



City of Santa Barbara
PLANNING COMMISSION
MINUTES
JULY 6, 2017

1:00 P.M.
City Hall, Council Chambers
735 Anacapa Street
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Jay D. Higgins, *Chair*
Lesley Wiscomb, *Vice Chair*
John P. Campanella
Mike Jordan
Sheila Lodge
Deborah L. Schwartz
Addison Thompson

STAFF:

N. Scott Vincent, Assistant City Attorney
Beatriz Gularte, Senior Planner
Julie Rodriguez, Planning Commission Secretary

CALL TO ORDER

Chair Higgins called the meeting to order at 1:04 p.m.

I. ROLL CALL

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

STAFF PRESENT

N. Scott Vincent, Assistant City Attorney
Dan Gullett, Supervising Transportation Planner
Allison De Busk, Project Planner
Jessica W. Grant, Project Planner
Megan Arciniega, Associate Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS

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

No requests.

B. Announcements and appeals:

Planning Commissioners individually acknowledged Planning Commission Secretary Julie Rodriguez's departure, thanked her for contributions made, and wished her well in her next endeavor.

- C. Review, consideration, and action on the following draft Planning Commission minutes and resolutions:

1. June 1, 2017

MOTION: Thompson/Jordan

Approve the minutes as amended.

This motion carried by the following vote:

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

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

No public comment.

III. CONSENT ITEM

ACTUAL TIME: 1:06 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Wiscomb recused herself from hearing this item due to living within a 500-foot proximity to the project.

APPLICATION OF STACY FAUSSET, AGENT FOR FINEGOLD FAMILY TRUST, 1903 EL CAMINO DE LA LUZ, APN 045-100-078, E-3/SD-3 SINGLE FAMILY RESIDENTIAL/COASTAL ZONE, GENERAL PLAN AND COASTAL LAND USE PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2016-00216)

The project involves improvements to a single-family property located on a bluff top lot in the City's Coastal Zone. The proposed landscape improvements include repair of an existing 233 square foot wood deck on the southern portion of the property including replacement of existing railing with clear glass; addition of a separate 96 square foot wood on-grade paving adjacent to the existing deck; removal of 390 square feet of existing stone patios around the south side of the residence and replacement with 401 square feet of concrete patios and stepping pads; relocation of a wood entry gate on the east side of the residence providing access into the yard; removal of existing plantings and replacement with new drought tolerant planting and drip irrigation in the landscaping areas surrounding the patios; and addition of a new wood sliding vehicle entry gate adjacent to the garage. One Eriobotrya tree is proposed to be removed, and two Cassia Leptophylla trees and three citrus trees are proposed to be installed. The project also includes abatement of previous zoning violations including 1) the removal of a metal shed in the setbacks, and 2) the removal of bathroom shower and replacement with tub to match original approved configuration (ZIR2014-00192).

Current drainage is through two existing drain inlets on southern portions of the site that flow into two existing 7-inch corrugated HDPE drain pipes that go down the bluff and drain to the beach. No changes to the existing drain pipes are proposed as part of the project. The site has had a historical access path down the bluff, which predates the Local Coastal Plan certification and would remain.

The discretionary application required for this project is a Coastal Development Permit (CDP2016-00011) 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 15303 (Small Structures), which allows accessory structures such as patios and gates, and Section 15304 (Minor Alterations to Land), which allows for landscaping on private property.

Contact: Megan Arciniega, Associate Planner

Email: MLowery@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 7587

MOTION: Thompson/Lodge

Waive the Staff Report.

This motion carried by the following vote:

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

Public comment opened at 1:12 p.m., and as no one wished to speak, it closed.

MOTION: Thompson/Jordan

Assigned Resolution No. 011-17

Approve the project, making the findings for the Coastal Development Permit as outlined in the Staff Report dated June 29, 2017, subject to the Conditions of Approval as outlined in the Staff Report.

This motion carried by the following vote:

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

The ten calendar day appeal period was announced.

IV. CONCEPT REVIEW

ACTUAL TIME: 1:15 P.M.

APPLICATION OF DESIGNARC, AGENT FOR LAGUNA HALEY STUDIOS LLC, 401-409 EAST HALEY STREET, APNS 031-212-017 AND -018, C-M COMMERCIAL MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL INDUSTRIAL/HIGH DENSITY RESIDENTIAL/PRIORITY HOUSING OVERLAY 37-63 DU/ACRE (MST2016-00508)

The project is a proposal for a new mixed-use development using the Average Unit-Size Density (AUD) Incentive Program, in the C-M, Commercial Manufacturing zone. The project will include a voluntary lot merger of Assessor's Parcels 031-212-017 and 031-212-018, which will result in one parcel of 22,500 square feet. Currently, there are two existing single-story commercial buildings and one residential duplex at 401 E. Haley Street, and one single-story, single-family residence (currently being used for commercial purposes), at 409 E. Haley. All existing residential and commercial structures totaling 5,828 square feet will be demolished. The proposal will include construction of a three-story, mixed-use building with 28 residential rental units totaling 22,006 square feet and three commercial spaces totaling 2,684 square feet of existing demolished square footage.

A ground-level parking garage with 53 parking spaces will be provided. Eleven of the spaces are off-site parking spaces for 406 E. Haley. Roof decks are proposed for the two-bedroom residential units. The residential unit mix will include 5 studios, 9 one-bedroom units, and 14 two-

bedroom units, with an average unit size of 786 square feet; an average unit size of 896 square feet is allowed if developing at the proposed density. The proposed density on this parcel will be 55 dwelling units per acre on a parcel with a General Plan Land Use Designation of Commercial Industrial with Priority Housing Overlay that allows 37-63 dwelling units per acre.

This project requires Planning Commission Conceptual Review because the combined lot size is more than 15,000 square feet and the project is being proposed under the AUD Incentive Program Priority Housing Overlay. The purpose of this hearing is for Planning Commission and the public to review the proposed project design and provide the applicant, staff, and the Architectural Board of Review (ABR) with comments on the proposed improvements, design, and General Plan consistency (SBMC §28.20.080).

The opinions of the Planning Commission may change, or there may be ordinance or policy changes that could affect the project that would result in requests for project design changes. **No formal action on the development proposal was taken at the concept review, nor was any determination made regarding environmental review of the proposed project.**

Contact: Megan Arciniega, Associate Planner

Email: MLowery@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 7587

Megan Arciniega, Associate Planner, gave the Staff presentation. Daniel Gullett, Supervising Transportation Planner, was available to answer questions.

Daryll & Kirsten Becker, Owners, introduced Mark Kirkhart, Architect, who gave the Applicant presentation.

Public comment opened at 1:57 p.m.

The following people spoke in support:

1. John Solontay
2. Liam Stimson
3. Maddy Jacobson
4. Michelle Bunker
5. Christopher Price

The following people spoke in opposition or with concerns:

1. Christine Neuhauser expressed concern for mass, views, and lack of neighborhood compatibility.
2. Ursula O'Neill shared photos and was concerned with views and the close proximity of the project and landscaping to her landscaping.
3. Marcia Burt was supportive but concerned with lighting, views, and parking.

Public comment closed at 2:05 p.m.

Kevin Moore, Architectural Board of Review (ABR) member, was present to answer any of the Commission's questions.

Commission comments:

Is the project consistent with the goals/policies of the General Plan?

Commissioners Thompson, Jordan, Campanella, and Schwartz agreed that the project is consistent with the policies of the General Plan, namely providing housing consistent with the Housing Element.

Commissioners Lodge, Wiscomb, and Higgins stated that the project did and did not meet the policies of the General Plan. Commissioner Lodge was concerned with the commercial aspects of the project that would create more jobs and result in the need for more employee housing. If the commercial was removed, it would create 15 more parking spaces and be more appropriate than having more commercial on Haley.

Commissioner Wiscomb was significantly concerned with the pedestrian and cycling experience near this project. Though the views are not considered significant public vista points in the City, look at Land Use Element policy LG.12 for enhancement of community character; people expect mountain views in Santa Barbara, especially in that area, and this building will block those views. We are trying to create walkable alternative means of transportation in Santa Barbara, which is promoted by the AUD program, yet this building interferes with the beauty of walking in Santa Barbara.

Commissioner Schwartz noted that the project optimizes multi-modal transportation in the City consistent with the Circulation Element and that the City has not yet adopted implementation strategies for Visual Resource Protection ER 29.1 and ER 29.2; as such, views are analyzed on a project by project basis. Noted that when standing in front of even single-story buildings in this area, views to the mountains are blocked.

Commissioner Higgins wondered if, when the new Zoning Ordinance is adopted and the parking standards are reduced, would the parking demand drop on this property and then the parking stackers would not be required. This could allow the project height to be dropped 6 to 8 feet and would allow for more mountain views.

Is the project size/mass/bulk/height/scale appropriate for the location and the neighborhood?

A majority of the Commission supported the size/mass/bulk/height/scale as appropriate for the location and the neighborhood given that the height could have been 45', the scale is human scale, and other nearby buildings are the same height or taller. Chair Higgins shared a dissenting opinion, stating he preferred that the offsite parking did not have to be parked there and could be brought down.

Commissioner Jordan noted that the contrast between what is there now and what is proposed to be there appears to be driving the discomfort on the size/mass/bulk, but buildings in the neighborhood that are successful are similar in size and height, and even built to the property lines. Appreciated the cutouts and the architectural design.

Some Commissioners were conditional in their support, stating that the project was too massive on the Haley Street side. Commissioner Schwartz added that there might be artistic ways to soften what may appear to be larger and bulkier than the actual square footage without necessitating a change in the height or the size.

Does the design preserve or enhance important public views or public vistas?

Commissioners Thompson, Lodge, and Wiscomb agreed that important public views were blocked from Haley and Laguna and also expressed that the term “important” was very subjective.

Commissioner Schwartz and Higgins noted that the City does not have codified scenic vistas, view corridors, or adopted standards to protect views to apply to this question. Commissioner Higgins added that it is unfortunate that we lose the public on this process when we do not have the tools to define “important.”

Commissioners Campanella, Schwartz, and Jordan stated that the views along Haley and Laguna are not considered significant public vista points like a park or public gathering area. They noted that this a commercial working corridor and is not the same as other areas in our community that have been called out for special consideration in policy making and project approval in regard to views. Views from streets in this area heading towards the mountains all have some blockage, but the mountains remain visible from across the street or further up the block.

Does the project comply with the Haley-Milpas Design Guidelines?

Commissioner Thompson stated that the Haley-Milpas Guidelines are out of date, but the project seems to comply with them.

Commissioner Lodge showed visual examples of the industrial look of steel that did not fall under the Haley-Milpas Guidelines or the General Guidelines, and some contemporary single-colored projects that gave a Mediterranean feel.

Commissioners Jordan, Wiscomb, and Campanella deferred to the judgment of the Architectural Board of Review (ABR).

Commissioner Schwartz referenced the four Urban Design Districts (Hispanic/Pueblo, Boulevard, Industrial, Mixed) in the Guidelines, noting that all exist within a few blocks of Haley/Laguna and there is not just one dominant architectural style. She found that even though the Guidelines are outdated and contradictory, she could find the project compatible because of the significant diversity of architectural styles in the neighborhood.

Commissioner Higgins acknowledged that the Guidelines are outdated but does not think the design lines up with the “Pueblo Revival” style outlined in the Haley-Milpas Design Guidelines. Additionally, the ability of AUD buildings to resonate with the architectural style of the Santa Barbara area is important to the success of the AUD program.

General Commission comments:

Commissioner Thompson stated that that while the project does block views and is too massive along the Haley side, overall the loss of views is a reasonable trade-off for needed housing.

Commissioner Jordan stated the project benefits include that it may eventually become overparked in the evening, maybe even in the daytime. The project includes more outdoor living space than was required. There were no modifications requested. It comes in under the allowable zoning for height, density, and setbacks. There are many multi-story examples in that neighborhood that are built or being built that are just as tall or taller.

Commissioner Wiscomb remained concerned about the interior setbacks and working with the neighbors to come to a mutual conclusion that works for everyone. A good neighbor policy would be important. She appreciated the ABR's work in developing the articulation of the building as it will help with the pedestrian experience. She would like to see a denser canopy on Haley Street and a lush environment with greenery and shade to make it a pedestrian-friendly place.

*** THE COMMISSION RECESSED FROM 4:26 P.M. TO 4:39 P.M. ***

V. NEW ITEM

ACTUAL TIME: 4:39 P.M.

APPLICATION OF LAURA BENARD, ARCHITECT FOR THE CEARNAL COLLECTIVE LLP, FOR BETTY JO LAURITSON TRUST, 214-226 E. DE LA GUERRA ST, APNS 031-082-002, -003, AND -004, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH RESIDENTIAL, PRIORITY HOUSING OVERLAY (37-63 DU/ACRE) (MST2016-00447)

The project consists of a 26-unit mixed-use project to be developed on three parcels under the Average Unit-Size Density (AUD) Program. The project proposes to demolish an existing two-story, 2,464 square foot, four-unit apartment complex (226 E. De La Guerra Street), three sheds, and a surface parking lot. Site preparation would include 4,300 cubic yards of cut and 100 cubic yards of fill, and 4,200 cubic yards of export. The project proposes to construct a four-story, 18,753 square foot, mixed-use building that includes 14,004 square feet of residential area, 4,749 square feet of commercial floor area, and 10,807 square feet of partially subterranean basement area consisting of storage and 43 parking spaces, with 32 of the spaces provided in an automated parking system with stacked parking. The residential component comprises 26 AUD rental apartments with an average unit size of 525 square feet; an average unit size of 840 square feet is allowed.

The three parcels have a General Plan Land Use designation of Commercial/High Residential with Priority Housing Overlay (37-63 dwelling units per acre). The proposed density on the total of .44 acres will be 60 units per acre, as allowed by the AUD Priority Housing Overlay. The existing single family residence, which is a City Landmark known at the Louisa Ygnacio House, and duplex at 214 E. De La Guerra Street will be preserved and renovated. The existing residences are part of the 26 residential unit count. The discretionary applications required for this project are:

1. Planning Commission review of an Average Unit-Size Density Program project on a lot greater than 15,000 square feet (SBMC §28.20.080);
2. A Development Plan to allow the construction of 4,749 square feet of new nonresidential floor area (SBMC §28.85.030); and
3. Historic Landmarks Commission approval of the architectural design of the mixed-use development.

The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183.

Contact: Jessica Grant, Project Planner
Email: JGrant@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4550

Jessica Grant, Project Planner, gave the Staff presentation. Daniel Gullett, Supervising Transportation Planner was available to answer questions.

Brian Cearnal, Cearnal Collective LLP, gave the Applicant presentation, and was joined by Laura Benard, Cearnal Collective LLP, and Katie Klein, Landscape Architect.

Public comment opened at 5:19 p.m., and as no one wished to speak, it closed.

MOTION: Jordan/Thompson

Assigned Resolution No. 012-17

Approve the project, making the Environmental Review Exemption and Development Plan findings for the Development Plan as outlined in the Staff Report dated June 29, 2017, subject to the Conditions of Approval as outlined in the Staff Report, with the following revision to the Conditions of Approval:

1. C.1.Tree Removal and Replacement and D.1.b De La Guerra Public Improvements (add the following): Landscaping of the public parkway up to the Santa Barbara Street corner, including the addition of 1-2 street trees, as is feasible and as the City Arborist deems appropriate.

This motion carried by the following vote:

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

The ten calendar day appeal period was announced.

Commission comments:

Commissioner Thompson found the differences of this project compared to the previous one are quite dramatic. This project is on the south side of the street and not on a corner. It does not block any mountain views, is a slope site that adds to the masking effect, and has a lot of existing trees that help mask the project. There is no impact to the "public views." More parking is provided than the previous project. It is consistent with the goals and policies of the General Plan. The size and bulk of the project are appropriate for the site and the neighborhood.

Commissioner Lodge found the project consistent with the policies of the General Plan. The size, bulk, and scale are mostly appropriate for this site. She appreciates the generous amount of space between the project and the Louisa Ygnacio House. She is concerned by the width and height where the roofline projects out fairly close to the property line and seems overwhelming, especially since it protrudes over the street. The City does not need more commercial buildings. If this were all residential and stacked parking were eliminated, it would be ideal because it is above street level and the ceiling height of the first floor could be reduced substantially, it would not seem so overwhelming, and the number of housing units could be increased.

Commissioner Jordan, concurred with Commissioners Thompson and Lodge and finds that the project is consistent with the goals and policies of the General Plan. The size, bulk, and scale are appropriate for the site. It is a great site. He appreciates how the project has been nestled down to the natural slope. This is 3-4 blocks closer to downtown and great for where housing will be located. He appreciates that the project is overparked instead of at the parking requirement.

Commissioner Wiscomb concurred with other Commissioners that the goals of the General Plan are consistent and that the size, bulk, and scale are appropriate for the site. She appreciates the parking and the care to the retention of the Oak tree. The Monterey Revival architecture fits well at the site. She encourages doing something with the existing building at the back to give a spark to the historic building. She appreciated the landscape plan provided and the inclusion of the parkway that will make for a better pedestrian experience.

Commissioner Campanella found the project consistent with the goals of the General Plan and that the size, bulk, and scale are appropriate for the site. The Monterey style blends in with nearby buildings, especially as the grade goes down. No two sites are alike, but the cost of parking should be considered and getting enough floors above the parking to make the project work from an economic standpoint. He supports the flexibility in parking options to alleviate concerns with the neighbors. He complimented the Applicant team on the preservation of the Louisa Ygnacio House. It is an example of the AUD program working with a historic structure.

Commissioner Schwartz found the project consistent with the goals and policies of the General Plan. Livability, our urban forest, and open space are priority components that must be considered, and the Applicant has done a great job. The proposed landscape plan has been helpful to make the findings today to support the size, bulk, and scale of the project. In terms of the mixed use, Santa Barbara has a long history of residential housing over business. Shop owners used to live over their shops. If we provide the right mix of commercial and residential, it will be an enhancement to the street and the neighborhood.

Commissioner Higgins found the project consistent with the goals and policies of the General Plan. He is concerned with the view from Ortega Street between Santa Barbara and Garden Streets and had hoped to see the story poles back up again. This project is closer to State Street and the Central Business District. He likes the advantage taken of the trees to hide most of the bulk. The extra parking is appropriate. He appreciates that there is not any opposition to the historic resources on the property.

MOTION: Campanella/Higgins

Support the use of stacked parking with mixed-use, higher density housing projects as a way to provide additional parking on the site and pass this information on to the design boards.

This motion carried by the following vote:

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

VI. ADMINISTRATIVE AGENDA

ACTUAL TIME: 6:35 P.M.

A. Committee and Liaison Reports:**1. Staff Hearing Officer Liaison Report**

Commissioner Jordan reported on the Staff Hearing Officer meeting of July 5, 2017.

2. Other Committee and Liaison Reports

- a. Commissioner Lodge reported on the Historic Landmarks Commission meeting of June 28, 2017.
- b. Commissioner Campanella reported on the Architectural Board of Review meeting of June 19, 2017.
- c. Commissioner Schwartz reported that she and Commissioner Wiscomb attended a meeting on sea level rise on July 3, 2017.

VII. ADJOURNMENT

Chair Higgins adjourned the meeting at 6:40 p.m.

Submitted by,

Kathleen Goo, Interim Planning Commission Secretary



City of Santa Barbara California

II C 2

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 011-17
1903 EL CAMINO DE LA LUZ
COASTAL DEVELOPMENT PERMIT
JULY 6, 2017

APPLICATION OF STACY FAUSSET, AGENT FOR FINEGOLD FAMILY TRUST, 1903 EL CAMINO DE LA LUZ, APN 045-100-078, E-3/SD-3 SINGLE FAMILY RESIDENTIAL/COASTAL ZONE, GENERAL PLAN AND COASTAL LAND USE PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2016-00216)

The project involves improvements to a single-family property located on a bluff top lot in the City's Coastal Zone. The proposed landscape improvements include repair of an existing 233 square foot wood deck on the southern portion of the property including replacement of existing railing with clear glass; addition of a separate 96 square foot wood on-grade paving adjacent to the existing deck; removal of 390 square feet of existing stone patios around the south side of the residence and replacement with 401 square feet of concrete patios and stepping pads; relocation of a wood entry gate on the east side of the residence providing access into the yard; removal of existing plantings and replacement with new drought tolerant planting and drip irrigation in the landscaping areas surrounding the patios; and addition of a new wood sliding vehicle entry gate adjacent to the garage. One Eriobotrya tree is proposed to be removed, and two Cassia Leptophylla trees and three citrus trees are proposed to be installed. The project also includes abatement of previous zoning violations including 1) the removal of a metal shed in the setbacks, and 2) the removal of bathroom shower and replacement with tub to match original approved configuration (ZIR2014-00192).

Current drainage is through two existing drain inlets on southern portions of the site that flow into two existing 7-inch corrugated HDPE drain pipes that go down the bluff and drain to the beach. No changes to the existing drain pipes are proposed as part of the project. The site has had a historical access path down the bluff, which predates the Local Coastal Plan certification and would remain.

The discretionary application required for this project is a Coastal Development Permit (CDP2016-00011) 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 15303 (Small Structures), which allows accessory structures such as patios and gates, and Section 15304 (Minor Alterations to Land), which allows for landscaping on private property.

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 thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 29, 2017
2. Site Plans

3. Correspondence received in support of the project:
 - a. Bruce Peterson, via email

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 as described in Section VI of the Staff Report the proposed improvements and landscaping would not contribute to erosion, geologic instability or destruction of the site or in the surrounding area. In addition the project will not result in any adverse effects related to coastal resources, including views and public access.
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 landscaping improvements would not contribute to erosion, geologic instability or destruction of the site. Furthermore, the project will not impact views from public view corridors; will not impact public access; will not contribute to safety or drainage hazards on the site; and since the project is located within the area previously reviewed cultural resources where none were found and includes minor, at-grade, improvements potential impacts to cultural resources would be less than significant.

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 (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. 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 July 6, 2017 is limited to repair of an existing wood deck on the southern portion of the property including replacement of existing railing with clear glass; addition of a separate 96 square foot wood on-grade paving adjacent to the existing deck; stone patios and landscaping improvements around the southern portion of the residence; including removal of existing plantings and replacement with new drought tolerant planting

and drip irrigation in the landscaping areas surrounding the patios; relocation of a wood entry gate and a vehicle entry gate adjacent to the garage. One Eriobotrya tree is proposed to be removed, and two Cassia Leptophylla trees and three citrus trees are proposed to be installed. The project also includes abatement of previous zoning violations including 1) the removal of a metal shed in the setbacks, and 2) the removal of bathroom shower and replacement with tub to match original approved configuration 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 Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. 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 SFDB, 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 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. **Future Threats to Development.** By acceptance of this permit, the Owner agrees, on behalf of him/herself and all successors and assigns, that the Owner shall remove the development authorized by this permit if any government agency has ordered that the structure(s) is not to be occupied in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, liquefaction, flooding, sea level rise, or any other coastal hazards in the future. In the event that portions of the development fall to the beach before they are removed, the Owner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a Coastal Development Permit.
6. **Coastal Bluff Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner

unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

7. **New Protection Devices Prohibited.** The construction of new shoreline and slope stabilization devices in the future to protect the patios, decks, and landscaping improvements that are the subject of this approval, from waves, erosion, slope failure, storm conditions, flooding, sea level rise, or any other coastal hazards is prohibited.
 8. **Irrigation System.** The irrigation system shall be designed and maintained with the most current technology to prevent a system failure. Watering of vegetation on the bluff edge shall be kept to the minimum necessary for plant survival. Any drip system along the bluff edge shall be removed after one full season of plant growth.
- C. **Design Review.** The project, including public improvements, is subject to the review and approval of the Single Family Design Board (SFDB).
- 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. **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 and needs to be contacted.
 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 proposed less than 500 square feet of new/redeveloped impervious area and is required to comply with Tier 2 of the Storm Water BMP Guidance Manual, pursuant to Santa Barbara Municipal Code Chapter 22.87. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and 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, or groundwater pollutants would result from the project.

- c. **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:

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. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the point of entry to the site that list the contractor’s name, and telephone number to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. 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 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.

4. **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 nest(s).

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. **Backflow Prevention Assembly.** Irrigation backflow prevention assembly will need to be tested upon installation and completed test report submitted to City Cross-Connection Control office before project building permit can receive final occupancy.

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.

3. **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 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 6th day of July, 2017 by the Planning Commission of the City of Santa Barbara, by the following vote:

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

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.

Kathleen Goo, Interim 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 COMMISSION
MINUTES
AUGUST 10, 2017

1:00 P.M.
 City Hall, Council Chambers
 735 Anacapa Street
SantaBarbaraCA.gov

COMMISSION MEMBERS:
 Jay D. Higgins, *Chair*
 Lesley Wiscomb, *Vice Chair*
 John P. Campanella
 Mike Jordan
 Sheila Lodge
 Deborah L. Schwartz
 Addison Thompson

STAFF:
 N. Scott Vincent, Assistant City Attorney
 Beatriz Gularte, Senior Planner
 Kathleen Goo, Commission Secretary

CALL TO ORDER

Chair Higgins called the meeting to order at 1:02 p.m.

I. ROLL CALL

Chair Jay D. Higgins, Vice Chair Lesley Wiscomb, Commissioners John P. Campanella, Mike Jordan, Sheila Lodge, and Addison Thompson

Absent: Deborah L. Schwartz

STAFF PRESENT

N. Scott Vincent, Assistant City Attorney
 Beatriz Gularte, Senior Planner
 Dan Gullett, Supervising Transportation Planner
 Andrew Bermond, Project Planner
 Jessica W. Grant, Project Planner
 Barbara Shelton, Project Planner/Environmental Analyst
 Kathleen Goo, Commission Secretary

II. PRELIMINARY MATTERS

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

No requests.

B. Announcements and appeals:

No announcements.

C. Review, consideration, and action on the following draft Planning Commission minutes and resolutions:

1. July 6, 2017

MOTION: Campanella/Thompson

Continue the July 6, 2017 Planning Commission Draft Minutes for further edits.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1

2. PC Resolution No. 012-17
214-226 De La Guerra St.

MOTION: Wiscomb/Jordan

Approve Resolution No. 012-17 as presented.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1

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

No public comment.

III. CONTINUED ITEM

ACTUAL TIME: 1:07 P.M.

FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROPOSED SANTA BARBARA AIRPORT MASTER PLAN

Staff will present and recommend certification of the Final EIR for the Santa Barbara Airport Master Plan by the Planning Commission, and recommend adoption of the Airport Master Plan to the City Council.

The Santa Barbara Airport Master Plan (Master Plan) would provide guidance for airport facility improvements for the next 15-20 years. The proposed Master Plan relies on Federal Aviation Administration (FAA)-approved forecasted estimates of future aviation activity at the Santa

Barbara Airport (Airport) and identifies improvement projects to support short term, intermediate term (2022) and long term (2032) levels of airport activity. The development projects are not only reflective of the level of activity forecasted to occur at the Airport, but are dependent on federal funding cycles and the availability of grant money for aviation projects.

The proposed Airport Master Plan facility improvement projects include:

- Airfield Recommendations: Extension of Taxiway H to the west, parallel to the main 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.

Action to be considered by the Planning Commission: Certification of the Final Environmental Impact Report for the Santa Barbara Airport Master Plan (SCH#2014061096) (CEQA Guidelines §15090).

Recommendations to the City Council to be considered by the Planning Commission:

- A. A Statement of Overriding Considerations for contributions to a cumulative impact to peak-hour traffic at Kellogg and Hollister Avenues in the intermediate term (Impact T-2) and for contributions to cumulative impacts to peak-hour traffic at Kellogg and Hollister Avenues and Fairview Avenue and US Highway 101 Northbound Ramps in the long term (Impact T-3) (CEQA Guidelines §15093).;
- B. Adoption of the Santa Barbara Airport Master Plan dated July 2017 (City Charter §806(a));
- C. An amendment to the Airport Industrial Area Specific Plan (SP-6) removing Sub-Area 1 (City Charter §806(a));
- D. An amendment to the Airport Zoning Map; and
- E. A Local Coastal Plan amendment to the Airport and Goleta Slough Local Coastal Plan Zoning Map (City Charter §806(a)).

The EIR analyzed effects associated with air quality/greenhouse gas emissions, biological resources, cultural resources, geology and soils/ hazards and hazardous materials, hydrology and water quality, land use and planning, public utilities (solid waste disposal), and transportation/traffic, and proposed mitigation measures to reduce the severity of effects.

Contact: Andrew Bermond, Project Planner
Email: ABermond@SantaBarbaraCA.gov

Phone: (805) 692-6032

Andrew Bermond, Project Planner, gave the Staff presentation.

Hazel Johns, Airport Director, and Tracy Lincoln, Operation Manager gave the Applicant presentation, and was joined by Jim Harris for Koffman & Associates.

Public comment opened at 1:41 p.m.

The following people spoke in support:

1. Steven A. Amerikaner, Attorney
2. Julie Broderick for Signature Flight Support
3. Karen Kahn, Santa Barbara Airport Commission
4. Carl Hopkins
5. Gordon Feingold

The following people spoke in opposition or with concerns:

1. Alex Bennet spoke of concerns regarding Airport not being prepared for rising sea levels.
2. Pat Saley, Goleta Slough Management Committee, had concerns regarding policy consistency for the Taxiway H in the Staff Report (page 24), the rezone, and findings to be made.
3. Marti Milan, City of Goleta, Principal Civil Engineer, read into the record the City of Goleta's written concerns regarding the Airport Master Plan; EIR compliance with CEQA requirements, including payment for traffic peak hour fees; incorrect baseline; and inadequate required mitigation of the Master Plan to the City of Goleta (TMM-1).
4. Jessie Altstatt, Santa Barbara Audubon Society, recommended a more environmentally friendly and less expensive preferred alternative for dealing with "hot spots"; the lack of proper biological and ecological studies; concerns regarding EIR impacts to wildlife habitats and resulting low-quality habitats; and Goleta Slough preservation and rising sea level.
5. Mark Holmgren, local biologist, had concerns regarding EIR impacts to wildlife habitat and loss of value and additional cost to the public; lack of proper resource evaluation to implement the Airport Master Plan; lack of proper mitigation of habitat areas near Taxiway H; Goleta Slough rising sea level; and lack of proper biological studies and subsequent impacts to fragile native estuary habitats.

Public comment closed at 2:03 p.m.

Mr. Vincent clarified issues of consistencies with CEQA regarding the EIR and Master Plan. He explained that past mitigation for improvements are not relevant to the current EIR, and the prior baseline may be outdated or not relevant for the current EIR environmental setting because it is based on the improvements and operations of the Santa Barbara Airport as of April 2015. Consistent with CEQA's definition of the environmental setting, and consistent with typical application of CEQA, the environmental setting and baseline is at the time of preparation of the EIR.

According to Ms. Milan, the City of Goleta's concern is that the baseline assumes the original Master Plan contained requirements that were never complied with in the prior EIRs, agreements did not exist, and mitigations were not paid to the City of Goleta. The current EIR assumes the traffic that exists today has been mitigated yet does not address it (e.g., Stork and Hollister Streets intersection improvements). The City of Goleta seeks reimbursement from the Santa Barbara Airport based upon the City of Goleta's transportation impact program mitigation schedule or "GTIP fees" for peak hour trips generated by the airport project, to help provide needed improvement projects within the City of Goleta.

Mr. Vincent clarified the distinction between application of GTIP fees and the question of adequate mitigation under CEQA. The EIR identified potentially significant impacts, and if

feasible mitigations do not mitigate the impacts to a level of less than significant, then overriding considerations must be made before approval and certification of the project. The main issue is that if the City of Santa Barbara were to pay GTIP fees as recommended (by the City of Goleta), those fees would contribute to the impacted intersections identified in the EIR, but would also contribute to other transportation-related improvements identified in the Goleta Transportation Improvement Program, and those intersections or programs are not projects that are mitigating impacts created by the Master Plan build-out. The suggestion by the City of Goleta to pay GTIP fees demonstrates that the City of Goleta and the Airport are not in agreement as to which projects are necessary to mitigate the impacts identified in the EIR. "Significant" impacts must be identified as opposed to "insignificant" impacts.

Mr. Bermond explained that overriding considerations would involve applying a fair-share contribution, cost allocation per project when a traffic study demonstrates peak hour trip contributions to impacted intersections.

In response to Commissioner Campanella's question about why findings for overriding conditions are needed for traffic impacts, Ms. Shelton noted that, although full mitigation for traffic impacts is identified, the mitigations and authority to mitigate are within another government jurisdiction, such that the City of Santa Barbara cannot assure the implementation, timing, and feasibility of the mitigation. The impact is therefore identified as potentially significant, triggering the need for overriding considerations. Generally, full credit for traffic improvement mitigations is only given in EIRs when the improvements are approved, funded, and scheduled.

Commission comments:

Commissioner Thompson expressed support for the Airport Master Plan and EIR; however, under consideration is an Airport Plan, and habitat and wildlife will continue to be an air safety concern for aircraft crashes. The Airport Master Plan appears to be a good plan and necessary to enhance safety and the efficiency of operations at the Santa Barbara Airport.

Commissioner Jordan concurred with Commissioner Thompson, and stated he was satisfied that concerns have been adequately balanced with the need for an essential operation in the City with locations placed long ago on available land. The usual exemplary mitigation has been accomplished to balance the needs for a functioning airport and for wildlife habitat. He supported Certification of the Final EIR for the Airport Master Plan and recommendation to City Council.

Commissioner Wiscomb stated that the previous Master Plan had comprehensive guiding principles for safety and has responded very well as an excellent guiding document over the years. She concluded that the benefits of the Airport Master Plan outweigh the significant traffic impacts, and supported Certification of the Final EIR for the Airport Master Plan and recommendation to City Council.

Commissioner Campanella also expressed appreciation to staff and consultants for the comprehensive document as a foundation for further environmental analysis for future projects, and that safety is a continuing concern for certain locations for increased businesses, traffic, and private planes at the airport. He found the current Airport Master Plan a great improvement over previous versions, and found the mitigation is well considered and the Airport Master Plan will enhance what is already currently in place. He supported Certification of the Final EIR for the Airport Master Plan and recommendation to City Council.

Commissioner Lodge concurred with the Commission's comments and felt the land use is necessary, despite the fact that the Santa Barbara Airport has an unfortunate location near wildlife habitats; however, she supported Certification of the Final EIR for the Airport Master Plan and recommendation to City Council.

Chair Higgins shares the Commission's and public's concern for land use and protection of wildlife habitats, but supported Certification of the Final EIR for the Airport Master Plan and recommendation to City Council.

MOTION: Thompson/Jordan

Assigned Resolution No. 013-17

Certify the Final Environmental Impact Report for the Santa Barbara Airport Master Plan, with the findings in the Staff Report and the format revisions, and made the following recommendations to the City Council:

- A. A Statement of Overriding Considerations for contributions to a cumulative impact to peak-hour traffic at Kellogg and Hollister Avenues in the intermediate term (Impact T-2) and for contributions to cumulative impacts to peak-hour traffic at Kellogg and Hollister Avenues and Fairview Avenue and US Highway 101 Northbound Ramps in the long term (Impact T-3);
- B. Adoption of the Santa Barbara Airport Master Plan dated July 2017;
- C. An amendment to the Airport Industrial Area Specific Plan (SP-6) removing Sub-Area 1);
- D. An amendment to the Airport Zoning Map; and
- E. A Local Coastal Plan amendment to the Airport and Goleta Slough Local Coastal Plan Zoning Map.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1

The ten calendar day appeal period was announced.

*** THE COMMISSION RECESSED FROM 3:00 TO 3:15 P.M. ***

IV. NEW ITEM

ACTUAL TIME: 3:15 P.M.

APPLICATION OF THOMAS OCHSNER, ARCHITECT FOR CHAD YONKER, PROPERTY OWNER, 1631 SHORELINE DRIVE, APN 045-173-022, E-3/SD-3 SINGLE FAMILY RESIDENTIAL AND COASTAL OVERLAY ZONES, GENERAL PLAN/LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: FIVE RESIDENTIAL UNITS PER ACRE (MST2016-00241/CDP2017-00002)

The project consists of a major home remodel resulting in a first-story addition of 422 square feet and a new 1,356 square foot second-story addition to an existing one-story, 1,826 square foot single-family residence, and 382 square foot garage. Other proposed site improvements include landscape changes, a new wood fence, new plaster wall, a new concrete driveway, and a flagstone patio. Code violations in ZIR2016-00169 and ENF2008-00161 will be addressed with the project. The applicant is requesting permission to permit the two "as-built" retaining walls and chain link fence and remove the concrete pad. The proposed total of 3,986 square feet on

a 20,100 square foot lot located in the Hillside Design District is 85% of the guideline maximum floor-to-lot-area ratio (FAR).

The property is zoned E-3/SD-3, Single Family and is located in the Appealable Jurisdiction of the Coastal Zone with a General Plan and Coastal Land Use designation of Residential, Five Dwelling Units per Acre.

The subject site is a south-facing bluff-face property with the existing main residential structure north of the edge of the coastal bluff. The existing drainage is via two drain inlets on the southern portion of the bluff that drain down to the beach. The project site would comply with Tier 3 Storm Water Management.

The discretionary application required for this project is a Coastal Development Permit (CDP2017-00002) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060). The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183.

Contact: Jessica Grant, Project Planner
Email: JGrant@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4550

Jessica Grant, Project Planner, gave the Staff presentation.

Thomas Ochsner, Architect, gave the Applicant presentation, and was joined by Jason Godsick, Civil Engineer; Adam Simmons, Geologist; and Charles McClure, Landcape Architect.

Public comment opened at 3:36 p.m.

The following people spoke in opposition or with concerns:

1. Jesse Wooten (submitted neighbors' letters and photographs) spoke of blocked private views towards Santa Cruz islands by the proposed house, surrounding de-valued property without good neighbor considerations, and claimed lack of noticing from the City.
2. Kit Fulbeck (submitted a letter and photographs) spoke of loss of private views, lowered property values, lack of neighborhood preservation of private views, and claimed lack of noticing from the City.
3. Jon Kauffman (submitted a letter and photographs) spoke of the proposed two-story house blocking his private views, and claimed lack of noticing from the City.

Public comment closed at 3:58 p.m.

Commissioner comments:

Commissioner Wiscomb expressed concern that it appeared that some neighbors were not noticed and recommended continuation to Single Family Design Board (SFDB). She preferred that the Applicant find out if another alternative solution to remove the retaining walls would be possible.

Commissioner Jordan concurred with Commissioner Wiscomb and expressed concern that the yellow posting notice was not in place during the site visit and disappeared from the site. He stated he was not impressed with the public argument of neighbors for preservation of private views, but understood the argument that neighbors did not get the opportunity to express their opinions and comments. He found the project did not have enough substantiation for a Planning

Commission approval, especially regarding claims of lack of noticing, disappearing site notice, and lack of SFDB neighborhood compatibility findings. Possibilities may exist to leave the existing grade alone and not disturb the bluff-top habitat for better stability or to remove everything and bring everything back to grade. He would like to see design review address the merits of these options as part of the decision.

Commissioner Thompson expressed concern that some neighbors were not noticed and made aware of the previous design review meetings, and would like staff to research the 300-foot noticing radius against the distance of concerned neighbors. He suggested the option to leave the retaining walls, take off the top two feet, and re-contour by packing in the soil around the bottom, and leave in the bottom part of the retaining walls for more stability. He is aware that SFDB does not have purview of preservation of private views, only City public view corridors, but he would not be surprised if the SFDB did not make changes based upon private view concerns. However, he would support a return to SFDB or even support allowing the project to move forward.

Ms. Grant confirmed with a Google Earth photograph that the yellow posting notice was placed on the project site.

Commissioner Lodge concurred with Commissioners Jordan and Thompson. She would like the project to return to SFDB, and a good neighbor policy compatibility finding could be made with less impact on the Westside and for alternative solutions on the bluff face.

Commissioner Campanella would like a definition of the Planning Commission's purview of preservation of private views and neighborhood compatibility under a Coastal Development Permit when the project returns to Planning Commission from SFDB.

Mr. Vincent recommended to amend the motion for proper noticing to property owners and tenants within 300 feet, and any identified interested parties, with proper posting of yellow posting notice.

Commissioner Wiscomb concurred with Commissioner Thompson and supported including in the motion the option to reduce the size and bury the retaining wall for stability and support.

Chair Higgins found the large size of the project to be a concern with neighbors and spoke of concerns with the placement of windows on the east and west, a need to review the accuracy of story poles from the photographs provided by neighbors, and a need to reconsider whether the stairways are to remain or be removed.

Commissioner Jordan addressed the issue of the stairs, and stated he was not against what exists on the project now as a final result, but the history of the site involved a blatant disregard by the previous owner (and now fault of the current owner) of the parcel's usable space and continued plateaus of the bluff top. It would be short-sighted to just leave what is there alone, put in some landscaping, and expect a better result. He could support for bluff stability restricting what is there now if there were assurances to restrict the use of the plateaus.

Mr. Vincent clarified that his recommendation would be that new development should assure structure integrity of the bluff face and recommended an indefinite continuance to address issues

of neighborhood compatibility to satisfy the findings for the Coastal Development Permit that were not addressed at the time the of design review.

- Three solutions were suggested for a redesign for inaccessibility and non-use for the bluff top:
- a. Remove the retaining wall entirely and bring in fill-dirt to blend with the bluff top; or
 - b. Leave the retaining wall as is and remove 2 feet off the top of the retaining wall, and back-fill behind the retaining wall with fill or landscaping; or
 - c. Bury the retaining wall, remove two feet off the top of the retaining wall, and back-fill.

MOTION:Lodge/Wiscomb

Continued indefinitely to the Single Family Design Board for a noticed concept hearing and for return to the Planning Commission with comments that SFDB review bluff stability, retaining walls, and consideration of preservation of neighborhood private views.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1

ADMINISTRATIVE AGENDA

ACTUAL TIME: 5:00 P.M.

A. Committee and Liaison Reports:

1. Staff Hearing Officer Liaison Report

No report.

2. Other Committee and Liaison Reports

- a. Commissioner Lodge reported on the HLC meetings of July 26, 2017 and August 9, 2017.
- c. Commissioner Campanella reported on the July Housing Task Force meeting.

V. **ADJOURNMENT**

Chair Higgins adjourned the meeting at 5:04 p.m.

Submitted by,

Kathleen Goo, Commission Secretary



City of Santa Barbara California

II C 4

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 013-17

CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE SANTA BARBARA AIRPORT MASTER PLAN (SCH#2014061096) (CEQA GUIDELINES §15090), AND RECOMMENDATIONS TO CITY COUNCIL AUGUST 10, 2017

FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROPOSED SANTA BARBARA AIRPORT MASTER PLAN

Staff presented and recommended certification of the Final EIR for the Santa Barbara Airport Master Plan by the Planning Commission, and recommended adoption of the Airport Master Plan to the City Council.

The Santa Barbara Airport Master Plan (Master Plan) would provide guidance for airport facility improvements for the next 15-20 years. The proposed Master Plan relies on Federal Aviation Administration (FAA)-approved forecasted estimates of future aviation activity at the Santa Barbara Airport (Airport) and identifies improvement projects to support short term, intermediate term (2022) and long term (2032) levels of airport activity. The development projects are not only reflective of the level of activity forecasted to occur at the Airport, but are dependent on federal funding cycles and the availability of grant money for aviation projects.

The proposed Airport Master Plan facility improvement projects include:

- Airfield Recommendations: Extension of Taxiway H to the west, parallel to the main 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.

Action to be considered by the Planning Commission: Certification of the Final Environmental Impact Report for the Santa Barbara Airport Master Plan (SCH#2014061096) (CEQA Guidelines §15090).

Recommendations to the City Council to be considered by the Planning Commission:

- A. A Statement of Overriding Considerations for contributions to a cumulative impact to peak-hour traffic at Kellogg and Hollister Avenues in the intermediate term (Impact T-2) and for contributions to cumulative impacts to peak-hour traffic at Kellogg and Hollister Avenues and Fairview Avenue and US Highway 101 Northbound Ramps in the long term (Impact T-3) (CEQA Guidelines §15093).;
- B. Adoption of the Santa Barbara Airport Master Plan dated July 2017 (City Charter §806(a));
- C. An amendment to the Airport Industrial Area Specific Plan (SP-6) removing Sub-Area 1 (City Charter §806(a));

- D. An amendment to the Airport Zoning Map; and
- E. A Local Coastal Plan amendment to the Airport and Goleta Slough Local Coastal Plan Zoning Map (City Charter §806(a)).

The EIR analyzed effects associated with air quality/greenhouse gas emissions, biological resources, cultural resources, geology and soils/ hazards and hazardous materials, hydrology and water quality, land use and planning, public utilities (solid waste disposal), and transportation/traffic, and proposed mitigation measures to reduce the severity of effects.

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

WHEREAS, five people appeared to speak in favor of the application, and five people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 3, 2017.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Steven A. Amerikaner, Santa Barbara, CA.
 - b. Julie Broderick, Santa Barbara, CA.
 - c. Karen Kahn, Santa Barbara, CA.
 - d. Carl Hopkins, Santa Barbara, CA.
 - e. Gordon Feingold, Santa Barbara, CA.
4. Correspondence received in opposition to, or with concerns of, the project:
 - a. Alex Bennet, Santa Barbara, CA.
 - b. Pat Saley, Santa Barbara, CA.
 - c. Marti Milan, Goleta, CA.
 - d. Jessie Alstatt, Santa Barbara, CA.
 - e. Mark Holmgren, Goleta, CA.

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

I. Certified the EIR making the following findings and determinations:

A. CERTIFICATION OF THE AIRPORT MASTER PLAN FINAL ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21081)

1. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Planning Commission finds that the Santa Barbara Airport Master Plan Final Environmental Impact Report (EIR) has been completed in compliance with the California Environmental Quality Act (CEQA), State CEQA Guidelines, and the City of Santa Barbara CEQA Guidelines.

- An advertised Notice of Preparation for the EIR was issued on June 27, 2014 for a 34-day agency and public comment period, and the Planning Commission public scoping hearing was held on Thursday, July 24, 2014.
- The EIR documents have been prepared by a qualified team headed by Coffman Associates, working under the oversight of experienced City staff.
- The Draft EIR underwent a noticed 61-day public review and comment process August 31-October 30, 2015, including a noticed Airport Commission public meeting on Wednesday, September 16, 2015 and a noticed Planning Commission public meeting on Thursday, October 1, 2015. Comments on the Draft EIR were received from 6 public agencies, 4 environmental interest organizations, and 5 individuals.
- The Recirculated Draft EIR underwent a noticed 60-day public review and comment process July 15-September 13, 2016, including a noticed Airport Commission public meeting on Wednesday, July 20, 2016 and a noticed Planning Commission public meeting on Thursday, September 1, 2016. Comments on the Recirculated Draft EIR were received from 10 public agencies, 4 environmental interest organizations, and 3 individuals.
- The Final EIR includes written responses to comments received on the Draft EIR and Recirculated Draft EIR and associated edits to the Final EIR analysis. Proposed responses to comments and hearing notice were provided to public agencies that commented on the Draft EIR ten days prior to the EIR certification hearing.
- The Final EIR analysis meets CEQA requirements for a Program EIR pursuant to CEQA Guidelines §15168 and EIR standards of adequacy pursuant to CEQA Guidelines §15151.

2. PRESENTATION AND CONSIDERATION OF FINAL ENVIRONMENTAL IMPACT REPORT

The Santa Barbara Airport Master Plan Final EIR was made available to the public and the Planning Commission on Tuesday, July 25, 2017. The Planning Commission held a noticed public hearing on Thursday, August 10, 2017, received a staff presentation of the Final EIR

and public comment, and reviewed and considered the information contained in the Final EIR.

3. INDEPENDENT JUDGEMENT AND ANALYSIS

The Santa Barbara Airport Master Plan Final EIR reflects the Planning Commission's independent judgment and analysis, and constitutes adequate environmental evaluation and documentation for the Santa Barbara Airport Master Plan.

4. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Planning Commission finds that the Santa Barbara Airport Master Plan Final Environmental Impact Report (EIR) has been completed in compliance with the California Environmental Quality Act (CEQA), State CEQA Guidelines, and the City of Santa Barbara CEQA Guidelines.

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5. PRESENTATION AND CONSIDERATION OF FINAL ENVIRONMENTAL IMPACT REPORT

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and public comment, and reviewed and considered the information contained in the Final EIR.

6. INDEPENDENT JUDGEMENT AND ANALYSIS

The Santa Barbara Airport Master Plan Final EIR reflects the Planning Commission's independent judgment and analysis, and constitutes adequate environmental evaluation and documentation for the Santa Barbara Airport Master Plan.

II. RECOMMENDATION TO CITY COUNCIL (CITY CHARTER SECTION 806(A))

A. Environmental Findings for Airport Master Plan Adoption (Public Resources Code §21083)

Recommend that the Council of the City of Santa Barbara, considering significant environmental effects identified in the certified Final Environmental Impact Report for the Santa Barbara Airport Master Plan, adopt the Santa Barbara Airport Master Plan making the following findings:

1. Significant Environmental Impacts (Class I)

The Airport Master Plan EIR identifies significant unavoidable environmental impacts associated with cumulative traffic contributions to Kellogg Avenue/Hollister Avenue Intersection in the intermediate term (Impact T-2) and to both Kellogg Avenue/Hollister Avenue and Fairview Avenue/US 101 Northbound Ramps in the long term (Impact T-3). Mitigation measures T/mm-1 and T/mm-2 will reduce this contribution through implementation of transportation demand management (TDM) measures and fair-share cost contributions to the City of Goleta's planned improvements at these intersections. The improvements themselves are within the responsibility and jurisdiction of the City of Goleta and not the City of Santa Barbara. Such improvements are identified in the adopted Goleta Transportation Improvement Plan (GTIP).

2. Less-Than Significant Environmental Impacts After Mitigation (Class II)

Mitigation measures have been required and/or changes incorporated into the Airport Master Plan which would avoid or substantially lessen the following potentially significant effects of the Airport Master Plan to less-than significant levels:

a. Air Quality

Potential air quality impacts from temporary construction-related or building removal activities will be mitigated by the implementation of staggered development relying upon combined emissions estimates (Mitigation Measure AQ/mm-1).

b. Biological Resources

Project-specific and cumulative impacts to biotic habitat and the Belding's savannah sparrow will be mitigated by implementation of the Programmatic Mitigation Plan (Mitigation Measure BIO/mm-1), coastal wetland and upland protection policies (Mitigation Measure BIO/mm-2), avoidance of construction during bird breeding season (Mitigation Measure BIO/mm-3), and Belding's savannah sparrow monitoring and avoidance protocols (Mitigation Measure BIO/mm-4)

c. Cultural Resources

Impacts associated with relocation of the General Western Aero historic hangars will be mitigated by stabilizing the structures in accordance with National Park Service guidance for historic structures and nominating the hangars to the National Registry of Historic Properties.

Impacts to archaeological resources will be mitigated through implementation of study and data recovery protocols in the Master Archaeological Resources Report for the Airport as well as through Native American consultation regarding potential cultural resources.

d. Geology and Soils/Hazards and Hazardous Materials

Impacts to Airport users associated with seismic, adverse soil, or hazardous materials will be mitigated through implementation of design and construction standards, geotechnical investigations, and Construction Contingency Plans for hazardous materials spill or discovery.

e. Land Use and Planning

Impacts associated with inconsistencies between the Airport Master Plan, the Airport and Goleta Slough Local Coastal Plan, the City's General Plan, and the Airport Zoning Ordinance will be mitigated through implementation of project-specific impact analysis, consistency review, coordination with the California Department of Fish and Wildlife, and other City Departments in accordance with a Local Coastal Plan amendment to implement the Taxiway H extension.

f. Public Utilities (Solid Waste Disposal)

Impacts to landfill capacity will be mitigated by a required condition of approval to meet or exceed State and City construction waste diversion goals.

3. Administrative Record

These findings are supported by substantial evidence in the Airport Master Plan Final Environmental Impact Report, the Airport Master Plan, staff presentations, or other material presented during the planning and environmental review process which comprise the administrative record.

4. Mitigation Monitoring and Reporting Program

Recommend that the Council of the City of Santa Barbara adopt the Airport Master Plan Final EIR Chapter 7 Mitigation Monitoring and Reporting Program (MMRP) as the MMRP for the Airport Master Plan Final EIR. These measures are fully enforceable through permit conditions, agreements, and other measures.

5. Record of Proceedings

The location and custodian of documents and materials that constitute the record of proceedings upon which this decision is based is the Planning Division of the Community Development Department of the City of Santa Barbara, 630 Garden Street, Second Floor, Santa Barbara, California.

6. California Department of Fish and Wildlife

As described in the Airport Master Plan Final EIR, implementation of Airport Master Plan projects has the potential to affect wildlife resources and their habitat. The Airport Master Plan is therefore subject to payment of the California Department of Fish and Wildlife Environmental Document Filing Fee (\$3,078.25 effective January 1, 2017). Payment of this fee has been made a condition of approval.

B. STATEMENT OF OVERRIDING CONSIDERATION AND ENVIRONMENTAL FINDINGS (PUBLIC RESOURCES CODE §21083 AND 21083.05)

1. STATEMENT OF OVERRIDING CONSIDERATION

a. Recommend that the City Council balance the benefits of the Airport Master Plan against the unavoidable significant environmental impacts and conclude that the necessity and benefits of the Airport Master Plan sufficiently outweigh the contributions to significant cumulative traffic impacts. Recommend the Council of the City of Santa Barbara make the following Statement of Overriding Considerations that support the approval of the Airport Master Plan despite the identified impacts that are not fully mitigated to a less-than significant level:

- (1) The Airport Master Plan will provide for improved aviation safety in accordance with current required federal regulations (Federal Aviation Administration Airport Design Standards as required by Title 14, CFR Part 139). This includes extending Taxiway H approximately 2,000 feet to the west to provide a second full parallel taxiway to the Airport's main air carrier runway.
- (2) The fixed base operator (FBO) relocation and redevelopment will create a substantial safety and efficiency improvement by segregating private general aviation aircraft uses and commercial air service aircraft uses on opposite sides of the airfield.
- (3) The Airline Terminal recommendations will provide adequate operational space and facilities to accommodate existing and reasonable future passenger levels in the Airline Terminal with security and efficiency. These recommendations would upgrade existing infrastructure and would provide adequate facilities for airline personnel and other tenants, employees, and users of the Airline Terminal.
- (4) The additional T-hangars will accommodate projected demand for these facilities that serve local General Aviation pilots.
- (5) The Airport Master Plan will assist the Airport Department in maintaining and operating the Airport as a self-sustaining enterprise.
- (6) The Airport Master Plan will support the existing and future economic demands of the South Coast and the Tri-County Region.

- (7) The Airport Master Plan will improve portions of the Goleta Slough as described in the Programmatic Mitigation Plan, and consistent with Goleta Slough Area Sea Level Rise Study and Management Plan objectives.
- (8) The Airport Master Plan project design, phasing, and mitigation measures would minimize environmental effects and provide for compatibility with the surrounding area.

C. AMENDMENT TO THE AIRPORT INDUSTRIAL AREA SPECIFIC PLAN (SBMC CHAPTER 29.30)

Recommend that the Specific Plan Amendment is justified because the Airport Master Plan provides a comprehensive vision for the development and operation of the Santa Barbara Airport which supplants the industrial tenant oriented vision of the Airport Industrial Area Specific Plan for the property south of Hollister Avenue.

D. AMENDMENT TO THE AIRPORT ZONING MAP (SBMC CHAPTER 29.11)

Recommend that the Airport Zoning Map be amended to reflect the comprehensive vision for development contained in the Santa Barbara Airport Master Plan. Implementation of the Airport Master Plan will serve public necessity, convenience and general welfare. Additionally, good zoning practice is served by the proposed amendments to bring the Airport Zoning Map into compliance with Federal Aviation Regulations.

E. AMENDMENT TO THE AIRPORT AND GOLETA SLOUGH LOCAL COASTAL PLAN ZONING MAP (PUBLIC RESOURCES CODE §30514)

Recommend that City Council recommend to the California Coastal Commission that the LCP Zoning Map of the Airport and Goleta Slough Local Coastal Plan be amended to reflect the comprehensive vision for development contained in the Santa Barbara Airport Master Plan. The proposed changes to the LCP Zoning Map are consistent with the policies adopted in the Local Coastal Program and the California Coastal Act, because the amendments avoid or minimize impacts to environmentally sensitive habitat areas, and where impacts would occur, appropriate habitat restoration is proposed as mitigation.

This motion was passed and adopted on the 10th day of August, 2017 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1

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.

Kathleen Goo, Interim 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