

**DRAFT**

## City of Santa Barbara Planning Division

### PLANNING COMMISSION MINUTES

September 1, 2016

#### **CALL TO ORDER:**

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

#### **I. ROLL CALL**

Chair John P. Campanella, Vice-Chair June Pujo, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, Deborah L. Schwartz, and Addison Thompson.

Absent: Commissioner Mike Jordan

#### **STAFF PRESENT:**

Beatriz Gularte, Senior Planner  
N. Scott Vincent, Assistant City Attorney  
Jessica Grant, Project Planner  
Andrew Bermond, AICP, Project Planner  
Steven Greer, Environmental Planner  
Julie Rodriguez, Planning Commission Secretary  
Jennifer Sanchez, Commission Secretary

#### **II. PRELIMINARY MATTERS:**

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

Ms. Gularte announced that the Staff Hearing Officer's decision on 246 San Clemente has been appealed to the Planning Commission. A hearing date will follow.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Campanella opened the public hearing at 1:02 P.M. and, with no one wishing to speak, closed the hearing.

III. **CONSENT ITEM:**

**ACTUAL TIME: 1:02 P.M.**

**APPLICATION OF EVA TURENCHALK, AGENT FOR KRACH-BASTIAN FAMILY TRUST, 3407 SEA LEDGE LANE, APN 047-082-010, A-1 ONE-FAMILY RESIDENCE AND SD-3 COASTAL ZONES, GENERAL PLAN LOCAL COASTAL PLAN DESIGNATION: RESIDENTIAL (1 DU/AC) (MST2016-00080/CDP2016-00003)**

The proposed project involves the permitting of five (5) “as-built” king palm trees on a 1.05-acre bluff-top parcel. No additional development of the existing single-family residence is proposed. The project addresses violations identified in enforcement case ENF2015-00998.

The discretionary application required for this project is a Coastal Development Permit (CDP2016-00003) to allow the proposed development in the Appealable Jurisdiction of the City’s Coastal Zone (SBMC § 28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15304 (Minor Alterations to Land).

Contact: Jessica Grant, Project Planner

Email: JGrant@SantaBarbaraCA.gov

Phone: (805) 564-5470, extension 4550

**MOTION: Lodge/Schwartz**

Waive the Staff Report.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jordan)

Jessica Grant, Project Planner, responded to the Commission’s questions.

Chair Campanella opened the public hearing at 1:24 P.M., and with no one wishing to speak the public hearing was closed.

**MOTION: Lodge/Higgins**

**Assigned Resolution No. 022-16**

Approved the project, making the findings for the Coastal Development Permit as outlined in the Staff Report, dated August 25, 2016, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following revisions to the Conditions of Approval:

1. Delete Condition B.1.
2. Change Condition B.2. to replace “should” with “shall”.
3. Change Condition B.3 to replace “should” with “shall”.

The motion was amended to include:

4. Add Condition **C. Irrigation System Maintenance**. The irrigation system shall be maintained to prevent a system failure. Watering of vegetation on the bluff shall be kept to the minimum necessary for palm tree survival.

This motion carried by the following vote:

Ayes: 5 Noes: 1 (Pujo) Abstain: 0 Absent: 1 (Jordan)

Chair Campanella announced the ten calendar day appeal period.

**IV. NEW ITEM:**

**ACTUAL TIME: 1:30 P.M.**

**APPLICATION OF PATSY STADLEMAN PRICE, AGENT FOR MARK NATION, GOLETA WEST SANITARY DISTRICT, 100 CLYDE ADAMS ROAD, APN 073-450-003, AVIATION FACILITIES (A-F) AND COASTAL ZONE OVERLAY (S-D-3) ZONES, LOCAL COASTAL PLAN LAND USE DESIGNATION: RECREATIONAL OPEN SPACE (MST2013-00379, CDP2013-00007)**

The project consists of reconstruction of a decommissioned pump structure and expansion of a vehicle garage at the Goleta West Sanitary District (GWSD) facility in the Appealable Jurisdiction of the California Coastal Zone on Santa Barbara Airport property. The pump structure would include a 396 square foot (sf) surface addition and a 2,784 sf subsurface demolition (fill). The equipment garage would be expanded by 900 sf. The GWSD facility is located north of the University of California Police Department and Santa Barbara County Fire Station #11 and is accessed via UC Santa Barbara parking lot 32.

The discretionary application required for this project is a Coastal Development Permit (CDP2013-00007) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(e) of the California Environmental Quality Act (CEQA) Guidelines, which allows for small additions to existing structures.

Contact: Andrew Bermond, AICP, Project Planner

Email: [ABermond@SantaBarbaraCA.gov](mailto:ABermond@SantaBarbaraCA.gov) Phone: (805) 564-5470, extension 4549

Andrew Bermond, AICP, Project Planner, gave the Staff presentation.

Steve Amerikaner, Counsel for the Goleta West Sanitary District introduced the Applicant team: Mark Nation, General Manager; Eduardo Galindo, Architect; and Patsy Stadleman Price, Land Use Planner. Ms. Price continued the Applicant presentation.

Chair Campanella opened the public hearing at 1:54 P.M.

**MOTION: Thompson/Lodge**

**Assigned Resolution No. 023-16**

Approved the project, making the findings for Coastal Development Permit as outlined in the Staff Report, dated August 25, 2016, subject to the revised Conditions of Approval distributed to the Commission on August 30, 2016.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jordan)

Chair Campanella announced the ten calendar day appeal period.

V. **ENVIRONMENTAL HEARING:**

**ACTUAL TIME: 1:58 P.M.**

**SANTA BARBARA AIRPORT MASTER PLAN (MASTER PLAN)  
RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT  
(MST2013-00453)**

The project site is located at the Santa Barbara Airport (601 Norman Firestone Road). The Santa Barbara Airport Master Plan (Master Plan) provides guidance for the Airport's overall development for the next 15-20 years, (i.e., 2014 to 2032). The Master Plan relies on Federal Aviation Administration (FAA)-approved forecasts of aviation activity at the Santa Barbara Airport (Airport) and provides development scenarios for the short term (2017), intermediate term (2022) and long term (2032). These development scenarios are not only reflective of the level of activity forecast to occur at the Airport, but are dependent on federal funding cycles and the availability of grant money for aviation projects.

The proposed Master Plan consists of:

- **Airfield Recommendations:** Extension of Taxiway H to the west, parallel to the main instrument runway, restriping of existing paved areas, paving light lanes along taxiway edges, and relocating entrances and exits from the taxiway system to comply with Federal Aviation Administration (FAA) recommendations.
- **North Landside Recommendations:** Consolidation of general aviation operations to facilitate two Fixed Base Operator (FBO) lease areas on the northeast portion of the airfield to provide tenant and visiting private aircraft services and facilities, and support facility changes including the relocation of the Airport Maintenance Yard.
- **Terminal Area Recommendations:** Construction of a new Long Term Parking Lot south of the Airline Terminal to accommodate 1,315 new or relocated parking spaces, expansion of the Airline Terminal, and relocation of the south-side FBO.

The Airport is located on approximately 948 acres adjacent to the City of Goleta and the University of California, Santa Barbara (UCSB) in the South Coast region of Santa Barbara County. Though incorporated in the City of Santa Barbara, the Airport is located eight miles to the west of the rest of the City of Santa Barbara. Due to the proximity of the Goleta Slough to certain proposed Master Plan project, approval of a Local Coastal Program (LCP) amendment will be necessary for some of the proposed actions. An LCP amendment will, therefore, be considered along with the proposed actions, as appropriate.

The public review of changes from the prior Draft EIR began Friday, July 15, 2016. Comments on the Recirculated Draft EIR must be received by Tuesday, **September 13, 2016**. The Draft EIR is recirculated because new Transportation/Traffic impacts (Impacts T-2 and T-3) were identified in response to previous public comment received (CEQA Guidelines §15088.5 (a)(1)). No action on the project will be taken at this hearing.

Following the end of the Recirculated Draft EIR public review period, a Final EIR including responses to comments to both the initial Draft EIR and the Recirculated Draft will be prepared, and subsequent noticed public hearing will be held at Planning Commission to consider actions to approve the project.

Contact: Andrew Bermond, AICP, Project Planner

Email: [ABermond@SantaBarbaraCA.gov](mailto:ABermond@SantaBarbaraCA.gov) Phone: (805) 564-5470, extension 4549

Andrew Bermond, AICP, Project Planner, gave the Staff presentation.

Carl Hopkins, Airport Commission Chair, gave a PowerPoint presentation representing the Airport Commission's position that it is unnecessary to retain World War II Hangars 1, 2 and 3 as Structures of Merit. They prefer to only retain Hangar 3 as a potential Structure of Merit. The removal of Hangars 1 and 2 is necessary to provide adequate ramp space as proposed in the Airport Master Plan and adequate FAA approved access to the planned additional T-hangars.

Chair Campanella opened the public hearing at 2:24 P.M.

The following people commented on the project:

1. Gordon Feingold, Santa Barbara Airport pilot, supports the Airport Master Plan. He appreciates the historical significance but only supports retaining Hangar 3. Removal of the hangars is necessary for the extension of Taxiway H, which is a safety issue. Taxiway H has the ability to prevent accidents.
2. Jenna Driscoll, Santa Barbara Channelkeeper, will be submitting written comments. Channelkeeper does not believe the mitigation measures proposed in the draft recirculated EIR are sufficient to reduce environmental impacts. Many of their concerns with the Master Plan would be addressed if the final EIR included a mitigation measure that would require a separate EIR for the Taxiway H extension project.
3. Scott Cooper, Co-Chair of Audubon Society, will be submitting written comments. Ninety percent of coastal wetlands in California have been lost. As a consequence,

there are many rules and regulations to protect resident species. Many apply to the Goleta Slough because it is the largest remaining sensitive wetland system in the state. The dilemma for city planners is balancing development and safety with environmental concerns. The proposed Airport Master Plan and EIR did not adequately balance these issues and have flawed or inadequate data and analysis, ongoing and proposed environmentally damaging activities, and a general disregard for the Goleta Slough Ecological Reserve. The impacts on foraging rafters should be Class I.

With no one else wishing to speak, the public hearing was closed at 2:33 P.M.

Chair Campanella called for a recess at 2:33 P.M and reconvened at 2:48 P.M.

The Commissioners made the following comments: Commissioner Higgins would like to see mitigation monitoring and reporting to the Planning Commission be included.

- Commissioner Pujo commented that the Wetland Mitigation and Monitoring Plan for mitigation measures to impacts BIO-1 and BIO-4 need better clarification of what the restoration and monitoring plan needs to look like and the criteria for success. More information is needed on those parameters that should be included and followed through.
- Commissioner Schwartz stated that with additional community input, we will raise the bar on environmental analysis, especially with any impacts on the Taxiway H safety project.
- Commissioner Campanella mentioned that the Airport has a designated wildlife coordinator and the report included was complimentary but said that additional improvements were necessary as we adapt to changing conditions on hazards, such as birds. More input from the environmental community and the designated wildlife coordinator, relative to the ecology, might set the stage for being more in concert when this returns to the Commission when looking at how to monitor, not just methods of mitigation, but long term monitoring. Things change and the environmental plan should consider ongoing changes.

Chair Campanella and the Planning Commission expressed appreciation for Staff's work on the Airport Master Plan and look forward to seeing it progress.

## **VI. ADMINISTRATIVE AGENDA**

### **ACTUAL TIME: 3:46 P.M.**

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

- a. Commissioner Campanella reported that there will be a Special Planning Commission Work Session on September 6, 2016.
- b. Commissioner Campanella reported that the next Planning Commission meeting will be Thursday, September 8, 2016.
- c. Commissioner Campanella reported that it was First Thursday and encouraged all to enjoy the downtown events.

**VII. ADJOURNMENT**

Chair Campanella adjourned the meeting at 3:47 P.M.

Submitted by,

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Julie Rodriguez, Planning Commission Secretary





# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 022-16  
3407 SEA LEDGE LANE  
COASTAL DEVELOPMENT PERMIT  
SEPTEMBER 1, 2016

**APPLICATION OF EVA TURENCHALK, AGENT FOR KRACH-BASTIAN FAMILY TRUST, 3407 SEA LEDGE LANE, APN 047-082-010, A-1 ONE-FAMILY RESIDENCE AND SD-3 COASTAL ZONES, GENERAL PLAN LOCAL COASTAL PLAN DESIGNATION: RESIDENTIAL (1 DU/AC) (MST2016-00080/CDP2016-00003)**

The proposed project involves the permitting of five (5) “as-built” king palm trees on a 1.05-acre bluff-top parcel. No additional development of the existing single-family residence is proposed. The project addresses violations identified in enforcement case ENF2015-00998.

The discretionary application required for this project is a Coastal Development Permit (CDP2016-00003) to allow the proposed development in the Appealable Jurisdiction of the City’s Coastal Zone (SBMC § 28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15304 (Minor Alterations to Land).

**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 or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 25, 2016
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. **COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)**

1. The project is consistent with the policies of the California Coastal Act as described in Section VI of the Staff Report because the King Palm trees will not create a significant impact the bluff face’s stability or the trees will not impact public views from Cliff Drive.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code as described in Section VI of the Staff Report because the King Palm trees will not create a significant impact the bluff face’s stability or will not impact public views from Cliff Drive.

II. Said approval is subject to the following conditions:

- A. **Approved Development.** The development of the Real Property approved by the Planning Commission on September 1, 2016 is limited to only the King Palms as shown on the site plan signed by the chairperson of the Planning Commission on said date and on file at the City of Santa Barbara.
- B. **Tree Conditions.** The property shall comply with the following conditions in the Geologic Option Letter dated December 9, 2015 and prepared by geologist, Steven Kolthoff of SK Geological, Inc.:
1. ~~The palm trees planted on the slope of concern may improve the stability of the slope and should not be removed.~~
  - 2.1. If a palm tree dies, the tree ~~should~~ shall be removed up to the root bulb and the remaining Rhizosphere (root) system be left along. The depression left after the tree removal should be backfilled with a soil with a clay matrix so surface runoff does not infiltrate into the slope along the root system at unwanted rates that could saturate the slope soils at depth.
  2. ~~The palm trees planted on the slope should~~ shall be watered with a drip system at a rate that is confined to the Rhizosphere system and that is not detrimental to slope stability.
  3. ~~Irrigation System Maintenance.~~ Irrigation System Maintenance. The irrigation system shall be maintained to prevent a system failure. Watering of vegetation on the bluff shall be kept to the minimum necessary for palm tree survival.

III. **NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

The Planning Commission action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

This motion was passed and adopted on the 1st day of September, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NOES: 1 (Pujo) ABSTAIN: 0 ABSENT: 1 (Jordan)

PLANNING COMMISSION RESOLUTION No. 022-16  
3407 SEA LEDGE LANE  
SEPTEMBER 1, 2016  
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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.**

DRAFT





# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

**RESOLUTION NO. 023-16**  
**100 CLYDE ADAMS ROAD**  
**COASTAL DEVELOPMENT PERMIT**  
**SEPTEMBER 1, 2016**

**APPLICATION OF PATSY STADLEMAN PRICE, AGENT FOR MARK NATION, GOLETA WEST SANITARY DISTRICT, 100 CLYDE ADAMS ROAD, APN 073-450-003, AVIATION FACILITIES (A-F) AND COASTAL ZONE OVERLAY (S-D-3) ZONES, LOCAL COASTAL PLAN LAND USE DESIGNATION: RECREATIONAL OPEN SPACE (MST2013-00379, CDP2013-00007)**

The project consists of reconstruction of a decommissioned pump structure and expansion of a vehicle garage at the Goleta West Sanitary District (GWSD) facility in the Appealable Jurisdiction of the California Coastal Zone on Santa Barbara Airport property. The pump structure would include a 396 square foot (sf) surface addition and a 2,784 sf subsurface demolition (fill). The equipment garage would be expanded by 900 sf. The GWSD facility is located north of the University of California Police Department and Santa Barbara County Fire Station #11 and is accessed via UC Santa Barbara parking lot 32.

The discretionary application required for this project is a Coastal Development Permit (CDP2013-00007) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(e) of the California Environmental Quality Act (CEQA) Guidelines, which allows for small additions to existing structures.

**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, or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 25, 2016
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. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)**

1. The project is consistent with the policies of the California Coastal Act because it is designed to be consistent with the architecture in its vicinity, would not alter land forms, change public access or recreation, or introduce new populations to flood hazard.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because the project is compatible with the existing neighborhood, will not impact views from public view corridors, will not impact public access, will not contribute to safety or drainage hazards on the site, is not in an archaeological sensitivity zone and would not impact water quality in the Goleta Slough.

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 required design review approvals.
2. Pay Land Development Team Recovery Fee
3. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.

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

B. **Written Agreement.** The District 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 September 1, 2016 is limited to a 396 square foot (sf) surface addition and a 2,784 sf subsurface demolition of the building identified as Pump Station #2 and a 900 sf expansion of the equipment garage as shown on the plans signed by the chairperson of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Goleta West Sanitary District shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Storm Water Pollution Control and Drainage Systems Maintenance.** Goleta West Sanitary District 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 Goleta West Sanitary District 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 Goleta West Sanitary District shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit is required to authorize such work. The Goleta West Sanitary District 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.
4. **Pesticide or Fertilizer Usage Near Creeks.** The use of pesticides or fertilizer shall be prohibited within the project area, which drains directly into the Goleta Slough.
5. **BMP Training.** Training on the implementation of Best Management Practices (BMPs) shall be provided to every employee by the property Goleta West Sanitary District/management 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.

6. **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.
- C. **Design Review.** The 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. **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.
- D. **Requirements Prior to Permit Issuance.** The Goleta West Sanitary District 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. **Community Development Department.**
    - a. **Contractor and Subcontractor Notification.** The Goleta West Sanitary District 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.
    - b. **Letter of Commitment for Neighborhood Notification Prior to Construction.** The Goleta West Sanitary District shall submit to the Planning Division a letter of commitment to provide the written notice specified in condition E.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.
    - c. **Letter of Commitment for Pre-Construction Conference.** The Goleta West Sanitary District shall submit to the Planning Division a letter of commitment to hold the Pre-Construction Conference identified in condition E.2 "Pre-Construction Conference" prior to disturbing any part of the project site for any reason.
    - d. **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.

- e. **Emergency Evacuation Plan.** Provide an emergency evacuation plan subject to approval by the Fire Department. [
- f. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. 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:

GWSD		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Goleta West Sanitary District 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 Goleta West Sanitary Districts, 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 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.
  - 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, and construction conditions, 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 Goleta West Sanitary District, Contractor, and each Subcontractor.
  - 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) name, contractor(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 or six square feet if in a single family zone.

4. **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
5. **Nesting Birds.** Birds and their eggs nesting on or near the project site are protected under the Migratory Bird Treaty Act and pursuing, hunting, taking, capturing, killing, or attempt to do any of the above is a violation of federal and state regulations. No trimming or removing brush or trees shall occur if nesting birds are found in the vegetation. All care should be taken not to disturb the nest(s). Removal or trimming may only occur after the young have fledged from the nests(s).
6. **Air Quality and Dust Control.** 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 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](http://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.
7. **Asbestos & Lead-Containing Materials.** Pursuant to Air Pollution Control District (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.

8. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Goleta West Sanitary District 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.

- F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Goleta West Sanitary District 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. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

G. **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.
- 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. [include if project required MND or EIR]

3. **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 building permit application.

4. **Site Maintenance.** The exterior shall be maintained and secured. Any landscaping shall be watered and maintained until demolition occurs.

5. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Goleta West Sanitary District 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/Goleta West Sanitary District 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/Goleta West Sanitary District 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/Goleta West Sanitary District 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.

**III. NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

The Planning Commission action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

This motion was passed and adopted on the 1st day of September, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jordan)

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.**



**DRAFT**

## City of Santa Barbara Planning Division

### PLANNING COMMISSION SPECIAL WORK SESSION MINUTES

SEPTEMBER 6, 2016

#### **CALL TO ORDER:**

Chair Campanella called the meeting to order at 8:41 A.M.

#### **I. ROLL CALL**

Chair John P. Campanella, Vice-Chair June Pujo, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, Deborah L. Schwartz, and Addison Thompson.

#### **STAFF PRESENT:**

Renee Brooke, AICP, City Planner  
Beatriz Gularte, Senior Planner  
N. Scott Vincent, Assistant City Attorney

#### **II. PRELIMINARY MATTERS:**

A. Comments from members of the public pertaining to items not on this agenda.

Chair Campanella opened the public hearing at 8:2 AM. and, with no one wishing to speak, closed the hearing.

#### **III. RECOMMENDATION TO CITY COUNCIL:**

#### **ACTUAL TIME: 8:43 P.M.**

#### **AVERAGE UNIT DENSITY (AUD) INCENTIVE PROGRAM**

The Planning Commission will discuss the Average Unit-Size Density (AUD) Incentive Program (Santa Barbara Municipal Code Chapter 28.20). The purpose of the meeting is to review the AUD Incentive Program policy objectives in the General Plan and Zoning Ordinance, consider whether the stated objectives are being met, and/or if minor ordinance amendments should be considered, and provide a recommendation to City Council.

The AUD Incentive Program carries out a key program directed by the 2011 General Plan. The Program facilitates the construction of smaller housing units by allowing increased density and development standard incentives in selected areas of the City. Housing types that provide housing opportunities to the City's workforce are encouraged and facilitated by the program.

Contact: Renee Brooke, AICP, City Planner  
Email: [RBrooke@SantaBarbaraCA.gov](mailto:RBrooke@SantaBarbaraCA.gov)

Phone: (805) 564-5564

Renee Brooke, AICP, City Planner, gave the Staff presentation.

Chair Campanella opened the public hearing at 9:14 A.M.

The following people provided comments on the AUD program:

1. Lindsey Baker, League of Women Voters, submitted written comments. She was concerned with the City's water shortage and traffic.
2. Brian Cearnal, Architect, supports continuation of the AUD program. He suggested reducing the size of the units and review possible rent control for some units. The discretionary process is robust and should be trusted.
3. Anthony Grumbine, Historic Landmarks Commissioner (HLC), wanted to add 'open space' to some of the earlier issues that HLC has voiced. He provided an example for the Commission showing the compactness of the added density in El Pueblo Viejo. Judy Orias gave her speaking time to Mr. Grumbine.
4. Anna Gott, Allied Neighborhood Association, submitted written comments and questioned the allowance of AUD rental units as short term vacation rentals and the potential to convert to condominiums. . She also stated that there is nothing in the conditions that require AUD rental unit to remain rental units for the life of the project. Survey questions are inconsistent. Saturnino Moreno and Sue Mellor gave their speaking time to Ms. Gott.
5. Lisa Plowman, Coastal Housing Coalition, stated that the AUD is producing much needed housing at a time when the median home price has reached \$1 million. The program is successful and may need tweaks, but will depend on data that is not yet available. Supports the HLC and ABR, agrees with adaptive management, and supports car sharing.
6. Naomi Greene, Eastside resident, urged the Planning Commission to go back to the drawing board with the AUD program and Plan Santa Barbara. She has not seen that the neighborhood needs are ever considered when approving these projects and they should be. Milpas Street could become a good walking corridor if consideration is given to scale, harmony, trees, benches, and shuttle transit. Natalia Govoni gave her speaking time to Ms. Greene.
7. Mickey Flacks commented on how this meeting concerns renters but is held at a time when most renters are at work. She agrees with Mr. Cearnal and called for rent stabilization or rent control as part of the approval process.

Ellen Bildsten, AIA, Coastal Housing Coalition, was unable to remain for the duration of the meeting, but submitted a speaker slip in support of the AUD goal.

With no one else wishing to speak, the public hearing was closed at 9:38 A.M.

## PROJECT REVIEW PROCESS

Commissioner Schwartz was concerned with rushing a discussion on a number of proposed ordinance amendments and suggested the Chair take the temperature of the Commission on the largest sets of considerations.

### **MOTION: Pujo/Schwartz**

**Assigned Resolution No. 024-16**

Recommend that City Council move forward on improvements to the Project Review Process, such as:

1. Increasing support to the Historic Landmarks Commission (HLC) and Architectural Board of Review (ABR) with staff reports, site visits, and analysis;
2. Additional consideration for historic resources; and
3. Preparing Multi-unit / Mixed-Use Guidelines.
4. Any recommendations for ABR or HLC guidelines that impact Policy and Land Use should be reviewed by the Planning Commission before going to City Council.

Commissioner Lodge would like to see the ability for the HLC and ABR to make more far-ranging decisions regarding density and parking on these projects. Commissioner Higgins concurred.

Commissioner Thompson stated that the HLC and ABR should have staff reports and site visits in advance, as is done for the Planning Commission, and be given more discretion in making approvals.

Commissioner Schwartz wanted to be clear in her support of the motion that the ordinance should include support for the boards, but not change the scope of authority in decision making. Commissioner Higgins concurred.

Commissioner Pujo said the first three items in the motion are tools currently missing from the ABR and HLC's review of projects for design and compatibility.

Commissioner Lodge would like to see the ability for the HLC and ABR to make decision, not just comments on these projects. Commissioner Higgins concurred.

Chair Campanella stated that understanding the goal of the developer and the project will provide a better understanding through the approval process and what constraints they are operating under. Multi -Unit and Multi-Use Guidelines will have an effect on land use and should be balanced. He asked the motion makers for consideration in including that when subcommittees come up with their proposals, that the Planning Commission have the opportunity to review any recommendations that impact Policy and Land Use.

The makers of the motion amended the motion to include Chair Campanella's request.

Brian Cearnal, Architect, commented that Multi-Unit and Multi-use Guidelines are a major planning effort and it is unrealistic to think that they could be developed quickly. He

suggested bringing a consortium of architects and others together to discuss the items that need more teeth.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

#### **ADAPTIVE MANAGEMENT PROGRAM REPORT**

Commissioners Thompson and Jordan said use of the word ‘impacts’ carried a negative connotation and suggested the word ‘differences’ be used.

#### **MOTION: Thompson/Schwartz**

Recommend to Staff that the Adaptive Management Program Report include evaluating differences in projects proposed in commercial zones vs. residential zones, with recognition given to designated neighborhood areas.

Commissioner Pujo asked the motion makers to include recognition be given to designated neighborhood areas.

The motion makers agreed to include Commissioner Pujo’s request.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

#### **MOTION: Schwartz/Higgins**

Recommend that the Planning Commission Housing Subcommittee put together a list to bring back to the Planning Commission on what “on the ground” conditions for AUD projects might be monitored and evaluated.

Commissioner Pujo hoped that flexibility includes not just on ground conditions of the lot being developed, but also a comparison of adjacent lots.

Chair Campanella thought that this request could be addressed at the Subcommittee level.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

**MOTION: Campanella/Schwartz**

**Assigned Resolution No. 024-16**

Recommend that City Council form a Task Force to facilitate certain housing types.

This motion carried by the following vote:

Ayes: 5 Noes: 2 (Pujo, Lodge) Abstain: 0 Absent: 0

Commissioner Lodge asked when we would stop accepting AUD project applications. If we continue to keep developing we do not have the benefit of seeing the effects of the projects developed.

Commissioner Schwartz left the dais at 10:57 A.M. and did not return to the dais.

**MOTION: Jordan/Lodge**

Continue discussion of potential AUD ordinance amendments.

Commissioners Lodge and Jordan had interest in discussing the topic of potential Ordinance Amendments, which required more time for discussion.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Schwartz)

**IV. ADJOURNMENT**

Chair Campanella adjourned the meeting at 11:19 A.M.

Reviewed via video and submitted by,

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Julie Rodriguez, Planning Commission Secretary





# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 024-16

#### CITYWIDE

#### RECOMMENDATION TO CITY COUNCIL

SEPTEMBER 6, 2016

### AVERAGE UNIT DENSITY (AUD) INCENTIVE PROGRAM

The Planning Commission discussed the Average Unit-Size Density (AUD) Incentive Program (Santa Barbara Municipal Code Chapter 28.20). The purpose of the meeting was to review the AUD Incentive Program policy objectives in the General Plan and Zoning Ordinance, consider whether the stated objectives are being met, and/or if minor ordinance amendments should be considered, and provide a recommendation to City Council.

The AUD Incentive Program carries out a key program directed by the 2011 General Plan. The Program facilitates the construction of smaller housing units by allowing increased density and development standard incentives in selected areas of the City. Housing types that provide housing opportunities to the City's workforce are encouraged and facilitated by the program.

**WHEREAS**, the Planning Commission has held the required public hearing on the above topic.

**WHEREAS**, 7 people appeared to speak on the Average Unit-Size Density Incentive Program, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 30, 2016
2. Correspondence received:
  - a. Oswald Da Ros, via email
  - b. Joe Rution, via email
  - c. Anna Marie Gott, Allied Neighborhoods Association, via email
  - d. Citizens for Livable Neighborhoods, signed petition with 93 signatures
  - e. Kellam de Forest, via email
  - f. Pauline Cooney, hand-delivered at meeting
  - g. Lindsey Baker, League of Women Voters, hand-delivered at meeting

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

- I. Recommend that the City Council move forward on improvements to the Project Review Process with:
  1. Increasing support to the Historic Landmarks Commission (HLC) and Architectural Board of Review (ABR) with staff reports, site visits, and analysis;
  2. Additional consideration for historic resources; and
  3. Preparing Multi-unit / Mixed-Use Guidelines.
  4. Any recommendations for ABR or HLC guidelines that impact Policy and Land Use should be reviewed by the Planning Commission before going to City Council.

This motion was passed and adopted on the 6th day of September, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

II. Recommend that City Council form a Task Force to facilitate certain housing types.

This motion was passed and adopted on the 6<sup>th</sup> day of September, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NOES: 2 (Pujo, Lodge) ABSTAIN: 0 ABSENT: 0

I hereby certify that after review of the meeting video, 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

**DRAFT**

# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

September 8, 2016

#### **CALL TO ORDER:**

Chair Campanella called the meeting to order at 1:00 P.M.

#### **I. ROLL CALL**

Chair John P. Campanella, Vice-Chair June Pujo, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, and Deborah L. Schwartz

Absent: Commissioner Addison Thompson

#### **STAFF PRESENT:**

Beatriz Gularte, Senior Planner  
 Danny Kato, Senior Planner  
 N. Scott Vincent, Assistant City Attorney  
 George Thomson, Parks Capital Projects Supervisor  
 Tony Boughman, Assistant Planner  
 Andrew Perez, Planning Technician  
 Jennifer Sanchez, Commission Secretary

#### **II. PRELIMINARY MATTERS:**

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

Ms. Gularte made the following announcements:

1. The regular Planning Commission meeting of September 15, 2016 is cancelled.
2. The Planning Commission's decision on 1925 El Camino de la Luz has been appealed to City Council. The hearing date is pending.
3. The Staff Hearing Officer's decision on 256 San Clemente Avenue has been appealed to the Planning Commission. A hearing date will be set in October.

- C. Review, consideration and action on the following draft Planning Commission Minutes and Resolutions:
1. August 25, 2016
  2. PC Resolution No. 021-16  
1925 El Camino de la Luz

**MOTION: Lodge/Jordan**

Approve the minutes and resolution to include the requested Applicant changes:

1. Add to PC Resolution No. 021-16: "Whereas, the applicant team, including Attorney Steven Kaufman, Pat Shrieres, Clay Aurell, representing the applicant, were present and made comments in support of their project."
2. Add to PC Resolution No 021-16 under correspondence received, the August 23, 2016 letter from "Richard Monk and Steven Kaufmann, Attorneys, via email."

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 1 (Schwartz) Absent: 1 (Thompson)

- D. Comments from members of the public pertaining to items not on this agenda.

Chair Campanella opened the public hearing at 1:04 P.M.

Mark Sheridan commented about the Average Unit-Size Density (AUD) Program. He asked the Planning Commission to work with urgency and show leadership and help staff find more time to vet the program He also asked for a moratorium on new applications.

With no one else wishing to speak, the public hearing was closed at 1:06 P.M.

**III. NEW ITEM:**

**ACTUAL TIME: 1:07 P.M.**

**APPLICATION OF JILL ZACHARY, CITY PARKS AND RECREATION DEPARTMENT, 1414 PARK PLACE, APN 017-381-001, PARK AND RECREATION ZONE, GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: RECREATION/OPEN SPACE (MST2015-00349)**

The project consists of the installation of a new playground and patio at the Municipal Tennis Courts. Site amenities will include a new playground structure and pad, playground fencing, a new patio area, benches, trash and recycle cans, two drinking fountains, signage, and new landscaping. An area of the existing parking lot will be demolished to accommodate the new playground and a portion of the existing landscaping will be converted to the new patio. Asphalt and concrete pathways around the existing tennis courts and proposed playground will be repaired. Safety improvements will include: installation of two pole lights near the playground, new exterior lighting at the restrooms, two chain link gates at the practice tennis

courts, and a new swing gate at the parking lot entrance. A portion of the existing parking lot will be restriped to improve circulation. The project will result in the loss of one parking space for a total of 72 uncovered spaces. A total of 69 cubic yards of cut and fill will be balanced on site for the proposed project. The tennis facility stadium is on the City's List of Potential Historic Resources.

The discretionary application required for this project is a Coastal Development Permit (CDP2016-00006) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The project is considered a Major Public Works Project given its cost per the definition in the SD-3 Coastal Overlay Zone, and therefore is considered Appealable Development that can be appealed to the California Coastal Commission.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, New Construction or Conversion of Small Structures.

Contact: Tony Boughman, Assistant Planner  
Email: TBoughman@SantaBarbaraCA.gov Phone: (805) 564-5470, extension 4539

Tony Boughman, Assistant Planner, gave the Staff presentation. George Thomson, Parks Capital Projects Supervisor, was available to answer questions.

Chair Campanella opened the public hearing at 1:39 P.M. and, with no one wishing to speak, closed the hearing.

**MOTION: Jordan/Higgins**

**Assigned Resolution No. 025-16**

Approve the project, making the findings for the Coastal Development Permit and the Park and Recreation Facility, as outlined in the Staff Report, dated August 25, 2016, subject to the Conditions of Approval in Exhibit A of the Staff Report.

During deliberation, some commissioners commented on consideration for the inclusion of additional park benches next to the playground, but left that decision open to the discretion of Parks & Recreation Department Staff.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Thompson)

Chair Campanella announced the ten calendar day appeal period.

IV. **STAFF HEARING OFFICER APPEAL:**

**ACTUAL TIME: 1:45 P.M.**

**APPLICATION OF DAWN SHERRY, ARCHITECT FOR SBCH PROPERTIES, LLC, 2912 DE LA VINA STREET, APN 051-180-029, C-2/SD-2 (COMMERCIAL/SPECIAL DESIGN DISTRICT) ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5 DU/ACRE) (MST2015-00426)**

This is an appeal of the decision of the Staff Hearing Officer for a requested modification on July 20, 2016. The Staff Hearing Officer denied the requested modification as proposed and approved an alternate design. The applicant is appealing the alternate design.

The 17,857 square-foot site is currently developed with a 1,200 square-foot commercial building and a 452 square-foot front patio. The proposed project involves a 270 square-foot expansion of the front patio and a new trellis to provide shade for the patio seating. The project also includes three new awnings on the North, South, and East elevations, a relocated ADA path of travel, altered driveway envelope and removal of an existing palm tree located in the front setback. The discretionary application required for this project is a Front Setback Modification to allow the proposed trellis to encroach into the 10-foot front setback required by the Special District 2 (SD-2) Zone (SBMC §28.45.008 and SBMC §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

Contact: Andrew Perez, Planning Technician

Email: [ACPerez@SantaBarbaraCA.gov](mailto:ACPerez@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4559

Andrew Perez, Planning Technician, gave the Staff presentation. Danny Kato, Senior Planner, was available to answer questions.

Dawn Sherry, Architect, gave the Appellant presentation.

Chair Campanella opened the public hearing at 2:46 P.M. and, with no one wishing to speak, closed the hearing.

**MOTION: Pujo/Schwartz**

Uphold the appeal, and approve the Front Setback Modification with the Applicant to revise the proposal to:

1. Retain direct pedestrian access to the front door;
2. Return to the full ABR with a full landscape plan; and
3. Allow the modification to go up to the front property line with the posts no closer than the pilasters, and with the layout/design of the trellis left up to the ABR.

This motion failed by the following vote:

Ayes: 3 Noes: 3 (Campanella, Lodge, Jordan) Abstain: 0 Absent: 1 (Thompson)

**MOTION: Higgins/Pujo**

Uphold the appeal, and approve the Front Setback Modification with the Applicant to:

1. Retain direct pedestrian access to the front door;
2. Return to the full ABR with a full landscape plan;
3. Keep the posts on the pilasters and keep the trellis perpendicular to the street up to the property line; and
4. Include two canopy trees in the landscape plan in spaces where allowable inside the trellis spaces.

This motion failed by the following vote:

Ayes: 3 Noes: 3 (Campanella, Lodge, Jordan) Abstain: 0 Absent: 1 (Thompson)

**MOTION: Jordan**

Deny the appeal, and approve a new Front Setback Modification and send back to the full ABR with directions to rotate the trellis 90 degrees and the most forward part of the trellis would be on the existing pilasters in accordance with the offer that was made by Staff subsequent to SHO hearing. The design of the trellis would allow center access from the sidewalk, a double or single trellis, with direction to ABR to look into placement of two canopy streets, subject to approval by Transportation.

The motion failed for lack of a second.

**MOTION: Pujo/Schwartz**

**Assigned Resolution No. 025-16**

Deny the appeal, and approve a new Front Setback Modification with the Applicant to:

1. Revise the project into two smaller trellises with four connection points set back a minimum of six inches from the property line.
2. Return to the full ABR with a full landscape plan that includes two canopy trees, with the exact placement left to Public Works and ABR.

Chair Campanella called for a recess at 3:57 P.M. to allow the Ms. Sherry to draw a rendering of the Commission's proposed changes to the trellis.

Chair Campanella reconvened the hearing at 4:02 P.M. The Planning Commission reviewed the Appellant's drawing. Commissioner Pujo confirmed that the drawing was exactly what was envisioned by the motion.

This motion carried by the following vote:

Ayes: 5 Noes: 1 (Lodge) Abstain: 0 Absent: 1 (Thompson)

Chair Campanella announced the ten calendar day appeal period.

**II. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 4:06 P.M.**

A. Committee and Liaison Reports

1. Staff Hearing Officer Liaison Report

- a. Commissioner Jordan reported on the Staff Hearing Officer meeting of August 31, 2016.

2. Other Committee and Liaison Reports

- a. Commissioner Lodge reported on the Historic Landmarks Commission meeting of September 7, 2016.
- b. Chair Campanella reported on the Special Planning Commission Work Session of September 6, 2016.
- c. Chair Campanella announced that applications for advisory boards are now being accepted. There will be two openings available for the Planning Commission.

**III. ADJOURNMENT**

Chair Campanella adjourned the meeting at 4:10 P.M.

Submitted after video review by,

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Julie Rodriguez, Planning Commission Secretary



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 025-16 1414 PARK PLACE COASTAL DEVELOPMENT PERMIT SEPTEMBER 8, 2016

**APPLICATION OF JILL ZACHARY, CITY PARKS AND RECREATION DEPARTMENT, 1414 PARK PLACE, APN 017-381-001, PARK AND RECREATION ZONE, GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: RECREATION/OPEN SPACE (MST2015-00349)**

The project consists of the installation of a new playground and patio at the Municipal Tennis Courts. Site amenities will include a new playground structure and pad, playground fencing, a new patio area, benches, trash and recycle cans, two drinking fountains, signage, and new landscaping. An area of the existing parking lot will be demolished to accommodate the new playground and a portion of the existing landscaping will be converted to the new patio. Asphalt and concrete pathways around the existing tennis courts and proposed playground will be repaired. Safety improvements will include: installation of two pole lights near the playground, new exterior lighting at the restrooms, two chain link gates at the practice tennis courts, and a new swing gate at the parking lot entrance. A portion of the existing parking lot will be restriped to improve circulation. The project will result in the loss of one parking space for a total of 72 uncovered spaces. A total of 69 cubic yards of cut and fill will be balanced on site for the proposed project. The tennis facility stadium is on the City's List of Potential Historic Resources.

The discretionary application required for this project is a Coastal Development Permit (CDP2016-00006) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The project is considered a Major Public Works Project given its cost per the definition in the SD-3 Coastal Overlay Zone, and therefore is considered Appealable Development that can be appealed to the California Coastal Commission.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, New Construction or Conversion of Small Structures.

**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, or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 1, 2016.
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. **COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)**

1. The project is consistent with the policies of the California Coastal Act because the proposed development provides public recreational opportunities; it is in close proximity to the existing development on the site; does not affect coastal or scenic views, or affect public coastal access; and provides adequate parking.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the code because it provides low cost recreation open to the public, has no impact on coastal access, provides adequate off-street parking, and protects and enhances the scenic character of the City.

B. **FINDINGS FOR PARK AND RECREATION FACILITY (SBMC §28.37.025)**

1. That the proposed park and recreation improvements are appropriate or necessary for the benefit of the community and visitors.

This finding can be made because: the improvements are a response to existing community need for a children's playground; currently neighborhood children visit the facility to play in the parking lot; the patio will serve the existing need of tennis patrons; the new trees and landscaping will enhance the site; and, the paving addresses the existing deteriorated condition. The use is also consistent with the City's General Plan.

2. That the proposed park and recreation facilities including lighting, play areas, parking facilities and associated landscaping, will be compatible with the character of the neighborhood.

This finding can be made because: the facilities are set back from adjacent streets; lighting will enhance safety and will not encroach beyond the project area; the project design is compatible with the existing site and historic tennis stadium; the existing 73 space parking lot is proposed to be reduced to 72 spaces, yet is still above the parking requirement of 24 spaces; and, seven additional trees and associated landscaping are proposed;

3. That the total area of the site and the setbacks of all facilities from the property lines and street are sufficient, in view of the physical character of the land, proposed development and neighborhood, to avoid significant negative effects on surrounding properties.

This finding can be made because: the total site area of 7.7 acres is sufficient; the project is proposed in areas of the park which are already developed; the playground will be located where there is an existing parking lot; the nearest corner of the fence around the playground is setback more than 40 feet from the adjacent street where the required setback is 10 feet; photometric information submitted demonstrates the new lighting fixtures will not have a negative effect on surrounding properties; and, the predicted noise levels generated by children playing at the playground is less than the ambient peak noise associated with the adjacent U.S. Highway 101;

4. That the intensity of park use is appropriate and compatible with the character of the neighborhood.

This finding can be made because: the project responds to an existing need and provides appropriate improvements in a safe, controlled environment as an alternative to playing in the surrounding neighborhood or in the parking lot;

5. That the proposed park and recreation facilities are compatible with the scenic character of the City.

This finding can be made because the small play structures and patio will be integrated with the existing improvements and landscaping on the site; and they will be set back from adjacent streets among existing and proposed trees and landscaping; and

6. That any proposed structures or buildings are compatible with the neighborhood in terms of size, bulk and scale or location.

This finding can be made because the project proposes small playground structures that do not involve significant size, bulk and scale; their placement on the large site will be visually removed from the surrounding neighborhood; the improvements will be integrated into the existing development on the site; and, the Historic Landmarks Commission (HLC) has commented that the project is compatible (Exhibit D).

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 required design review approvals.
2. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.

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

- B. **Written Agreement.** The Owner 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, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on September 8, 2016 is limited to a new playground, new patio, and the improvements shown on the plans signed by the chairperson of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the HLC. 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 HLC, the owner is responsible for its immediate replacement.
  4. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state and in accordance with the Storm Water BMP Guidance Manual and Operations and Maintenance Procedure Plan approved by the Creeks Division. 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 and Coastal Development Permit are 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.
- C. **Design Review.** The project is subject to the review and approval of the Historic Landmarks Commission. Prior to final approval:
1. Include a gravel drainage layer below the permeable playground with sufficient capacity for the 1", 24 hour storm.
  2. For the permeable paver patio cross-section detail specify the brand and product (i.e. model) of permeable paver that will be installed. Make sure that the selected product is designed for permeable installations. Also, include a note that the gravel retention pit layer will be compacted in 4-6" lifts. This is an ICPI specification to prevent shifting and settling. In addition, all base material should be specified as washed, open graded (no sand), crushed (angular) aggregate.
  3. Provide specifications for the permeable playground material on the plans. It must be demonstrated that a permeable material will be installed.
- D. **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. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements shall be obtained by the Owner.

2. **Community Development Department**

- a. **Drainage and Water Quality.** The project is required to comply with Tier 2 of the Storm Water BMP Guidance Manual, pursuant to Santa Barbara Municipal Code Chapter 22.87. Tier 2 projects are required to use at least one BMP from Chapter 5 of the City's Storm Water BMP Guidance Manual.
- b. **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 C "Design Review," and all elements/specifications shall be implemented on-site.
- c. **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.

- E. **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. **Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), 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 or six square feet if in a single family zone.
  - 2. **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 Public Works Director with a Public Works permit.

3. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If 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.

- F. **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. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist

- G. **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.
- 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.

**III. NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

The Planning Commission action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

**IV. NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):**

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.

This motion was passed and adopted on the 8<sup>th</sup> day of September, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Thompson)

PLANNING COMMISSION RESOLUTION NO. 025-16  
1414 PARK PLACE  
SEPTEMBER 8, 2016  
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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.**

DRAFT



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

**RESOLUTION NO. 026-16**  
**2912 DE LA VINA STREET**  
**FRONT SETBACK MODIFICATION**  
**SEPTEMBER 8, 2016**

**APPLICATION OF DAWN SHERRY, ARCHITECT FOR SBCH PROPERTIES, LLC, 2912 DE LA VINA STREET, APN 051-180-029, C-2/SD-2 (COMMERCIAL/SPECIAL DESIGN DISTRICT) ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5 DU/ACRE) (MST2015-00426)**

This is an appeal of the decision of the Staff Hearing Officer for a requested modification on July 20, 2016. The Staff Hearing Officer denied the requested modification as proposed and approved an alternate design. The applicant is appealing the alternate design.

The 17,857 square-foot site is currently developed with a 1,200 square-foot commercial building and a 452 square-foot front patio. The proposed project involves a 270 square-foot expansion of the front patio and a new trellis to provide shade for the patio seating. The project also includes three new awnings on the North, South, and East elevations, a relocated ADA path of travel, altered driveway envelope and removal of an existing palm tree located in the front setback. The discretionary application required for this project is a Front Setback Modification to allow the proposed trellis to encroach into the 10-foot front setback required by the Special District 2 (SD-2) Zone (SBMC §28.45.008 and SBMC §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

**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 or in opposition to the appeal, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 1, 2016.
2. Site Plans

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

- I. Denied the appeal with the following conditions:
  1. Revise the project into two smaller trellises with four connection points set back a minimum of six inches from the property line.
  2. Return to the full Architectural Board of Review (ABR) with a full landscape plan that includes two canopy trees, with the exact placement left to Public Works and ABR.

This motion was passed and adopted on the 8<sup>th</sup> day of September, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NOES: 1 (Lodge) ABSTAIN: 0 ABSENT: 1 (Thompson)

PLANNING COMMISSION RESOLUTION NO. 026-16  
2912 DE LA VINA STREET  
SEPTEMBER 8, 2016  
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I hereby certify that, after video review, 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.**

DRAFT