



RECEIVED

2024 JAN -9 P 2: 26

Posting Start Date (Above)

Posting End Date (Above)

BOARD OF SUPERVISORS

County Clerk of the Board Signature _____

NOTICE OF EXEMPTION

TO: COUNTY CLERK OF THE BOARD
COUNTY OF SANTA BARBARA
105 E. ANAPAMU STREET
SANTA BARBARA, CA 93101

FROM: CITY OF SANTA BARBARA
PLANNING DIVISION
P.O. BOX 1990
SANTA BARBARA, CA 93102-1990

Project Title: Parklet Program Project
Applicant: City of Santa Barbara
PLN Number: N/A
Assessor's Parcel Number: N/A
Land Use Zone: Right-of-way (ROW)
Projection Location (Specific): Street ROW throughout the City

Project Location: Street ROW throughout the City

Project Description:

The Parklet Program will establish a process for businesses seeking to expand operations into the ROW. The proposed Project will provide a process for businesses to obtain a license authorizing placement of a parklet in the public parking spaces in front of their businesses. A parklet is a structure used exclusively for outdoor dining located within one or more parking spaces on a City ROW.

Name of Public Agency Approving Project: City of Santa Barbara
Name of Person or Agency Carrying Out Project: City of Santa Barbara
Lead Agency Contact: Kaitlin Mamulski Telephone: (805) 897-2685

Exempt Status: Exempt under CEQA Sections 15301 and 15303

Reason Why Project is Exempt:

CEQA Guidelines Section 15301 Existing Facilities, Class 1. This Project meets Section 15301 Existing Facilities Class 1 repair and maintenance categorical exemption, because the minor alteration of existing facilities involves no expansion of existing or former use.

CEQA Guidelines Section 15303 New Construction or Conversion of Small Structures, Class 3. This Project meets Section 15303 New Construction or Conversion of Small Structures Class 3 categorical exemption, as the

construction of new small structures results in a negligible expansion of existing commercial restaurant uses and a negligible expansion of the public's use of City ROW.

Archaeology. No ground disturbance is proposed as part of the Parklet projects all proposed within the Public ROW, therefore impacts to archaeological resources would be less than significant.

Creeks. There are very few locations where a creek (likely Mission Creek) would be within close proximity to a parklet in a commercially zoned area. Further, the ordinance prohibits parklets that would interfere with normal operation of storm drains or storm drain facilities as determined by the City Engineer. All parklets are located in the public ROW where they would be at least 100' from the top of bank. Therefore, the effect on creeks is considered less than significant.

Coastal Zone. If the proposed parklet is in the Coastal Zone and the applicant wants to proceed with permitting after going through the pre-application process, they will be required to submit a formal Planning Application for a Coastal Development Permit.

Hazardous Materials. It can be assumed that there are several GeoTracker.gov cases in the public ROW within Commercially Zoned areas, which could potentially accommodate parklets. Because the construction of any parklet will not involve any ground disturbing activities, it can reasonably be assumed that there will be no effect on hazardous materials, therefore impacts would be less than significant.

Floodway. Some parklets may be located within a floodway, however, parklets must provide a clear, unobstructed storm drain channel along the curb. Parklets are prohibited from being placed over storm drains. Therefore, the impact within the floodway is less than significant.

Historic Structures. Parklets will require design review per Municipal Code Section 22.68.090. The Historic Landmarks Commission (HLC) will review applications for proposed parklets located in the ROW within the El Pueblo Viejo Landmark District for compatibility with HLC findings. The Architectural Board of Review (ABR) will review applications for parklets in the ROW outside of the El Pueblo Viejo Landmark District for compatibility with ABR findings. Based on the site and extent of improvements, some applications may qualify for administrative approval or only be required to be reviewed on the respective design board's consent agenda. No changes to adjacent sites or historic structures would occur as a result of the proposed Program, therefore impacts would be less than significant.

Noise. The primary source of ambient noise in the City is vehicle traffic noise. 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 dBA which average out over the 24-hour period.

For exterior noise levels there are two levels of noise: "Clearly unacceptable" and "Normally unacceptable". "Clearly unacceptable" exterior levels are those levels above which it would be prohibitive, even with mitigation, to achieve the maximum interior noise levels, and the outdoor environment would be intolerable for the assigned use. Projects exceeding the maximum "clearly unacceptable" noise levels would have significant noise impacts. "Normally unacceptable" noise levels are those levels which it is clear that with standard

construction techniques maximum interior noise levels will be met and there will be little interference with the land use. Projects below the maximum “normally unacceptable” noise levels would have less than significant noise impacts.

The following is the maximum interior and exterior noise levels for common land uses in the City: Commercial (retail, restaurant, etc.) and Office (personal, business, professional): Normally acceptable maximum exterior ambient noise level of 75 dBA L_{dn}; clearly unacceptable maximum exterior noise level of 80 dBA L_{dn}; maximum interior noise level of 50 dBA L_{dn}.

A majority of parklets will be located in areas with ambient noise levels between 60-65 dBA L_{dn}, such as the State Street Promenade. Given that the parklets will be located in areas compliant with the normally acceptable maximum exterior ambient noise levels of 75dBA L_{dn}, it is anticipated that the parklets will have a less than significant noise impacts.

Transportation. Traffic and safety protection will be required for all parklets. Possible options for traffic and safety protection include CalTrans-recognized safety barriers. Other options may be considered. Any proposed traffic and safety protection measures will be evaluated on an individual basis and must be approved by the City Engineer and Traffic Engineer. Design review for a parklet will not include review of the traffic and safety barriers.

Visual. Parklets will require design review under Municipal Code Section 22.68.090. Therefore, all parklets will go through the HLC or ABR design review process and the visual impacts associated with the parklets will be considered less than significant.

In conclusion, the proposed Project supplements the opportunity for increased business and pedestrian traffic on sidewalks by providing safe and visually appealing opportunities for placement of facilities for outdoor dining within parking spaces on City streets. Proposed Project is not anticipated to result in any significant impacts towards the environmental resources, therefore, the Public Works Department recommends that the Case Planner consider this Project as exempt, as defined in the CEQA review process classified under the Class 1, 15301 Existing Facilities and Class 3, 15303 Small Structures Categorical Exemptions of the State CEQA Guidelines.



Environmental Analyst Signature:

Date: 1/4/2024