the Planning Commission, contingent upon recommendation of the actions listed above:

5. A Development Plan to allow the construction of 58,372 square feet of net new nonresidential development on APNs 059-160-017 and -023 (SBMC §28.87.300).

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

Case Planner: Allison De Busk, Project Planner
Email: ADebusk@SantaBarbaraCA.gov Phone: 805-564-5470, ext. 4552

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

Michael Towbes, Towbes Group, gave the Applicant presentation, joined by Kurt Ranschoff, Sansum Chief Executive Officer

Scott Schell, Associated Transportation Engineers; and Richard Six, Architect, were available to answer any of the Commission's questions.

Chair Lodge opened the public hearing at 1:30 P.M.

The following people spoke in opposition to the project or with concerns:

1. Carrie Brown, neighbor, was not invited to Towbes' neighborhood meeting and wanted to know how many attended and what issues were presented. She has previously spoken in support of incorporation of the Foothill triangle. Highway 154 at Foothill is a gateway to Santa Barbara. This building is too big and this first attempt at annexing a political 'hot potato' area must be done more sensitively. Foothill Road, Cathedral Oaks and Cieneguitas Road are residential streets. The scale of the building is too big and this project sets a precedent for commercial development.
2. David Jones was supportive of the prior proposed project and finds that the new proposed project with both buildings up against Foothill and Cieneguitas Road and parking in the rear, is out of character with the neighborhood. The project is too massive along Foothill. Would like views protected.
3. Lisa Hoffman Rittenburg, representing Michael Rittenburg of Foothill Pet Hospital, read letter submitted to the Planning Commission.
4. Del Britschgi, representing the property owner of 675 Cieneguitas, spoke in support of the Foothill Pet Hospital and allowing the sign to remain as long as the current business resides at the site. Loss of the sign would limit visibility of the business from Highway 154.
5. Ron Lopez, neighbor, was concerned with Building A being too close to Foothill Road and asked that Building A be setback further from Foothill Road. Was also concerned with the size of the building, traffic and that the 300 foot notification

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radius was too small and neighbors on Laiqua Lane and Cocopah Drive were not notified.

6. Carrie Pekarek supports project and tenant but would like Building A to be less massive and moved back along Highway 154. Concerned with the number of trips in and out during the day.

With no one else wishing to speak, the public hearing was closed at 1:47 P.M.

Mr. Towbes addressed the public's concerns regarding noticing for the neighborhood meeting, the location of the buildings, and the 35 foot front setback that exceeds the city's required setback. Mr. Towbes also clarified that the trip counts were down Cieneguitas Road and not the entire project. There will be relatively few trips down the neighborhood.

Steve Foley, Supervising Transportation Planner, clarified average daily trips and peak hour trips.

Commissioner Bartlett stated that the Urban Design Guidelines have not been properly implemented and the project is lacking in sustainability features; the project may meet the minimum requirements, but it is not exemplary as a gateway to Santa Barbara.

Chair Lodge stated that the site is an entrance to the City and this project does not fit the Santa Barbara aesthetic; she questioned the height and the large expanse facing Foothill.

MOTION: Jordan/Schwartz

Assigned Resolution No. 009-12

Adopt the Final Mitigated Negative Declaration, approve the Development Plan with Conditions of Approval as revised June 21, 2012, with the following additions: 1) Applicant to consider some inclusion of covered parking with solar benefits; and 2) Applicant to consider parking lot improvements incorporating storm water capture; and recommend the City Council approve the Reorganization, General Plan Amendment; Zoning Map Amendment; and Economic Development designation making the findings outlined in the Staff Report, dated June 14, 2012.

This motion carried by the following vote:

Ayes: 4 Noes: 2 (Bartlett, Lodge) Abstain: 0 Absent: 1 (Larson)

Chair Lodge announced the ten calendar day appeal period.

Chair Lodge called for a recess at 3:04 P.M. and reconvened the meeting at 3:18 P.M.

IV. DISCUSSION ITEM

ACTUAL TIME: 3:18 P.M.

TRAFFIC ANALYSIS AND FINDINGS RELATED TO THE CITY'S GROWTH MANAGEMENT PROGRAM Continued from May 17, 2012.

The purpose of this hearing is for the Planning Commission to discuss and provide input on the traffic analysis component and findings of the City's Growth Management Program.

On May 17, 2012 the Planning Commission initiated amendments to the City's Zoning Ordinance including the Development Plan Ordinance (DPO), SBMC §28.87.300 and Council Resolution No. 09-058 to carry out recently adopted General Plan Policy LG2, Limit Non-Residential Growth and LG7, Community Benefit Non-Residential Land Uses.

Case Planner: Rob Dayton, Principal Transportation Planner
Email: RDayton@SantaBarbaraCA.gov

Phone: 805-564-5390

Rob Dayton, Principal Transportation Planner, gave the Staff presentation, joined by Bettie Weiss, City Planner.

Chair Lodge opened the public hearing at 4:33 P.M.

Scott Schell, Zone 4 resident, is concerned that current thresholds will limit redevelopment of Upper State Street and limit development to what is on the ground today. Believes there should be some flexibility.

With no one else wishing to speak, the public hearing was closed at 4:36 P.M.

Commissioner's comments:

1. Many commissioners liked the direction that the traffic analysis component was taking.
2. Commissioner Schwartz felt that we are not investing in the types of transportation methods that will allow us to bring in more housing.
3. Commissioner Jordan feels that Staff will have a challenge conveying what Staff is proposing and encourages Staff to meet with the Commission again to work through some of what is not explained in the report.
4. Commissioner Campanella felt that in order for people to afford housing, house prices have to come down and incomes have to go up. Would like to see Staff determine what kind of non-residential development we want to encourage and identify jobs that will provide higher incomes.

5. Commissioner Bartlett is glad to see that Staff is doing away with the automatic 'no' on traffic cumulative impacts. Would like to see a structure that incentivizes the goals, rather than focusing on what cannot be done.
6. Commissioner Schwartz wants to see a balance in doing what we can in the area of housing, while looking at pockets of economic development. Would like Staff to develop an economic development plan that actively attracts and retains the right type of commercial development along with a total transportation system so that traffic congestion can be reduced.
7. Commissioner Lodge felt that what came out of the PlanSB process was the need for housing, which is needed more than new job creation.

Ms. Weiss referenced a slide that showed the list of PlanSB objectives, the last being the reduction of traffic that led to today's discussion.

Ms. Weiss felt that if we add Economic Development, there is no sense in having the Community Priority table. Ms. Weiss thanked the commission for its input and looks forward to returning.

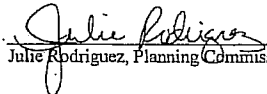
V. ADMINISTRATIVE AGENDA

ACTUAL TIME: 5:19 P.M.

- D. Committee and Liaison Reports.
1. Staff Hearing Officer Liaison Report
None was given.
 2. Other Committee and Liaison Reports
None were given.

Chair Lodge adjourned the meeting at 5:19 P.M.

Submitted by,


Julie Rodriguez, Planning Commission Secretary



**City of Santa Barbara
California**

**PLANNING COMMISSION
STAFF REPORT**

REPORT DATE: June 14, 2012
AGENDA DATE: June 21, 2012
PROJECT ADDRESS: 4151 Foothill Road and 675 and 681 Cieneguitas Road (MST2008-00496)
 Foothill Triangle
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner
 Allison De Busk, Project Planner

I. PROJECT DESCRIPTION

The project consists of the annexation of three parcels into the city of Santa Barbara, and detachment from the Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, County Service Area 3 and County Service Area 32. Upon annexation, a City General Plan designation of Commercial/Medium High Density Residential is proposed, with a zoning designation of Limited Commercial/Special District Two, Upper State Street Area (C-1/S-D-2).

4151 Foothill Road & 681 Cieneguitas Road: These two parcels (totaling 4.08 acres) would be merged, and the existing abandoned gas station (1,750 net square feet) at the corner of Foothill Road and Highway 154 would be demolished. Two new two-story office buildings totaling 60,122 net (61,745 gross) square feet (s.f.) would be constructed on the merged parcel ("Foothill Centre" development). The larger of the two buildings, Building A, would be 37 feet in height and would contain 46,600 net s.f., which is evenly divided between the first and second floors. Primary access to Building A would be from the parking lot, with secondary access from Cieneguitas Road. The smaller building, Building B, would be 36 feet in height and would contain 13,522 net s.f., which is evenly divided between the first and second floors. Primary access to Building B would be provided from the parking lot and Cieneguitas Road.

The proposed new office buildings would be occupied by Sansum Clinic. They would include an outpatient surgery center, a medical clinic and administrative offices. This new development would allow Sansum to consolidate facilities, and it is estimated that some of the operations and staff at the existing facility at 215 Pesetas Lane would be relocated to the new Foothill Centre facility. Vacancies at Pesetas Lane would be backfilled by operations and staff currently housed at leased facilities on the South Coast. Anticipated standard hours of operation would be 8:00 a.m. until 5:00 p.m.

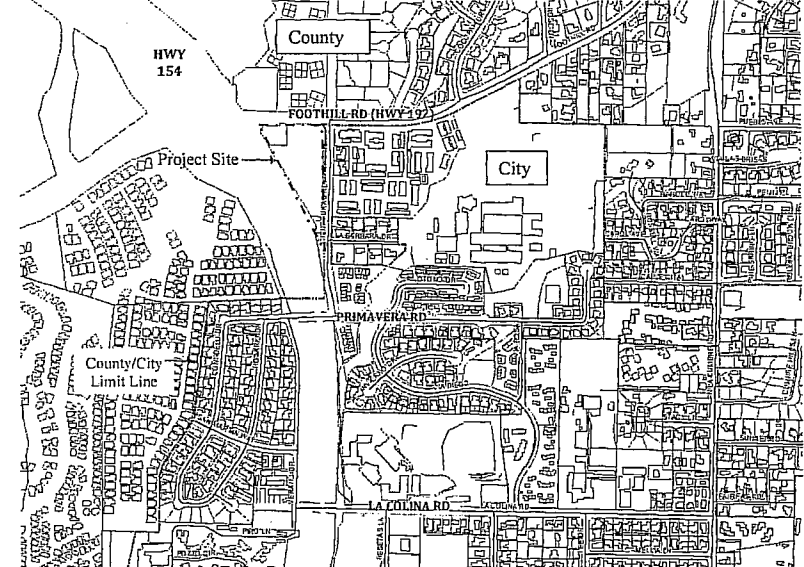
A parking lot containing 225 parking spaces (including five on the adjacent 675 Cieneguitas Road parcel) would be located between and behind the proposed new buildings. Access would be provided via two driveways on Cieneguitas Road. A detention basin and vegetated swales would accommodate increased storm water run-off. Ground water remediation due to contamination from the previous use as a full service gas station is currently on-going and would continue.

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The project includes curb, gutter, landscaping and sidewalk improvements along Foothill and Cieneguitas Roads. The project also includes extension of the existing northbound left-turn pocket along Cieneguitas at the Foothill Road/Cieneguitas Road intersection from 50 feet to 125 feet in length, with a 60-foot bay taper. Striping changes are proposed along Foothill Road along the property frontage to create a bike lane within the existing eastbound traffic lane and remove the existing westbound left turn arrows painted in the two-way left turn lane; however, these improvements are subject to Caltrans approval.

675 Cieneguitas: The existing 2,500 square foot building, currently used as a veterinary hospital, would remain. The only change would be the addition of five parking spaces in an existing easement along the northern property line for use by the new Foothill Centre development (described above).

VICINITY MAP - 4151 FOOHILL ROAD AND 675 AND 681 CIENEGUITAS ROAD



APPLICATION DEEMED COMPLETE: December 16, 2011
DATE ACTION REQUIRED: 60 days from completion of environmental review

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4151 Foothill Rd. (MST2008-00496)
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II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

Actions requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council and the Local Agency Formation Commission (LAFCO):

- A. Reorganization of the three properties, including Annexation to the city of Santa Barbara and Detachment from the Goleta Water District, Goleta Sanitary District, Santa Barbara County Fire Protection District, County Service Area 3 and County Service Area 32;
- B. A General Plan Amendment to designate the property as Commercial/Medium High Density Residential upon annexation;
- C. A Zoning Map Amendment to zone the property C-1/S-D-2 (Limited Commercial and Special District Two, Upper State Street Area) upon annexation;

Action requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council:

- D. Final Economic Development Designation by the City Council for 13,526 square feet from the Economic Development category for a medical office/clinic on APNs 059-160-017 and -023 (SBMC 28.87.300); and

Actions by the Planning Commission, contingent upon recommendation of the actions listed above:

- E. A Development Plan to allow the construction of 58,372 square feet of net new nonresidential development on APNs 059-160-017 and -023 (SBMC §28.87.300).

III. RECOMMENDATION

City staff is supportive of the proposed commercial development. With City Council approval of the requested annexation, proposed zoning and accompanying General Plan land use designation, the development project would conform to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood.

Therefore, Staff recommends that the Planning Commission take the following action, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A:

- 1) Adopt the Final Mitigated Negative Declaration (MND);
- 2) Approve the Development Plan; and
- 3) Recommend to the City Council the approval of the:
 - a. Reorganization (annexation to the City and detachment from applicable special districts),
 - b. General Plan amendment,
 - c. Rezone, and
 - d. Final Economic Development designation.

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IV. BACKGROUND

The project site, known as the "Foothill Triangle," located at the southwest corner of Foothill Road and Cieneguitas Road, is within the jurisdiction of the County, but within the City's Sphere of Influence. 4151 Foothill Road contains an abandoned gas station, and 675 Cieneguitas Road is currently developed with a veterinary hospital. 681 Cieneguitas Road is vacant. Annexation of the Foothill Triangle into the City was initiated in 2003 by the City Council with a pre-General Plan designation of General Commerce and pre-zoning designation of C-1 (Limited Commercial) and S-D-2 (Special District Two, Upper State Street Area).

A. SITE HISTORY

The 4151 Foothill Road and 681 Cieneguitas Road parcels were previously developed with two separate service stations, operated by Chevron and Mobil. The Chevron station (southwest corner of Foothill/Cieneguitas) was demolished in 1988. The former Mobil station (near Hwy 154/Foothill intersection) has been vacant since 1999. In 1983, the County certified an EIR and approved applications for the Foothill Convenience Center project on the vacant lot, which included approximately 44,000 s.f. of commercial development, including uses such as a grocery store, retail businesses, and professional offices. In 1985, extensive contamination of the soil and groundwater was discovered from a leaking underground fuel tank on the former Mobil gas station site. In 1992, the County denied a request for a time extension of the project. As a result of litigation, Mobil acquired the property and committed to remediate the contamination on site. Mobil sold the property to the current owner in 1999 and encumbered the property with a deed restriction prohibiting any residential development, and limiting other types of development on the property. The applicant has attempted to get Mobil to lift the residential deed restriction from the property, but has been unsuccessful in that endeavor.

B. GENERAL PLAN, ZONING AND ANNEXATION

Under the City's Draft Las Positas Valley and Northside Pre-Annexation Study (2000), the City identified a preliminary pre-General Plan designation of General Commercial - Neighborhood Shopping Center for the subject property, and pre-zoning designations of C-P (Limited Commercial) and S-D-2 (Special District Two, Upper State Street Area). The S-D-2 Zone is applied to properties located in the "Upper State Street Area," which is bounded by Alamar Avenue, U.S. Highway 101, Foothill Road, and State Highway 154. The applicant pursued a pre-zoning designation of C-1 (rather than C-P) following the recommendation of City staff. Staff recommended C-1 zoning because it provides for office uses not available under the C-P Zone, allowing for more flexibility for future building occupants.

On March 18, 2003, the City Council initiated annexation of the subject lots with a proposed General Plan designation of General Commerce and a proposed zoning designation of C-1/S-D-2. The 675 Cieneguitas Road property was included at the request of LAFCO.

With the adoption of the General Plan Update (December 2011), the City's land use designations changed. The currently proposed Commercial/Medium High Density Residential land use is the most similar designation to the previously proposed General Commerce.

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C. CITY PLANNING COMMISSION CONCEPT REVIEWS

The City Planning Commission has held three concept reviews of proposed development on the project site.

1. April 10, 2003

The first concept review on April 10, 2003 was for a proposal to construct a two-story, 66,906 s.f. office building, which would have been leased by the Fielding Institute, and a freestanding 2,400 s.f. neighborhood market.

2. May 22, 2003

In response to the Planning Commission's comments at the April 10, 2003 hearing, the applicant returned to the Planning Commission with a revised project. The revised site plan reflected separation of the main building into two buildings, with parking underneath the southernmost building.

3. December 11, 2008

A third concept review was held on December 11, 2008. That project included construction of a two and three story 71,009 s.f. office building for use by Fielding Graduate Institute and Antioch University (approximately 30% office space and 70% classroom space).

D. COUNTY PLANNING COMMISSION COURTESY REVIEW

On December 7, 2011, the current project was reviewed by the County Planning Commission. The Commission had questions about current remediation and the existing unkempt appearance of the site. They commented on the parking ratio, noting that the new Lompoc Sansum Clinic seemed underparked, and suggested pocket turn lanes into the parking lot to allow through traffic to flow unimpeded.

E. CITY DEVELOPMENT APPLICATION REVIEW TEAM PROCESS

Through the review process for this project, some of the key issues that have been discussed include:

Issue	Proposed Resolution
Properties to be included in this annexation	Decision by City Council to include 675 Cieneguitas but not any properties along La Barbara
Location of annexation boundary along Foothill Road	Decision to locate it at the back of proposed sidewalk rather than existing property line; proposed easement dedication to City of area between back of sidewalk and property line, with subsequent City dedication to Caltrans.

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Improvements along Foothill and easements/ maintenance	Foothill Road improvements are subject to approval by Caltrans. City has recommended certain improvements (such as a bike lane and street trees) in the conditions of approval, but Caltrans must ultimately approve the improvements. Caltrans has indicated that they do not support a bike lane and they want the trees located at the back of sidewalk due to sight visibility issues. Applicant to maintain all improvements.
Removal of pole sign on 675 Cieneguitas	Pole signs are not permitted in the city of Santa Barbara (SBMC §22.70.030.C.23). The pole sign must come into compliance with the Sign Ordinance within 180 days of annexation (per SBMC §22.70.080 (Exhibit F), this means either removal or receiving an exception pursuant to SBMC §22.70.080.C.3).
Appropriate zoning designation	C-1/S-D-2 proposed
Balancing storm water management with contaminated soils/groundwater	Project complies with SWMP, but additional measures were not required due to soil concerns
Status as an economic development project due to uncertainty of proposed tenant	Sansum Clinic is currently proposed as the tenant, and staff is fully supportive of them qualifying under the economic development category
Proposal to provide additional off-site parking at the Pesetas Lane Clinic to satisfy anticipated parking demand	Applicant revised proposal to incorporate TDM measures as a way to reduce parking demand
Inclusion of a commercial component	Although previously encouraged by staff and the Planning Commission, it was not supported by nearby schools or neighbors and is not included in this proposal

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V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

	675 Cieneguitas Rd.	681 Cieneguitas Rd.	4151 Foothill Rd.
APN:	059-160-021	059-160-023	059-160-017
Parcel Size:	10,018 s.f. Total = 187,723 s.f. (4.31 acres)	155,384 s.f.	22,321 s.f.
		177,705 s.f. (4.08 acres) after merger	
Owner:	Britschgi 1, LLC	Foothill Centre, LP	Foothill Centre, LP
Slope	3.2% NW to SE		
General Plan -Existing:	Neighborhood Commercial (County)		
-Proposed:	General Commerce (City)		
Zoning -Existing:	SC Shopping Center (County)		
-Proposed:	C-1/S-D-2 Limited Commercial and Upper State Street Overlay (City)		
Land Use -Existing:	veterinary hospital	vacant	former gas station
-Proposed:	veterinary hospital	medical offices	
SURROUNDING LAND USES (JURISDICTION):			
North:	Foothill Road and Residential (County)		
East:	Residential (City and County)		
South:	Residential (City)		
West:	Hwy 154 and Residential (County)		

B. PROJECT STATISTICS

	Proposed Building A	Proposed Building B
1st Floor	23,214 s.f.	6,761 s.f.
2nd Floor	23,386 s.f.	6,761 s.f.
Sub-Total	46,600 s.f.	13,522 s.f.
Total	60,122 net s.f.	

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VI. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING

The project site is currently located within the jurisdiction of the County of Santa Barbara, and is zoned Shopping Center (SC). The SC zone is applied to areas appropriate for clustered shopping center uses. This zone allows either a convenience shopping center (where the everyday, frequent needs of the consumer are served) or a community shopping center (where consumer goods and services are provided and shoppers are provided the opportunity to comparison shop).

As part of the annexation, the project site is proposed to be rezoned to C-1 (Limited Commercial) and S-D-2 (Special District Two, Upper State Street Area) Zones. The intent of the C-1 zone district is to provide a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air and existing visual amenities. The Upper State Street Area Overlay is intended to limit traffic through specific setback, parking and building size requirements. There are other City zoning designations that could be deemed appropriate for this site (e.g. C-P was originally proposed); however, staff believes that C-1 is appropriate and offers the most flexibility (primarily because it allows for general office development). Refer to Exhibit D for a comparison of other potential zone designations. Based on staff's analysis, the proposed zoning designation would be appropriate for the area and would be no more intensive than the existing County zoning.

The proposed use as a medical clinic is permitted within the proposed C-1/S-D-2 zone. As identified in the Table below, the project complies with all zoning requirements with respect to building height and setbacks. The project would provide more parking than required by Ordinance. No modifications are requested or required.

Standard	Requirement/Allowance	Proposed Development
Setbacks		
-Front	10' for building or structure < 15' 20' for 2-story buildings	10' parking 35' Building A 20' Building B
-Interior	none	100'
Building Height	3 stories and 45 feet	2 stories and 37 feet
Parking	1 per 250 s.f. less 30% reduction ¹ = 168	225
Lot Coverage		
-Building	N/A	30,908 s.f. 17%
-Paving/Driveway	N/A	91,101 s.f. 51%
-Landscaping	N/A	56,691 s.f. 32%

¹ Per SBMC §28.90.100.D.3, for industrial and office uses, buildings in excess of 50,000 s.f. shall provide 70% of the required parking.

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1. DEVELOPMENT PLAN

The Foothill Centre development proposal involves a net increase in non-residential square footage totaling approximately 58,372 s.f. (60,122 s.f. less existing 1,750 s.f. building). Under Santa Barbara Municipal Code (SBMC) §28.87.300, nonresidential development requires a Development Plan and approval by the Planning Commission. Pursuant to the provisions of SBMC §28.87.300, the Foothill Centre development parcel would be allowed nonresidential square footage as follows:

	4151 Foothill Rd.	681 Cieneguitas Rd.
Existing Floor Area	1,750 s.f.	N/A
Minor and Small Addition	3,000 s.f.	3,000 s.f.
Vacant Land Credit	N/A	38,846 s.f.
Total Available S.F.	46,596 s.f.	
Total Requested S.F.	60,122 s.f.	
Difference – Proposed to be allocated from the Economic Development Project category	13,526 s.f.	

In order to approve the proposed nonresidential development, the Planning Commission must determine that the project: is consistent with the City’s Municipal Code requirements; is consistent with the principles of sound community planning; is compatible with the neighborhood; and that the project will not have an adverse impact on South Coast affordable housing stock, water resources, or traffic. Staff finds that the project satisfies each of these requirements, and the findings for approval are included in Section IX of this staff report.

2. ECONOMIC DEVELOPMENT DESIGNATION

An Economic Development Project is one that “will enhance the standard of living (defined therein as wages, employment, environment, resources, public safety, housing, schools, parks and recreation, social and human services, and cultural arts) for City and South Coast residents and will strengthen the local or regional economy.” SBMC §28.87.300.B.3

Currently, there is 538,034 s.f. available in the Economic Development category (see Exhibit G for a table of projects with Preliminary or Final Economic Development Designations).

The City Council granted the Foothill Centre development site a Preliminary Economic Development designation of 22,499 s.f. of non-residential area in 2003 for the previously proposed administrative office building for Fielding Graduate Institute. City Council must make a final determination that the use of the building by Sansum is an Economic Development Project (for 13,526 s.f. rather than the 22,499 s.f. granted preliminarily).

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Staff believes that the project qualifies for the Economic Development designation because the use as a medical office, and more specifically as an outpatient surgery center, would support diversity and balance in the local economy by providing services that are currently in limited supply in the region. The project would also have no significant impacts on traffic, water or housing. The City Council will make the final determination, and feedback from the Planning Commission would be appreciated.

3. PARKING

The project, as designed, requires 168 parking spaces per the City’s Parking Ordinance. The applicant has proposed a total of 225 spaces, as well as one loading space and space to accommodate three cars in the passenger drop-off area. Typically, staff does not support the provision of parking in such excess of Ordinance requirements. However, the proposed development is intended for use as a medical office, which has a higher parking demand than a typical office development. A Traffic, Circulation and Parking Study (included in Final MND – Exhibit I) and a Parking Analysis Addendum (Exhibit H) were prepared for the project by Associated Transportation Engineers. Based on analysis outlined in those studies, the project is anticipated to demand 239 parking spaces. A Transportation Demand Management (TDM) Plan is proposed as part of the development to reduce the project’s overall parking demand. The Parking Analysis Addendum concludes that the TDM Plan should reduce peak parking demand by approximately 15%, which results in a peak demand of 218 parking spaces (based on 138 employees). The 225 spaces proposed would accommodate this parking demand. The project exceeds the Zoning Ordinance requirements as they relate to parking, and the TDM measures proposed in order to reduce the anticipated parking demand are being provided at the applicant’s discretion in order to minimize on-street parking and associated impacts to the surrounding neighborhood. As such, staff supports the proposed parking and TDM Plan.

B. GENERAL PLAN CONSISTENCY

Refer to Final MND (Exhibit I) for a complete list of applicable General Plan policies and additional discussion.

1. LAND USE

The current County General Plan Land Use Plan designation is Neighborhood Commercial. Neighborhood Commercial serves such day-to-day needs of residents in the immediate area as food, drugs, gasoline, and other incidentals. As part of the project, the site would be annexed to the City with a General Plan designation of Commercial/Medium High Density Residential, which is intended for commercial centers typically located in residential areas. A broad variety of retail commercial outlets, restaurants, offices, medical offices, and grocery stores are allowed uses under this designation. Staff finds that the proposed land use designation is appropriate for the site. The proposed development of the medical office buildings would be consistent with the proposed City land use and zoning designations.

If approved, the project site would become part of the Hope Neighborhood, which is described in the Land Use Element of the City’s General Plan as being bounded by the

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City limit line to the north and west, Arroyo Burro Creek to the east, and Via Lucero to the south. The annexation would move the City's jurisdictional limits to the west at the northern edge of this neighborhood.

The Hope Neighborhood includes single family, duplex and multi-family development, as well as senior and affordable housing complexes. Although this neighborhood is primarily developed with single-family residences, the area also includes several schools and is located in close proximity to medical and office uses in the North State neighborhood.

The project would add land that is in the City's Sphere of Influence into City limits. One City goal noted in the General Plan is to simplify the present City boundaries and provision of services by encouraging annexation of unincorporated islands and peninsulas of land contiguous to the City. The project site is located in an area (south of Foothill Road in the Hope neighborhood) that is identified to be annexed at the earliest opportunity. The proposed project could be found potentially consistent with the Land Use Element of the General Plan.

2. ENVIRONMENTAL RESOURCES ELEMENT

With respect to the subject development, the most applicable policies relate to visual resources and trees. Development of the project site will affect views of the mountains; however, those views are neither pristine nor seen from major public vantage points. The project is proposing the removal of trees, including three oaks. However, four oaks are to be protected, and 25 oaks and 135 other trees are proposed to be planted. As such, the project can be found consistent with the Environmental Resources Element of the General Plan.

3. CIRCULATION ELEMENT

The Circulation Element contains goals and implementing measures to reduce adverse impacts to the City's street system and parking. The project includes pedestrian and bus stop improvements to increase the availability and attractiveness of alternative transportation, as well as a TDM Plan to reduce traffic and parking demands at the site. These project components are consistent with the Circulation Element of the General Plan.

VII. ENVIRONMENTAL REVIEW

Environmental review of the proposed project has been conducted pursuant to the California Environmental Quality Act (CEQA) and related Guidelines. An Initial Study and a Mitigated Negative Declaration (MND) were prepared to evaluate the project's potential impacts on the physical environment. The analysis identified potentially significant but mitigable environmental effects in the following issue areas: biological resources, cultural resources, and noise. In addition, recommended mitigation measures were identified to further reduce less than significant impacts associated with air quality and cultural resources.

The Draft MND was available for public review from April 4 to May 4, 2012. Four comment letters were received. The primary environmental concerns raised by those who commented were related to

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traffic, air quality and noise. These issues are addressed in the Response to Comments document², and minor revisions to the Initial Study text have been made. Additionally, since release of the Draft MND, the applicant has refined the architectural drawings. In doing so, it was determined that the building height needed to increase by 24 inches to accommodate ducting and mechanical equipment necessary for the use. The Initial Study has been updated to reflect this new information; however, no new significant impacts would result, and it would not change the severity of any previously identified impacts. This change is not considered significant new information that would trigger recirculation of the MND.

The proposed Final MND has identified no significant and unavoidable (Class I) impacts related to the proposed project. Pursuant to CEQA and prior to approving the project, the Planning Commission must consider the Final MND. For each mitigation measure adopted as part of a Mitigated Negative Declaration, the decision maker is required to make the mitigation measure a condition of project approval, and adopt a program for monitoring and reporting on the mitigation measures to ensure their compliance during project implementation. The mitigation measures described in the proposed Final MND have been incorporated into the recommended conditions of approval for this project and have been agreed to by the applicant. In addition, a mitigation monitoring and reporting program (MMRP) is included in the project's Final MND.

As stated previously, the Final MND analysis concludes that no significant environmental impacts would result from the project as mitigated. The only potentially significant (Class II) impact area identified is Hazards, and is a result of existing contamination and on-going remediation work. Project impacts related to exposure of people (construction workers) to health hazards would be potentially significant due to the existence of contaminated soils on site. Mitigation measures are proposed to reduce this impact to a less than significant level: H-1 Monitoring Wells, which requires an approved well abandonment workplan and protection of wells that are to remain; H-2 Soils Management Plan, which describes procedures for handling and disposal of contaminated soils; and H-3 Interceptor Trenches, which requires that existing interceptor trenches be properly abandoned prior to starting construction. According to the County Fire Department, with this mitigation, the proposed uses would not present health hazards.

The MND identified less than significant impacts in the areas of Aesthetics, Air Quality/Greenhouse Gas, Biological Resources, Cultural Resources, Geophysical Resources, Noise, Population and Housing, Public Services, Recreation, Transportation/Circulation, Water Environment, and Land Use. Mitigation measures are recommended to further reduce the following adverse, but less than significant, impacts:

- temporary impacts associated with construction noise (N-1 Neighborhood Notification Prior to Construction, N-2 Construction Hours, and N-3 Construction Equipment Sound Control);
- biological impacts associated with tree removal (BIO-1 Bird Nesting); and
- geologic impacts associated with foundation design (G-1 Geotechnical Studies).

VIII. DESIGN REVIEW

This project has been reviewed conceptually by the City's Architectural Board of Review (ABR) on three separate occasions (meeting minutes are included in the Final MND (Exhibit I). Overall, the

² Exhibit 12 of the Initial Study; included as part of the proposed Final MND (Exhibit I).

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Board appreciated the site planning and generous setbacks, and liked the proposed architectural style. The ABR found the project to have a minimal visual impact from Highway 154. The Board found the proposed project to be in compliance with the City Charter and applicable Municipal Code requirements, consistent with applicable Design Guidelines and compatible with the architectural character of the City and the surrounding neighborhood. Since the Board's last review on December 13, 2010, the buildings have increased in size by approximately 1,485 net s.f., and the building height has increased by 24 inches. However, the current proposal is 7,428 net s.f. smaller than the project the ABR gave favorable comments to in January 2010. The project would be required to return to the ABR for Project Design Approval if approved by the Planning Commission.

IX. FINDINGS

Staff recommends that the Planning Commission adopt the Final MND and approve the Development Plan, making the following findings:

A. FINAL NEGATIVE DECLARATION ADOPTION

1. The Planning Commission has considered the proposed Final Mitigated Negative Declaration, dated June 11, 2012 for the 4151 Foothill Road Project (MST2008-00496) and comments received during the public review process.
2. In the Planning Commission's independent judgment and analysis based on the whole record (including the initial study and comments received), there is no substantial evidence that the Project will have a significant effect on the environment.
3. The location and custodian of documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, CA 93101.
4. Mitigation measures identified in the Mitigated Negative Declaration that would avoid or reduce all potentially significant impacts to less than significant levels have been included in the project or made a condition of approval. Additional mitigation measures to minimize adverse but less than significant environmental effects have also been included as conditions of approval. A Mitigation Monitoring and Reporting Program, prepared in compliance with the requirements of Public Resources Code § 21081.6, is included in the Final Mitigated Negative Declaration for the Project and is hereby adopted.

B. DEVELOPMENT PLAN (SBMC §28.87.300.D)

1. The proposed development complies with all provisions of Title 28.
As identified in Section VI.A of the staff report, the project complies with all provisions of the City's Zoning Ordinance (Title 28).
2. The proposed development is consistent with the principles of sound community planning.
The project is an infill project proposed in an area where commercial and residential development are permitted uses. The project site has been previously

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developed, and has been undergoing remediation for many years. Redevelopment of the site would eliminate an unkempt, essentially vacant lot with a new commercial/office development that has been found to be compatible with surrounding development and with the City's aesthetic criteria. As identified in the Mitigated Negative Declaration, the project will have no significant unmitigated environmental impacts. The project is adequately served by public streets, public transportation and utilities.

3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood.

As described in Section VIII of the staff report, the design has been reviewed by the City's Architectural Board of Review, which found the architecture and site design appropriate, and found the project consistent with applicable Design Guidelines and compatible with the architectural character of the City and the surrounding neighborhood. Additionally, the Mitigated Negative Declaration prepared for the project analyzed the project's aesthetic and view impacts and found that the project would not have a significant environmental impact on aesthetics. The immediate neighborhood contains a mixture of one and two-story residential developments.

Final review of the project, including architectural details, outdoor lighting, mechanical equipment and landscaping will be provided by the Architectural Board of Review.

4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock.

The project includes development of a medical office complex for use by Sansum Clinic. The proposed new offices would result in the consolidation of several offices currently used by Sansum. It is estimated that the Foothill Centre development project will result in 25-30 new employees on the south coast, which represents a very small increase in area employees. The project does not include the demolition of any housing, nor does it include construction of new housing. The applicant prepared a Housing Mitigation Calculation based on the Regional Growth Impact Study (1980), which estimated that the Foothill Centre development would generate a demand for 10 low to moderate income housing units. The project developer has recently constructed 200 residential units in Goleta (Sumida Gardens), of which 34 were designated for low-income homebuyers. The project will not have an adverse impact on affordable housing stock.

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

As described in Section VII of the staff report and in more detail in the project's Mitigated Negative Declaration, adequate City services, including water, are currently available to the project site. Water resource impacts are not anticipated as a result of the construction of the Foothill Centre development.

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

As identified in Section VII of the staff report and in more detail in the project's Mitigated Negative Declaration, the project will not generate substantial traffic and will not significantly impact any area intersections.

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

The project site is adequately served by existing public streets and utilities. Traffic improvements proposed as part of the project (extension of left turn lane on Cieneguitas Road) and required sidewalk improvements must be completed prior to project occupancy, as outlined in the project's conditions of approval.

Staff recommends that the Planning Commission recommend approval of the annexation, General Plan Amendment, Pre-zoning and Economic Development status to the City Council for the following reasons:

C. ANNEXATION

The proposed annexation is appropriate since the project site is within the City's Sphere of Influence, and is identified in the Land Use Element as an area that should be annexed to the City. The project site is surrounded on two sides by property currently within the City's jurisdiction. A City maintained road (Cieneguitas Road) serves the site and some City services are currently provided to the site.

D. GENERAL PLAN AMENDMENT

The proposed General Plan designation of Commercial / Medium High Density Residential is consistent with the existing County General Plan designation and with the proposed zoning designation. This land use designation would be consistent and compatible with surrounding development and land uses in this neighborhood.

E. ZONING MAP AMENDMENT

The proposed rezone from Santa Barbara County Shopping Center zoning to the City zoning designation of Limited Commercial and Special District 2 "Upper State Street Area" (C-1/SD-2) Zone is compatible with the surrounding neighborhood zoning. This zoning designation would also be consistent with the proposed General Plan designation of Commercial/Medium High Density Residential. The uses allowed under this designation would also be compatible with surrounding development and would provide a buffer between Highway 154 and existing residential development.

F. ECONOMIC DEVELOPMENT FINDINGS

As discussed in Section VI.A.2 of the staff report, the proposed development qualifies as an Economic Development Project because it will enhance the standard of living (defined as wages, employment, environment, resources, public safety, housing, schools, parks and recreation, social and human services, and cultural arts) for City and South Coast residents and strengthen the local or regional economy by creating new permanent employment

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opportunities. It will also support diversity and balance in the local and regional economy by providing services (outpatient surgery center and medical clinic) that are currently in limited supply both locally and regionally.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated June 6, 2012
- D. Comparison of Potential Zone Designations for Foothill Triangle
- E. Planning Commission Minutes
 - a. April 10, 2003,
 - b. May 22, 2003,
 - c. December 11, 2008
- F. SBMC §22.70.080 Nonconforming Signs
- G. Economic Development Designations
- H. Parking Analysis Addendum dated February 2, 2012
- I. Final Mitigated Negative Declaration available on the City website:
http://www.santabarbaraca.gov/Resident/Environmental_Documents/4151_Foothill_Road/

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

PROJECT/ADDRESS	PRELIM. DESIG. (SQ. FT.)	FINAL DESIG. (SQ. FT.)	STATUS/ COMMENT
Gateway Project (Miravant) 6100 Hollister Avenue MST97-00715		80,320	Approved 5/28/2000 Expired/Pending
Architectural Millworks 815 Quinientos Street MST97-00320		15,000	C of O 1/20/2004
Penfield and Smith 111 E Victoria St MST2002-00243		7,905	BP 2/11/2005
Software.com 630-634 Anacapa Street MST97-00520	26,492		Withdrawn
Alliance Manufacturing Software 1035 Chapala Street MST98-00051	30,257		Withdrawn
Fielding Institute Sansum Clinic 4151 Foothill Road MST2001-00840 MST2008-00496	22,499 22,499		Prelim with MST2001-00840 - Still Active
Santa Barbara Auto Gallery 352 Hitchcock Way MST2009-00015	7,925		Withdrawn
Airport Mobile Structure 500 Fowler Rd MST2002-00265		720	Approved 6/20/02
Cottage Hospital 320 W Pueblo St MST2003-00152		182,541 ± 10,600 193,141	Under Construction Add'l s.f. approved 10/19/10
Granada Theatre 1216 State St MST2004-00005		13,360	C of O
101 E Victoria MST2006-00758		2,703	Approved 12/23/2008
34 W. Victoria MST2009-00266		3,413	Approved 4/26/11
SUBTOTALS	22,499*	316,562	SUBTOTALS
ALLOCATED TO DATE: 339,061 SQFT*			
REMAINING UNALLOCATED: 539,737 SQFT			

11/22/2010

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