City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

November 10, 2016

CALL TO ORDER:
Chair Campanella called the meeting to order at 1:03 P.M.

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

STAFF PRESENT:
Beatriz Gularte, Senior Planner
Allison De Busk, Acting Senior Planner
N. Scott Vincent, Assistant City Attorney
Steven Greer, Project Planner/Environmental Analyst
Allison De Busk, Project Planner
Jessica W. Grant, Project Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:
A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
None.

B. Announcements and appeals.
None.

C. Comments from members of the public pertaining to items not on this agenda.
Chair Campanella opened the public hearing at 1:03 P.M. and, with no one wishing to speak, closed the hearing.
III. NEW ITEMS:

**ACTUAL TIME: 1:04 P.M.**

A. **APPLICATION OF MIKE RAMSEY, PLANNING MANAGER FOR SANTA BARBARA AUTO GROUP, 402 S. HOPE AVENUE, APN 051-240-017, E-3 (ONE-FAMILY RESIDENCE)/P-D (PLANNED DEVELOPMENT)/SD-2 (UPPER STATE STREET AREA SPECIAL DISTRICT) ZONES, GENERAL PLAN LAND USE DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL (15-27 DWELLING UNITS PER ACRE (MST2015-00603)**

The proposed project consists of adding 3,584 square feet to the existing BMW showroom and 673 square feet to the Audi showroom for a total of 4,257 net new square feet. The site is currently operated by Santa Barbara Auto Group as a 41,607 net square-foot Mercedes/BMW/Audi automobile dealership, including showrooms, service areas, offices and parking. The purpose of these additions is to comply with new corporate specifications from the respective automobile manufacturers. An interior and exterior remodel, minor landscaping, improved driveway aprons, bike parking, and site improvements to comply with the City’s Storm Water Management Program are also proposed. The addition would increase the parking requirement from 218 to 235 spaces. The development currently has 289 parking spaces available. The City Council approved a Community Benefit allocation of nonresidential floor area for the project on January 12, 2016.

The discretionary applications required for this project are:

1. A Development Plan to allow the construction of 4,447 square feet of new nonresidential floor area (SBMC §28.85.030); and

2. A Development Plan to allow construction in the P-D, Planned Development Zone (SBMC §28.39.130).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15183.

Contact: Jessica W. Grant, Project Planner
Email: JGrant@SantaBarbaraCA.gov Phone: (805) 564-5470, extension 4550

Jessica W. Grant, Project Planner, gave the staff presentation.

Mike Ramsey, Applicant, and Dwayne Sanders, Santa Barbara Auto Group, were available to answer any of the Planning Commission’s questions.

Chair Campanella opened the public comment at 1:19 P.M., and with no one wishing to speak closed public comment.
MOTION: Schwartz/Pujo

Approved the project, making the findings for Environmental Review, Development Plan and P-D Development Plan as outlined in the Staff Report, dated November 3, 2016, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following revision to the Conditions of Approval:

1. Amend Condition B.3. to replace all turf with drought tolerant landscaping.

This motion carried by the following vote:

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

Chair Campanella announced the ten calendar day appeal period.

ACTUAL TIME: 1:58 P.M.

B. APPLICATION OF LAUREL PEREZ, SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, AGENT FOR SANTA BARBARA RESCUE MISSION, 535 E. YANONALI STREET, APN 017-540-004, OM-1/SD-3 (OCEAN-ORIENTED LIGHT MANUFACTURING / COASTAL OVERLAY) ZONES, GENERAL PLAN DESIGNATION: INSTITUTIONAL, LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: OCEAN ORIENTED INDUSTRIAL (MST2016-00410)

The proposed project consists of a reduction in vehicle parking from 34 spaces to 19 spaces for the Santa Barbara Rescue Mission located at 535 E. Yanonali Street due to the elimination of previously approved off-site parking located at 525 E. Yanonali Street. Also included in the project would be the addition of 50 bicycle parking spaces at the project site. The Rescue Mission provides food, shelter, and other services to Santa Barbara’s homeless population. The operation of the Rescue Mission is not proposed to change as part of the project, and there would be no physical changes to the site other than the addition of bicycle parking.

The discretionary applications required for this project are:

1. A Modification to allow fewer than the required number of parking spaces (SBMC §28.92.110.A.1);

2. An Amendment to the Coastal Development Permit Amendment to allow the proposed reduction in parking for the Rescue Mission in the Appealable Jurisdiction of the City’s Coastal Zone (SBMC §28.44.240); and

3. An Amendment to the Conditional Use Permit Amendment to allow the proposed reduction in parking for the existing Rescue Mission, a quasi-public facility (SBMC §28.94.030.W).

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

Contact: Allison De Busk, Project Planner  
Email: ADeBusk@SantaBarbaraCA.gov  
Phone: (805) 564-5470, extension 4552

Allison De Busk, Project Planner, gave the staff presentation.

Rolf Geyling, Santa Barbara Rescue Mission President, introduced his staff and Laurel Perez, SEPPS, who all were available to answer any of the Commission’s questions.

Chair Campanella opened the public hearing at 2:08 P.M.

Rob Fredericks spoke favorably of the Santa Barbara Rescue Mission and encouraged the Commission’s support.

Chair Campanella and staff acknowledged receipt of public comment letters from Karl Willig, Santa Barbara Rescue Mission Board Chair; Sharon Donohoe, PhD, COO Turbine Technology Partners, LLC; Jonathan Ludwick, Calvary Chapel of Santa Barbara; and Michael Holliday, DMHA.

With no one else wishing to speak, the public hearing was closed at 2:11 P.M.

**MOTION: Lodge/Schwartz**  
Approved the project, making the findings for the Parking Modification, Coastal Development Permit Amendment, and Conditional Use Permit Amendment, as outlined in the Staff Report, dated November 3, 2016, subject to the Conditions of Approval in Exhibit A of the Staff Report.

This motion carried by the following vote:

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

Chair Campanella announced the ten calendar day appeal period.

**THE COMMISSION RECESSED FROM 2:16 P.M. TO 2:33 P.M.**
ACTUAL TIME: 2:33 P.M.

C. APPLICATION OF CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT FOR EL ESTERO DRAIN HABITAT RESTORATION PROJECT, 520 E. YANONALI STREET, APN 017-113-019 OM-1 / SD-3 (OCEAN-ORIENTED LIGHT MANUFACTURING / COASTAL OVERLAY) ZONES, GENERAL PLAN DESIGNATION: INSTITUTIONAL, LOCAL COASTAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL (MST2013-00433)

The purpose of this discussion item is to inform the Planning Commission of proposed changes to the Laguna Creek El Estero Drain Restoration Project, approved by the Planning Commission on July 6, 2000, within the context of a request to the City for a Substantial Conformance Determination (SCD). The Planning Commission approved the project to complete a habitat restoration project on a City owned property adjacent to the El Estero Wastewater Treatment Plant (EEWTP). The project addressed unpermitted grading and vegetation removal undertaken by the Public Works Department on the property. The discretionary applications included a Coastal Development Permit approved by the Planning Commission and Design Review approved by the Architectural Board of Review.

The approval included restoration of the impacted wetland within the El Estero Drain at a 4:1 ratio (approximately 10,400 square feet), as well as enhancements to the remainder of the 1.19 acre parcel to create additional riparian and upland habitat suitable for the Pacific pond turtle. Project components included realignment of the original drainage; widening and deepening of drainage in relation to original configuration; installation of culvert and ramp at Laguna Channel to facilitate turtle passage; creation of a minimum of three turtle basking areas with appropriate boulder features; a meandering path for EEWTP visitors; installation of a five foot high chain link fencing along westerly, easterly, and southerly property boundaries; installation of a three foot high post and rail fence along northerly boundary.

Proposed changes include:

1. Install a minimum five foot high fence (chain link or wrought iron) along northerly boundary instead of three foot wood fence.
2. Exclude construction of meandering foot path within project area.
3. Deepening of westerly basking area by one to three feet instead of deepening entire channel one to two feet.
4. Installation of permeable pavers for access road surface instead of decomposed granite.
5. Implementation of Remedial Action Plan to address unforeseen soil contamination on site.

Environmental review was conducted for the project in compliance with the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration was adopted for the original project, finding that project environmental impacts would be less than significant with application of identified mitigation measures as conditions of project
approval to reduce short-term construction effects and long-term project effects. The current revised project remains within the scope of the adopted Mitigated Negative Declaration; all previously identified mitigation measures would continue to be applied to the project; and the current project would not result in significant impacts. Pursuant to CEQA Guidelines §15162, no further environmental review document is required.

The purpose of the discussion is to allow the Planning Commission an opportunity to review the proposed changes to the Project and provide input to the Community Development Department with regard to the SCD request. The Community Development Director will ultimately make a determination as to whether the proposed changes are in substantial conformance with the approved Project.

If the permit approval or environmental document is challenged in court, the challenger may be limited to raising only those issues raised in written correspondence delivered to the City, or in a public hearing on the project.

Contact: Steven Greer, Project Planner
Email: SGreer@SantaBarbaraCA.gov Phone: (805) 564-5470, extension 4558

Steven Greer, Project Planner, gave the Staff presentation.

Sara Iza, Project Manager, gave the applicant presentation, joined by Bradley Rahrer, Acting Wastewater Collection System Superintendent; and Greg McGowan, Principal Ecologist, ARCADIS.

Chair Campanella opened the public hearing at 2:49 P.M.

Don Longstreet, Santa Barbara Urban Creeks Council, spoke in support of the Substantial Conformance Determination.

With no one else wishing to speak, the public hearing was closed at 2:50 P.M.

Many Commissioners expressed that this is a favorable project.

The Planning Commission was in favor of recommending support to the Community Development Director for the Substantial Conformance Determination with the exclusion of the meandering foot path; approval of the installation of the wrought iron fence; the basking area improvements, utilization of permeable pavers; and the 8X8 non-vegetated work area.

Commissioner Jordan encouraged the addition of more treescape in the landscaping plan as long as it did not impact the Habitat Restoration Plan.

Commissioner Pujo added that she would like to see Biologist Greg McGowan attend the Architectural Board of Review (ABR) hearing when it is held to assist with any questions.
Commissioner Pujo also stated that this is a model project that meets the intent and objectives of the prior project and be found to be in substantial conformity. To take an area like this and create a restoration project is a fantastic idea.

Chair Campanella was in agreement with the Commission and expressed appreciation for the protection of the Pacific Pond turtles.

IV. 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 Schwartz reported on the Santa Barbara Executive Round Table Forum that she attended earlier in the day.
      
      b. Commissioner Campanella announced that the next Planning Commission meeting will be November 17, 2016.

V. ADJOURNMENT

Chair Campanella adjourned the meeting at 3:52 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary
The proposed project consists of adding 3,584 square feet to the existing BMW showroom and 673 square feet to the Audi showroom for a total of 4,257 net new square feet. The site is currently operated by Santa Barbara Auto Group as a 41,607 net square foot Mercedes/BMW/Audi automobile dealership, including showrooms, service areas, offices and parking. The purpose of these additions is to comply with new corporate specifications from the respective automobile manufacturers. An interior and exterior remodel, minor landscaping, improved driveway aprons, bike parking, and site improvements to comply with the City’s Storm Water Management Program are also proposed. The addition would increase the parking requirement from 218 to 235 spaces. The development currently has 289 parking spaces available. The City Council approved a Community Benefit allocation of nonresidential floor area for the project on January 12, 2016.

The discretionary applications required for this project are:

1. A Development Plan to allow the construction of 4,447 square feet of new nonresidential floor area (SBMC §28.85.030); and

2. A Development Plan to allow construction in the P-D, Planned Development Zone (SBMC §28.39.130).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15183.

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

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. ENVIRONMENTAL REVIEW (CEQA Guidelines §15183)
   1. The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, Projects Consistent with a Community Plan or Zoning, based on the CEQA certificate of determination on file for this project.

B. DEVELOPMENT PLAN (SBMC §28.85.040)
   1. The project complies with the Non-residential Growth Management Program Requirements by constructing additions to a new automobile dealership in the Planned Development Zone and receiving Community Benefit floor area allocation from City Council;
   2. The project is consistent with the principles of sound community planning because it is consistent with applicable plans and policies and would not adversely affect the character of the neighborhood;
   3. The project will not have a significant adverse impact upon the community’s aesthetics or character in that the size, bulk, and scale of the development will be compatible with the neighborhood based on the Project Compatibility Analysis criteria found in SBMC Sections 22.22.145 or 22.68.045 as found by the Architectural Board of Review on August 29, 2016; and
   4. The proposed development is consistent with the policies of the City of Santa Barbara Traffic Management Strategy (as approved by City Resolution No. 13-010 dated as of March 12, 2013) as expressed in the allocation allowances specified in SBMC Section 28.85.050.

C. P-D DEVELOPMENT PLAN (SBMC §28.39.130)
   1. That the total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided;
   2. That the general hours of sales and operation Monday through Sunday from 9:00 am to 7:00 pm do not inappropriately alter or disturb the character of the area;
   3. That the design and operation of outdoor lighting equipment will not be a nuisance to the use of property in the area since no additional outdoor lighting is proposed.
   4. That the appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area and of the City as determined by the Architectural Board of Review on August 29, 2016.
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 Design Review Approval from the Architectural Board of Review.
2. Pay Land Development Team Recovery Fee (30% of all planning fees, as calculated by staff) at time of building permit application.
3. Record any required documents (see Recorded Conditions Agreement section).
4. Permits.
   a. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements prior to issuance of building permits.
   b. 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. **Recorded Conditions 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, 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 November 10, 2016 is limited to 4,257 net square feet of new commercial development and the improvements shown on the project plans signed by the chairman 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 Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement. All turf on the site shall be replaced with drought tolerant landscaping.

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 is 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.

5. **Transportation Demand Management.** The existing Transportation Demand Management Program required per prior Planning Commission Resolutions 45-86, 70-86, and 022-88 shall remain in effect.

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. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the ABR.

2. **Landscape Plan.** All existing turf areas shall be replaced with drought tolerant plantings.

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. **Approved Public Improvement Plans.** Public Improvement Plans as identified in condition D.1.b “Hitchcock Way Public Improvements & Property Dedications” shall be submitted to the Public Works Department. Upon acceptance of completed public improvement plans, a Building Permit may be issued if the Owner has bonded for public improvements and dedication of property and executed the Agreement to Construct, Dedicate Property and Install Improvements (Not a Subdivision).

   b. **Hitchcock Way Public Improvements & Property Dedications.**

   The Owner shall submit public improvement plans for new construction or modifications to driveways along Hitchcock Way to meet Pedestrian Master Plan goals and policy that include cross slopes of sidewalks across driveways. Plans may be submitted separately from plans submitted for a Building Permit, and shall be prepared by a licensed civil engineer registered in the State of California or shall conform to Public Works Department standard plans for review and approval by the Public Works Department. Any work in the public right-of-way requires an application, the payment of fees and issuance of a Public Works Permit for construction.

   The owner shall also submit preliminary public improvement plans for the future new construction or modification(s) to other existing driveways from the property that accesses the public streets along Calle Real and S. Hope Avenue to achieve
Pedestrian Master Plan goals and policy for compliance of sidewalk cross slopes across these driveways for review and approval by the Public Works Department.

It is anticipated that all or many of the approved driveway designs will likely encroach onto project property. In this case, the City shall require the owner to irrevocably dedicate easement(s) for public sidewalk purposes of these public improvements that encroach onto project property. The owner shall submit an application with the Public Works Department and pay fees for review and approval of the easement document(s). The easement survey and property description(s) shall be provided to the City and prepared by a licensed professional registered in the State of California for submittal to the Public Works Department for review and approval. The Public Works Director will recommend that the City Council accept the irrevocable offer of easement(s) for the driveways on Hitchcock Way and other irrevocable offers of dedication adjacent to Calle Real or S. Hope Avenue may be accepted at or near the time of future driveway construction or modification(s) proposed by the Owner or required by the City as part of a future development application.

c. **Haul Routes Require Separate Permit.** Apply for a Public Works permit to establish the haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more entering or exiting the site.

d. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more 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.) in order to help reduce truck traffic on adjacent streets and roadways.

2. **Community Development Department.**

a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition B “Recorded Conditions Agreement” to the Community Development Department prior to issuance of any building permits.

b. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water BMP Guidance Manual, pursuant to Santa Barbara Municipal Code Chapter 22.87. The Owner shall submit a hydrology report and worksheets from Appendix D of the Storm Water BMP Guidance Manual prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City’s Storm Water BMP Guidance Manual. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Creeks Division, the City Building & Safety Division, and the Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no unpermitted construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.
c. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a draft copy of the notice to the Planning Division for review and approval.

d. **Letter of Commitment for Neighborhood Notification Prior to Construction.** The Owner 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.

e. **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.

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:

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<td>Contractor</td>
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<td>Architect</td>
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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. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 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. **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.

3. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m. and Saturdays between the hours of 9:00 a.m. and 4:00 p.m., excluding the following holidays:

   - New Year’s Day
   - Martin Luther King, Jr. Day
   - Presidents’ Day
   - Memorial Day
   - Independence Day
   - Labor Day
   - Thanksgiving Day
   - Following Thanksgiving Day
   - Christmas Day

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<td>Christmas Day</td>
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   *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 City 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 said 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.

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 Public Works Director with a Public Works permit.

5. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Public Works Director.

**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.

2. **Complete Public Improvements.** Public improvements, as shown in the public improvement plans or building plans, shall be completed.

G. **General Conditions.**

1. **Prior Conditions.** These conditions are in addition to the conditions identified in Planning Commission Resolutions 45-86, 70-86, 022-88 and 007-10.

2. **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.

3. **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.

4. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner 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/Owner 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/Owner 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/Owner 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 DEVELOPMENT PLAN TIME LIMITS:

The Planning Commission action approving the Development Plans shall expire four (4) years from the date of approval per Santa Barbara Municipal Code §28.85.090, unless:

1. A building or grading permit for the work authorized by the development plan is issued prior to the expiration date of the approval.
2. The Community Development Director grants an extension of the development plan approval upon finding that the applicant has demonstrated due diligence in implementing and completing the proposed project. The Community Development Director may grant one (1) one-year extension of the development plan approval.

This motion was passed and adopted on the 10th day of November, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

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

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.
CITY OF SANTA BARBARA PLANNING COMMISSION
RESOLUTION NO. 032-16
535 E. YANONALI STREET
PARKING MODIFICATION, COASTAL DEVELOPMENT PERMIT AMENDMENT,
AND CONDITIONAL USE PERMIT AMENDMENT
NOVEMBER 10, 2016

APPLICATION OF LAUREL PEREZ, SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, AGENT FOR SANTA BARBARA RESCUE MISSION, 535 E. YANONALI STREET, APN 017-540-004, OM-1/SD-3 (OCEAN-ORIENTED LIGHT MANUFACTURING / COASTAL Overlay) ZONES, GENERAL PLAN DESIGNATION: INSTITUTIONAL, LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: OCEAN ORIENTED INDUSTRIAL (MST2016-00410)

The proposed project consists of a reduction in vehicle parking from 34 spaces to 19 spaces for the Santa Barbara Rescue Mission located at 535 E. Yanonali Street due to the elimination of previously approved off-site parking located at 525 E. Yanonali Street. Also included in the project would be the addition of 50 bicycle parking spaces at the project site. The Rescue Mission provides food, shelter, and other services to Santa Barbara’s homeless population. The operation of the Rescue Mission is not proposed to change as part of the project, and there would be no physical changes to the site other than the addition of bicycle parking.

The discretionary applications required for this project are:

1. A Modification to allow fewer than the required number of parking spaces (SBMC §28.92.110.A.1);
2. An Amendment to the Coastal Development Permit Amendment to allow the proposed reduction in parking for the Rescue Mission in the Appealable Jurisdiction of the City’s Coastal Zone (SBMC §28.44.240); and
3. An Amendment to the Conditional Use Permit Amendment to allow the proposed reduction in parking for the existing Rescue Mission, a quasi-public facility (SBMC §28.94.030.W).

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

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

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

1. Staff Report with Attachments, November 3, 2016
2. Site Plan
3. Correspondence received in support of the project:
   a. Karl Willig, Santa Barbara Rescue Mission Board Chair, via email
   b. Sharon Donohoe, PhD, COO, Turbine Technology Partners, LLC, via email
NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

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

A. PARKING MODIFICATION

The modification will not be inconsistent with the purpose and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area. The Rescue Mission's overnight users generally do not own vehicles and persons enrolled in the resident recovery program are not permitted to bring vehicles to the site. As discussed in Section VI.A.1 of the Staff Report, the 19 existing parking spaces on site, in conjunction with the 50 proposed bicycle parking spaces, are adequate to satisfy the demand generated by the Rescue Mission's staff, volunteers, visitors and vendors.

B. CONDITIONAL USE PERMIT AMENDMENT (SBMC §28.94.020)

1. The use is deemed essential or desirable to the public convenience or welfare and is in harmony with the various elements and objectives of the General Plan, as described in Section VI.B of the Staff Report. The Santa Barbara Rescue Mission provides important services to Santa Barbara's homeless population and the proposed project would allow the Mission to continue to serve individuals in need of its services.

2. The use will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved. The Rescue Mission is an existing facility and use in an existing developed industrial area. No changes to the operation of the facility are proposed.

3. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided. The project remains consistent with the requirements of the OM-1 Zone, and parking for the facility has been determined to be adequate.

4. Adequate access and off-street parking including parking for guests is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time. The Rescue Mission's overnight users generally do not own vehicles and persons enrolled in the resident recovery program are not permitted to bring vehicles to the site. The project site will provide 19 vehicle parking spaces and 50 bicycle parking spaces, which, as discussed in Section VI.A.1 of the Staff Report, would be adequate to meet the needs of the development.

5. The appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area. The only change to the existing on-site development associated with this project would be the addition of bike racks at the rear of the property. Staff has determined that these racks would not be visible from surrounding development and would be compatible with the character of the area.
C. **COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)**

1. The project is consistent with the policies of the California Coastal Act because the project is located in an existing urban area and all public services are available to serve the development.

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.C of the Staff Report.

II. Said approval is subject to the following conditions:

A. **Recorded Conditions 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, 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 November 10, 2016 is limited to an amendment to the approved Rescue Mission in order to eliminate off-site parking. The Rescue Mission will continue to provide 19 parking spaces on-site. The only physical improvement to the site associated with the project is the addition of parking for 50 bicycles 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 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. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.

4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.

5. **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.

6. **Gates.** Any gates that have the potential to block access to any designated commercial space shall be locked in the open position during business hours.

B. **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. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
   a. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner’s signature.
   
   b. **Bicycle Parking.** Fifty (50) bicycle parking spaces shall be provided. The rack type and site locations shall be approved by the Public Works Director.

2. **Community Development Department.**
   a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition A “Recorded Conditions Agreement” to the Community Development Department prior to issuance of any building permits.

C. **General Conditions.**

1. **Prior Conditions.** These conditions are in addition to the conditions identified in Planning Commission Resolutions 42-86 and 064-96, as approved by the City Council.

2. **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.

3. **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.

4. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner 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/Owner 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/Owner 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/Owner 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 CONDITIONAL USE PERMIT AMENDMENT AND MODIFICATION APPROVAL TIME LIMITS:

The Planning Commission action approving the Conditional Use Permit Amendment and Modification shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

IV. 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.

V. 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 10th day of November, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

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

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.
CALL TO ORDER:
Chair Campanella called the meeting to order at 1:05 P.M.

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

STAFF PRESENT:
Beatriz Gularte, Senior Planner
Tava M. Ostrenger, Assistant City Attorney
Barbara Shelton, Project Planner/Environmental Analyst
Steven Greer, Project Planner/Environmental Analyst
Kathleen Kennedy, Associate Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:
A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
None.

B. Announcements and appeals.
None.

C. Review, consideration and action on the following draft Planning Commission Minutes and Resolutions:
1. November 3, 2016
2. PC Resolution No. 029-16
   1400-1700 Blocks of Cabrillo and 1414 Park Place
3. PC Resolution No. 030-16
   1127 Bath Street
MOTION: Schwartz/Pujo
Approve the minutes and resolutions as presented.

This motion carried by the following vote:
Ayes: 6  Noes: 0  Abstain: As noted. Absent: 1 (Jordan)

D. Comments from members of the public pertaining to items not on this agenda.
Chair Campanella opened public comment at 1:07 P.M. and, with no one wishing to speak, closed public comment.

III. ENVIRONMENTAL HEARING:

APPLICATION OF RRM DESIGN GROUP, ARCHITECT FOR DR. HERB BARTHELS, 1837½ EL CAMINO DE LA LUZ, APN 045-100-065, E-3/S-D-3 (ONE-FAMILY RESIDENCE/ COASTAL OVERLAY) ZONES, LOCAL COASTAL PLAN DESIGNATION: RESIDENTIAL (5 UNITS/ACRE) (MST2002-00214)

A Second Revised Draft Environmental Impact Report (DEIR) has been prepared for the 1837½ El Camino de la Luz residence project, pursuant to the California Environmental Quality Act, which evaluates environmental impacts of the proposed project.

The proposed project consists of a 1,505 square-foot (net), two-story, single-family residence with an attached 429 square foot garage on a 23,885 square foot vacant bluff-top lot in the appealable jurisdiction of the Coastal Zone and Hillside Design District. Grading quantities total approximately 288 cubic yards of cut and 21 cubic yards of fill. The proposed residence is 41% of the Guideline Floor to Lot Area Ratio (FAR). The proposal will require Planning Commission review and approval of a Coastal Development Permit and certification of the environmental document.

The hearing is to receive public and Commission comment on the draft environmental document only. No action on the environmental document or project permit request will be taken by the Planning Commission at this hearing. The public review period for the DEIR extends through November 30, 2016.

Contact: Kathleen Kennedy, Associate Planner
Email: KKenedy@SantaBarbaraCA.gov  Phone: (805) 564-5470, ext. 4560

Kathleen Kennedy, Associate Planner, gave the Staff presentation. Barbara Shelton, Environmental Analyst/Project Planner, and Steve Rodriguez, Rodriguez Consulting, Inc., were available to answer any of the Commission’s questions.

Detlev Peikert, Architect, RRM Design Group, introduced Richard Monk, Attorney, Hollister & Brace, who gave the applicant presentation. Rick Gorman, Geologist, Earth Systems Pacific, and Dr. Herb Barthels, owner, were also available to answer any questions.
Chair Campanella opened the public hearing at 1:40 P.M.

The following people commented on the project:

1. Sabrina Venskus, Venskus and Associates, a public interest law firm, attorney for Citizens to Preserve and Protect the Mesa’s Coastal Bluffs, stated that the lot is not a legal lot and that the applicant was fully compensated when he sued the title company in the early 1990’s claiming the lot could not be developed. The EIR is deficient because there is no discussion of whether or not it is a legal lot. With respect to the biological impacts, the conclusion is not supported by substantial evidence. The biological assessment is insufficient to support the DEIR’s findings because there were no surveys done for sensitive invertebrates. The DEIR does not appear to conduct any rare plant surveys. The geological findings are not supported by substantial evidence. The required bluff and creek setbacks do not take into account landslides. The mitigation measures proposed do not provide sufficient detail to ensure that they will be enforceable. The DEIR’s conclusion with respect to land use policies are unsupportable because the analysis is missing on a number of the policies. The DEIR does not analyze or evaluate ESHA. The findings regarding shoreline access are not supported by substantial evidence. The visual quality analysis is deficient. The determination that the project is potentially consistent with Coastal Act Policies including LCP Policy 9.1 related to visual resources are not supported by substantial evidence because the figures in the analysis indicate that the project as proposed would obstruct public views of the ocean from La Mesa Park and the bridge. The DEIR is most deficient in the feasible alternatives analysis. CEQA provides that agencies must engage in a reasonable range of alternatives. There is only one alternative that is only slightly smaller than the proposal and does not reduce the significant impacts to a level of insignificance. There are alternatives to the project, a much smaller alternative. Time was ceded to Ms. Venskus by Elise Cossart-Daly of Venskus and Associates, Daniel McCarter, and Sarah M. McCarter.

2. Ray Franco, neighbor, distributed written comments to the Commission and staff. He agrees with Ms. Venskus that the applicant does not have the 15 foot easement that was originally presented to the City Council when the lot split was approved. He showed a copy of the original settlement agreement signed by all parties that states that they agree that there is a 7.5 foot easement but that it also includes a list of encroachments that were to be preserved at that time. He stated that as of two days ago, he was told that he was going to have to tear down his wall. He stated that this is not the amicable way to get a project done. He provided a PowerPoint presentation showing the history of the project area since 1928. He stated that there would be 100 foot caissons. He showed slides from EIR geological reports regarding fractures in bedrock. He disputes the statement made at the site visit that wave action does not have any impact on the bluff and that the statement that caissons will stabilize the bluff is false. Time was ceded to Mr. Franco by Lou de Bourbon, Thomas Morrison, and Nancy Brock.
With no one else wishing to speak, the public hearing was closed at 1:59 P.M.

Mr. Monk rebutted comments by Ms. Venskus regarding the referenced lawsuit settlement by stating that the lawsuit had nothing to do with the legality of the lot, but with the width of the easement. The parcel was created by a 1958 lot split approval before it was ever acquired by Dr. Barthels. There is no challenge to the validity of the lot.

The Commissioners made the following comments:

**Commissioner Higgins:**
- Recommends that the Initial Study section about plans and policy discussion be moved forward into the body of the document.
- Would like to see more information from Transportation Division staff on vehicular access and whether the pinch point will be consistent with their standards and whether they have any further mitigation or design considerations.
- Would like to see more of the neighbor’s point regarding removing some structures in the easement.
- Would like some discussion included in the section on the Subdivision Map Act regarding the original condition for a fifteen foot easement.
- Incorporate slope definitions including a succinct discussion on whether or not scientific terms come with a regulatory standard at the local level and the coastal level, and even the State level for the Streambed Alteration Agreement.
- Appreciates Ms. Venskus’ comments about whether the City has adequately addressed alternatives and is receptive to hearing her alternatives.
- Would like clarification on the nature of the existing pedestrian easement prescriptive or otherwise and whether or not there is any likelihood that the Coastal Commission will exact a public easement out of the CDP and if it is a possibility, need to evaluate whether or not it will have an effect on the slope.
- Would like to see information in the document on construction vehicles and what types can be used, such as cranes, etc.

**Commissioner Lodge:**
- Referenced section 3.3.2 on page 3-5 of the DEIR and could not support a vegetated roof.
- Would like to see that the solar panels are included in the photo simulations.
- Would like to see clarification on the access situation between what is in the last sentence in section 4.2.1 on page 4-1 referencing the trail and picture 3.3-8 that indicates different contour lines for the trail.
- Would like to see clarification on the terms coastal bluff, top of bank, and top of canyon slope.
Commissioner Thompson:

- Did not agree with having a vegetated roof.
- Stated that the depiction of the coastal top of bluff is erroneous where it goes down the hill. The top of canyon ends eight feet from where the top of bluff is shown going downhill. It makes more sense for the top of bluff to connect to the top of canyon.
- The top of canyon versus the top of bank for the creek needs more clarification. On the topographic map, there is no break from the embankment going down to the creek so there is no justification to show a different top of creek bank and call something else the top of canyon.
- A view analysis from the ocean as required on all other coastal development permits needs to be included in the document.

Commissioner Schwartz:

- Referenced page one of the staff report stating that the focus has been on the potentially significant project impacts on visual aesthetics and geology. There are other outstanding issues outside of these two areas that have not been adequately vetted, such as the vehicular and pedestrian access and how it relates to the acceptable width of the easement. Comprehensive analysis is needed.
- In mentioning the geotechnical studies, she remains skeptical of the data that has been produced regarding the slope stability in this area of the Mesa. With the history of slides on the Mesa, she is not confident that we have the full history before us to properly analyze the likelihood of additional slide in this area.
- Stated that introducing the geologic term ‘canyon top of slope’ is problematic in having policy implications that are not incorporated into other major policy documents like the Coastal Act.
- Wants to see a current written opinion from the California Coastal Commission on all of the updated information.
- Regarding pedestrian public access along the easement, she recalled that in 2012, the neighbors submitted a variety of legal documents that should have been resolved today and that may affect decisions made as to the width of the driveway, the development envelope, the landscaping, and what else has to be provided for safe access for the public to continue pedestrian access to the bluff top and stairs to the beach.

Commissioner Pujo:

- Would like to see explanations in the introductory portions of the document that discuss that it is a focused EIR, as well as a discussion about the ability to continue to use the same baseline and its current validity.
- Recognizes the incredible amount of work and studies that have taken place on a difficult site and that it is an extraordinary effort.
- Agrees with Commission Thompson on the need for a visual analysis. The focus has been on the Lighthouse Bridge, the canyon, and La Mesa Park. There is a deficiency in the discussion about the views from the beach and the ocean. The Initial Study does include some older visual simulations from the beach but are hard to read and do
not give a clear picture of what the potential impact is from the beach. Suggest bringing it forward in the document as its own section with better resolutions or produce new simulations that show that the views are limited.

- Requests clarification about mitigation measure AES-2 in regard to the maximum allowed height of the vegetation.
- Verify the size of the proposed caissons and provided a discussion on how the caisson would affect slope stability.
- The policy section of the DEIR includes LCP policy 6.10 related to setbacks from a creek and the top of bank from a creek. In order to know if we meet consistency with that policy, we need to know what that top of bank is and include top of bank discussion and diagram in the document.
- More details are needed on what measures will be required to be assured that the landscaping and irrigation on the property will not exacerbate the conditions and to fully mitigate potential saturation of the soils on the site.
- In terms of monitoring for soil saturation, include not only for the creek restoration portion, but for the watering portion as well, and include monitoring, maintenance and reporting similar to what is in the Creeks Division letter so that we know that it will be carried out over time.
- Agrees with Commissioner Thompson on the top of bluff and would like further clarification on the location of the top of bluff and how it coincides with the Coastal Act definition of a step-like feature.
- Agrees with other Commissioners’ comments about access and Commissioner Higgins comment, in particular, on needing more information on the pinch point and how feasible it would be for a car or construction equipment to make it to the other side and what to do if it can’t.
- Would like clarification on the easements on whether or not it goes to the bottom of the bluff and clarification on who has rights of access through the easements.
- Would like a review of the document and confirmation that one alternative is adequate and how it relates to significant impacts and whether or not a second alternative should be chosen.

Commissioner Campanella:

- The definition of the top of bluff and the top of canyon slope really need to be defined. He understands that with the Coastal Commission there is agreement on the top of bluff and agreement on erosion. We do not have an agreement on a recommended setback from the top of bluff line. He wants to see an agreement by all (e.g., Santa Barbara Urban Creeks, Coastal Commission) on the definition and the proper setback when this document returns.
- The document as put together is a fine piece of work and easy to understand.
ACTUAL TIME: 4:00 P.M.

A. Committee and Liaison Reports
   1. Staff Hearing Officer Liaison Report
      None was given.
   2. Other Committee and Liaison Reports
      a. Commissioner Schwartz reported on the City Water Commission meeting she attended earlier in the day.
      b. Commissioner Lodge reported on the Historic Landmarks Commission meeting of November 16, 2016.
      c. Chair Campanella wished all a Happy Thanksgiving and adjourned the meeting to December 1, 2016.

IV. ADJOURNMENT

Chair Campanella adjourned the meeting at 4:11 P.M.

Submitted by,

______________________________
Julie Rodriguez, Planning Commission Secretary