

PLANNING COMMISSION CONDITIONS OF APPROVAL

307 SHORELINE DRIVE
COASTAL DEVELOPMENT PERMIT
AUGUST 15, 2005

The Marina 4B Extension Project shall be subject to the following conditions of approval:

- A. **Approved Project.** The project approved on August 15, 2005, is a Coastal Development Permit for the removal of four “dolphin” piles, two guide piles and an existing floating walkway; reconfiguration of the existing lease area at the southern end of Marina 4B to install sixteen, 24 inch diameter, steel piles in four rows, to accommodate up to three vessels, moored perpendicular to the dock. Mooring tackle and smaller piles would be welded to the 24 inch diameter piles. Dockside amenities, including dock boxes, electricity, phone, cable, and water, primarily routed within existing conduits, would be provided.
- B. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be directed toward the ground.
- C. **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 \$850 for projects with Environmental Impact Reports and \$1,250 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination (which the City is required to file within five days of project approval) 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 in the form of a check payable to the California Department of Fish and Game.
- D. **Project Environmental Coordinator Required.** A qualified representative for the Owner, approved by the City Planning Division, shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the mitigation monitoring and reporting program to the City. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.
- E. **Mitigation Monitoring and Reporting Requirement.** The Waterfront Department shall submit to the City's Environmental Analyst a monitoring program for the project's mitigation measures, as stated in the Addendum to the Mitigated Negative Declaration for the project. The mitigation monitoring program shall include, but not be limited to:
1. A list of the project's mitigation measures.
 2. An indication of the frequency of the monitoring of these mitigation measures.
 3. A schedule of the monitoring of the mitigation measures.
 4. A list of reporting procedures.
 5. A list of the mitigation monitors to be hired.
- F. **Biology - California least terns.** Construction of marina facilities during the months of July and August shall be limited to those activities which do not require pile driving, towing, or the general use of heavy equipment. (MM - Bio-1)

- G. **Hazardous Materials Disposal.** All construction related debris shall be disposed of properly at a properly licensed facility. Any construction related debris deposited in the harbor shall be removed immediately. (MM - Haz-1)
- H. **Hazardous Materials Education.** The Waterfront Department shall continue its public education and awareness of pollution prevention associated with marina activities. (MM - Haz-4)
- I. **Hazardous Materials Equipment Maintenance.** The construction contract shall contain a provision that all construction equipment shall be maintained and maintenance verified prior to the commencement of construction and checked daily by the contractor for materials toxic to marine life. In addition, the construction contract shall include a provision that spill containment and cleanup materials shall be present at all times at the work site. (MM - Haz-5)
- J. **Construction Hours.** Construction activity shall be prohibited Saturdays, Sundays, and holidays and between the hours of 5 p.m. to 7 a.m. Holidays are defined as those days that are observed by the City of Santa Barbara as official holidays for City employees. (MM - Noise-1)
- K. **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 450 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. The language of the notice shall be reviewed and approved by the City Planning Division prior to being distributed.
- L. **Contractor and Subcontractor Notification.** All contractors and subcontractors shall be notified in writing of site rules, restrictions and Conditions of Approval.
- M. **Conditions on Plans/Signatures.** All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is 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.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission's action approving the Coastal Development Permit shall expire two (2) years from the date of approval, per SBMC 28.45.009.q, unless:

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.
2. Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.