



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 005-09
601 NORMAN FIRESTONE ROAD
COASTAL DEVELOPMENT PERMIT
MARCH 5, 2009

APPLICATION OF LEIF REYNOLDS, AGENT FOR THE CITY OF SANTA BARBARA, 601 NORMAN FIRESTONE ROAD, 073-045-003, A-A-O, A-F, SP-6, S-D-3, AIRCRAFT APPROACH AND OPERATIONS, AIRPORT FACILITIES, AIRPORT INDUSTRIAL AREA SPECIFIC PLAN AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL (MST 2008-00488, CDP2009-00002)

The proposed project would involve the installation of approximately 4,120 linear feet of 12-inch underground water pipeline within the secure area of the Santa Barbara Airport. The purpose of this project is to provide a redundant, reliable source of potable water to the south side of the airfield including the Airline Terminal. The discretionary application required for this project is a Coastal Development Permit to excavate a trench at a depth of approximately 52-inches and install a pipeline in the Appealable Jurisdiction of the Coastal Zone (SBMC §28.45.009).

The Environmental Analyst completed a Master Environmental Assessment Checklist and determined the project was statutorily exempt from California Environmental Quality Act review (CEQA Guidelines §15282(k)).

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

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

1. Staff Report with Attachments, February 23, 2009
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara

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 §28.45.009)**
 1. The project is consistent with the policies of the California Coastal Act, because it would be a public works facility that has been designed and limited to accommodate needs generated by permitted development (Coastal Act Section 30254).

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 would be constructed in previously disturbed areas and would not affect cultural or biological resources (Policies F-3 and C-12).
3. The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation, because it would not introduce a new impediment to public access as the project site is completely contained in the Airport secure area.

II. Said approval is subject to the following conditions:

- A. **Written Conditions.** Prior to the issuance of any Public Works permit for the project, the Airport Department shall execute a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director and which shall include the following:
 1. **Uninterrupted Water Flow.** The Airport shall provide for the uninterrupted flow of water through the proposed project site including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 2. **Storm Water Pollution Control and Drainage Systems Maintenance.** The Airport shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, or result in increased erosion, the Airport shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Coastal Development Permit is required to authorize such work. The Airport 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 project area or any adjoining property.
 3. **Approved Development.** The development of the project approved by the Planning Commission on March 5, 2009 is limited to approximately 4,120 linear feet of 12-inch diameter water pipe and the improvements shown on the submitted plans signed by the chair of the Planning Commission on said date and on file at the City of Santa Barbara.
 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.

B. Community Development Requirements Prior to Public Works Permit Issuance.

The following shall be finalized prior to, and/or submitted with, the application for any Public Works permit:

1. **Contractor and Subcontractor Notification.** The Airport shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
2. **Letter of Commitment for Pre-Construction Conference.** The Airport shall submit to the Planning Division a letter of commitment that states that, prior to disturbing any part of the project site for any reason and after the Building permit has been issued, the General Contractor shall schedule a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, the Planning Division, the Airport Department, the Project Engineer, the Contractor and each subcontractor.
3. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Airport		Date
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Contractor	Date	License No.
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Architect	Date	License No.
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Engineer	Date	License No.
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- C. Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Airport and/or Contractor for the duration of the project construction.

1. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
2. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Public Works Director.
3. **Haul Routes.** The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Public Works Director.
4. **Traffic Control Plan.** All elements of the approved Traffic Control Plan shall be carried out by the Contractor.
5. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below: (look at longer or shorter hours and Saturday construction, depending on project location)

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31st
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

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

6. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:

- a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
7. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur on-site, using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
- Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
8. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
 9. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
 10. **Construction Contact Sign.** Prior to construction work, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), 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.

11. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
12. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant 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.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

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

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.

3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.

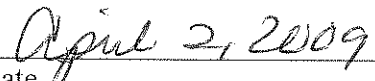
This motion was passed and adopted on the 5th day of March, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

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

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



Julie Rodriguez, Planning Commission Secretary



Date

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

