



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 033-07

25 DAVID LOVE PLACE

DEVELOPMENT PLANS AND TRANSFER OF EXISTING DEVELOPMENT RIGHTS

AUGUST 30, 2007

APPLICATION OF LEIF REYNOLDS, AGENT FOR THE CITY OF SANTA BARBARA, 20 AND 25 DAVID LOVE PLACE, 073-080-056 AND 073-080-050, A-I-1, AIRPORT INDUSTRIAL-1 ZONE, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2006-00656)

The proposed project involves the construction of a rental car quick-turn facility including a two-bay car wash, four fuel pumps, four maintenance bays, and five offices in 10,602 square feet of new building construction; a 12,000 gallon above-ground fuel tank; approximately 113,000 square feet of paved surface for storage of 302 rental cars; and 37 employee parking spaces.

The discretionary applications required for this project are:

1. A Development Plan to allow the construction of 10,202 net square feet of additional nonresidential development at 25 David Love Place (SBMC § 28.87.300);
2. A Development Plan to allow the removal of 7,202 square feet of existing development rights at 20 David Love Place (SBMC § 28.87.300); and
3. A Transfer of Existing Development Rights to allow the transfer of 7,202 square feet of nonresidential development rights (SBMC § 28.95.060).

The Environmental Analyst has prepared an addendum to the Airport Industrial Specific Plan Environmental Impact Report because new information, and changes in circumstances, project description, impacts and mitigations are not substantial and do not involve new significant impacts or a substantial increase in the severity of previously identified impacts.

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

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

1. Staff Report with Attachments, August 16, 2007
2. Site Plans

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

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

- A. **Findings for the Airport Industrial Specific Plan FEIR Addendum (CEQA Guidelines 15164)**
1. In the Planning Commission's independent judgment there is no substantial evidence that this project will have a significant effect on the environment; and,
 2. Minor technical changes and additions are necessary to complete environmental review. However, a Supplemental Environmental Impact Report is not required because the proposed project remains largely unchanged from the existing project described in the Final Environmental Impact Report for the Santa Barbara Airport Industrial/Commercial Specific Plan (SCH# 93081127).
 3. No substantial changes are proposed in the project and no substantial changes have occurred with respect to the circumstances under which the project is undertaken which would require major revisions of the Final Environmental Impact Report. No new information of substantial importance shows a new or more severe impact. Additionally, no new information of substantial importance shows that a previously considered infeasible mitigation or alternative and no new mitigation or alternative that would substantially reduce the impact of the maintenance project are known to exist (CEQA Guidelines §15162(a)).
 4. Pursuant to Section §15164 of the California Environmental Quality Act Guidelines, the Planning Commission adopts the Final Environmental Impact Report and Addendum dated July 26, 2007.
- B. **Development Plan Approval for 20 David Love Place (SBMC §28.87.300) (Sending Site)**
1. The proposed development complies with all provisions of the Zoning Ordinance. The sending site is zoned A-I-1, Airport Industrial-1. The existing use is specifically allowed in the Zoning Ordinance. A recycling business is explicitly allowed in this zone (SBMC §29.21.030).
 2. The proposed development is consistent with the principles of sound community planning because the project would not diminish the existing recycling center's operations and 8,246 square feet of development rights would remain at the sending site following the transfer. Additionally, the Airport Department retains a bank of approximately 180,000 square feet of development rights that can provide additional square footage to the parcel under a future application.
 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. Since no new

construction is proposed at the sending site, no impact to aesthetics would result from the transfer from the sending site.

4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock. Since no new construction is proposed at the sending site, no impact to regional housing stock would result from the transfer from the sending site.
5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources. The existing site does not use any water. Since no new construction is proposed at the sending site, no impact to water resources would result from the transfer from the sending site.
6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic. Since no new construction is proposed at the sending site, no impact to traffic would result from the transfer from the sending site.
7. Resources will be available and traffic improvements will be in place at the time of project occupancy because all necessary road and traffic improvements were made prior to occupancy under a previous permit.

C. Development Plan Approval For 25 David Love Place (SBMC §28.87.300) (Receiving Site)

1. The proposed development complies with all provisions of the Zoning Ordinance. The project site is zoned A-I-1, Airport Industrial-1. The proposed uses are specifically allowed in the Zoning Ordinance. Auto repair and body shop, open storage and rental of vehicles, and incidental office space associated with these uses are allowed in this zone north of Francis Botello Road (SBMC §29.21.030).
2. The proposed development is consistent with the principles of sound community planning because the project would reduce the number of vehicle trips and associated exhaust emissions by consolidating similar uses at a single site.
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. The project site is located in an existing light industrial/open yard area comprised of one and two-story research and development buildings and open storage and collection sites. The proposed project provides landscaping to screen views from the street and from the adjacent parcels.
4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock. Because project implementation would relocate existing operations away from the Airline Terminal or from the City of Goleta, no new employment opportunities are anticipated to result from the proposed project. Additionally, auto-repair,

driving, fueling and other activities anticipated to occur at the project site are skills commonly found within the South Coast region, and any marginal change in employment would be met by the existing local population.

5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources. The existing site does not use any water. The proposed project is estimated to 5.77 acre-feet per year (AFY) of water (based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2 and Airport Staff's analysis of car wash water usage [Exhibit H]). This would increase most recently assessed water usage baseline of 120.95 AFY to 127.72 AFY, which is within the 240 AFY allocated to the Airport area. The increase in water demand would not significantly impact the water supply available to the Airport.
6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic. Because the proposed project would consolidate operations that currently occur at various sites in the City of Goleta, the project will result in a reduction of trips generated from the project site and represents a beneficial impact to transportation within both cities.
7. Resources will be available and traffic improvements will be in place at the time of project occupancy. All road and traffic improvements associated with the Airport Industrial Specific Plan have been completed by the Airport Department.

D. Transfer of Existing Development Rights (SBMC §28.95.060)

1. The proposed development plans for both the sending and receiving sites are consistent with the goals and objectives of the General Plan of the City of Santa Barbara and the Municipal Code. The Airport Industrial Specific Plan implements the General Plan for both sites. The Specific Plan designates the project site as Open Yard/Light Industrial. The storage of rental cars in a large lot is consistent with this designation. The Specific Plan also provides priority for projects that facilitate tenants relocated from Airport property south of Hollister Avenue. The project would facilitate the relocation of office space and other uses from the existing rental car operation near the Airline Terminal to the project site. Additionally, as discussed in Section VI of this report, the project is consistent with the uses permitted in the A-I-1 Zone.
2. The proposed developments will not be detrimental to the site(s), neighborhood or surrounding areas. The receiving site is located in an existing light industrial/open yard area comprised of one and two-story research and development buildings and open storage and collection sites. The proposed project provides landscaping to screen views from the street and from the adjacent parcels.
3. The floor area of proposed nonresidential development on the receiving site does not exceed the sum of the amount of Existing Development Rights

transferred when added to the amount of Existing Development Rights on the receiving site, and does not exceed the maximum development allowed by the applicable zoning of the receiving site. As shown in Table 1 of the Staff Report, the amount of Existing Development Rights transferred from the sending site is less than the total square footage of the proposed structure. The remaining square footage comes from the building demolished at the project site and the small addition floor area allocated to the parcel. The Existing Development Rights of the sending site that are to be transferred represent a fraction of the total Rights at that site. Additionally, as owner of all the parcels in the Specific Plan Area, the City of Santa Barbara Airport Department has a bank of approximately 150,000 sf of demolished nonresidential square footage that can be transferred under future applications.

4. Each of the proposed nonresidential developments on the respective sending and receiving sites will meet all standards for review as set forth in Section 28.87.300.E of the Municipal Code and all provisions of this Chapter, and will comply with any additional specific conditions for a transfer approval. The project meets all the standards for Development Plan approval as provided in the Municipal Code. No project is proposed at the sending site.
5. Development remaining, or to be built, on a sending site is appropriate in size, scale, use, and configuration for the neighborhood and is beneficial to the community. The development on the sending site is a recycling center which provides a recognizable benefit to the community. The development is consistent with the character of Sub-Area #3 of the Airport Industrial Specific Plan Area. Any future development at that site would require a Development Plan if it were to exceed the Existing Development Rights remaining at that site.

II. Said approval is subject to the following conditions:

- A. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. 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.
- B. **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.
- C. **Maintenance of Drainage System.** Owner shall be responsible for maintaining the drainage system in a functioning state. Should any of the project's surface or subsurface drainage structures fail 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 applicant 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.

- D. **Approved Development.** The development of the Real Property approved by the Planning Commission on August 23, 2007 is limited to approximately 10,602 square feet of building area and the improvements shown on the Development Plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
- E. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
- F. **Street Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
- G. **BMP Training.** Employee training shall be provided on the implementation of Best Management Practices (BMPs) in order to prevent or reduce the discharge of pollutants to storm water from buildings and ground maintenance. The training shall include using good housekeeping practices, preventive maintenance and spill prevention and control at outdoor loading/ unloading areas in order to keep debris from entering the storm water collection system.
- H. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.
- I. **Design Review.** The following is subject to the review and approval of the Architectural Board of Review (ABR):
 - 1. **Existing Tree Preservation.** The existing trees shown on the approved Site Plan to be saved shall be preserved and protected and fenced during construction.
 - 2. **Irrigation System.** The irrigation system shall be designed and maintained with the most current technology to prevent a system failure, and watering of vegetation on the bluff edge shall be kept to the minimum necessary for plant survival. The drip system along the bluff edge shall be removed after one full season of plant growth.
 - 3. **Landscape Screening.** Landscaping with low water use plants and/or a solid screen wall or fence shall be provided to buffer the parking area and rental car storage area from David Love Place.
 - 4. **Pedestrian Pathway.** A separate pedestrian pathway shall be provided to the building from the sidewalk through the use of a different paving material.

5. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
 6. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
 7. **Permeable Paving.** Incorporate a permeable paving system for the parking and storage areas that will allow a portion of the driveway runoff to percolate into the ground.
- J. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review, outlined in Section I above.
 2. **Pre-Construction Conference.** 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 Airport Department, Public Works Department Engineering and Transportation Divisions, Building Division, Planning Division, the Property Owner, Architect, Landscape Architect, Geologist, Project Engineer, Contractor and each Subcontractor.
 3. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and/or rate of water run-off conditions from the site. The Owner shall install bioswales, catch basins, storm drainage interceptors or clarifiers on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed interceptors or clarifiers shall be reviewed and approved by the Public Works Department and the Building and Safety Division. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition J-2 above, which shall include the regular sweeping and/or vacuuming of parking areas where interceptors and clarifiers are located and a catch basin cleaning program.
 4. **Technical Reports.** All recommendations of the soil engineering report, approved by the Building and Safety Division, shall be incorporated into the construction plans.

5. **Conditions on Plans/Signatures.** The final Planning Commission 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 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.

- K. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Drainage Calculations.** The Owner shall submit drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
 2. **Drainage and Water Quality.** Project drainage shall be designated, installed, and maintained such that storm water runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, storm water treatment methods, and project development shall be subject to review and approval by City Building Division and Public Works Department staff. 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, or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.

3. **Public Street Improvement Plans.** The Owner shall submit building plans for construction of improvements along the property frontage on David Love Place. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, access ramp(s), asphalt concrete, concrete pavement on aggregate base, crack seal to the centerline of the street along entire subject property frontage a minimum of 20 feet beyond the limit of all trenching, underground service utilities, connection to City/private water and sewer mains, public drainage improvements with supporting drainage calculations and/or hydrology report for installation of (drainage pipe, curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection (provide off-site storm water BMP plan), etc.), preserve and/or reset survey monuments and contractor stamps, supply and install directional/regulatory traffic control signs, storm drain stenciling, off-site biofilter/swale sized per drainage calculations, and provide adequate positive drainage from site. Any work in the public right of way requires a public works permit.
 4. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
 5. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a building permit.
- L. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:
1. **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 copy of the notice to the Planning Division.
 2. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment that states that, prior to disturbing any part of the project site for any reason and after the Building permit has been issued, the General Contractor shall schedule a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, the assigned Building Inspector, the Planning Division, the Property Owner, the Architect, the Landscape Architect, the Geologist, the Project Engineer, the Contractor and each subcontractor.
 3. **Final Planning Commission Resolution Submittal.** The final Planning Commission Resolution shall be submitted, indicating how each condition is

met with drawing sheet and/or note references to verify condition compliance. If the condition relates to a document submittal, describe the status of the submittal (e.g., Final Map submitted to Public Works Department for review), and attach documents as appropriate.

M. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field for the duration of the project construction.

1. **Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container for collection of demolition/construction materials.
2. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
3. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Public Works Director.
4. **Haul Routes.** The haul route for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Public Works Director.
5. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1 st *
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th *
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25 th *

*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 Chief of Building and Safety 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 night 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.

6. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director.
 - b. Storage or staging of construction materials and equipment within the public right-of-way is prohibited.
7. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
8. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
9. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
10. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.
11. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
12. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed in a timely

manner may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.

13. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
14. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor name, contractor telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
15. **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. (Community Development Department staff shall review the plans and specifications to assure that they are incorporated into the bid documents, such that potential contractors will be aware of the following requirements prior to submitting for a bid for the contract.)
16. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
17. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
18. **Unanticipated Archaeological Resources Contractor Notification.** 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 associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. 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.

- N. **Prior to Certificate of Occupancy.** Prior to the issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) 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 in the improvement/building plans, including utility service undergrounding and installation of street trees shall be completed prior to the issuance of the Certificate of Occupancy.

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 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. A time extension is granted by the Planning Commission for one (1) year prior to the expiration date of the approval, only if it is found that there is due diligence to implement and complete the proposed project. No more than one (1) time extension may be granted.

PLANNING COMMISSION RESOLUTION NO. 033 -07
20 AND 25 DAVID LOVE PLACE
AUGUST 30, 2007
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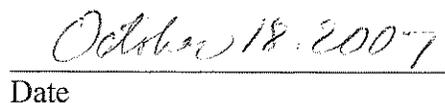
This motion was passed and adopted on the 30th day of August, 2007 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NOES: 0 ABSTAIN: 0 ABSENT: 2 (Jacobs, Bartlett)

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

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