



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 002-21 2 S. QUARANTINA STREET COASTAL DEVELOPMENT PERMIT MAY 20, 2021

APPLICATION OF JOHN CUKENDALL, MARBORG INDUSTRIES, OWNER OF 2 S. QUARANTINA STREET; APN: 017-113-024 ZONE: M-1/SD-3 (LIGHT MANUFACTURING/COASTAL OVERLAY); LAND USE DESIGNATION: GENERAL INDUSTRIAL; PLN 2019-00585

This is an appeal of the Staff Hearing Officer's approval of a Coastal Development Permit for the subject project on February 24, 2021. The project consists of a proposal to construct a single-story, 3,151-net-square-foot light industrial building with a receiving and storage area, break room, and restrooms. The project also includes surface area for staging and storage of equipment and vehicles, a trash enclosure, bicycle parking and six parking spaces. The project site is a 1.26-acre vacant lot located at the southwest corner of Quinientos and S. Quarantina Streets. The discretionary application required for this project is a Coastal Development Permit to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060). The Environmental Analyst has determined that the project qualifies for an exemption from further environmental review pursuant to California Environmental Quality Act Guidelines, Section 15332.

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

WHEREAS, twelve people appeared to speak and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 13, 2021
2. Letter of Appeal from Guy Dolev dated March 4, 2021
3. Project Plans
4. Staff Hearing Officer Staff Report dated February 17, 2021
5. Staff Hearing Officer Resolution No. 007-21
6. Correspondence received:
 - a. Casey McCann
 - b. Guy Dolev
 - c. Ronald Buckley
 - d. Christopher Stocking
 - e. Tessa Madden Storms
 - f. Misael Ayala
 - g. Alan Macy
 - h. Todd & Patti Gutshall

- i. Joshua Bartley
- j. Adolfo Robles
- k. Joe Mathews
- l. Mike Copus
- m. Alan Lash
- n. Will Covert
- o. Wayne Lovert
- p. Brent Dill
- q. Colin Cameron
- r. Jason Faulkner
- s. Chris Raimondi
- t. Ken Olsen
- u. Manny Larrondo
- v. Kip Bradley
- w. Dawn Dunn
- x. Victor Reyes
- y. Katie Mickey
- z. Uri
- aa. Sascha Anya

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

- I. Denied the appeal, thereby upholding the Staff Hearing Officer's approval of the project, with added conditions, making the following findings: Approved the subject application, making the following findings and determinations that the proposed project has undergone a thorough review by staff, the ABR and the Staff Hearing Officer. . It is staff's position that appropriate consideration has been given to the appellant's issues as part of the ABR and Staff Hearing Officer review process. Therefore, staff recommends that the Planning Commission deny the appeal and uphold the decision of the Staff Hearing Officer to approve the Coastal Development Permit, as identified in Section IV of this staff report.

A. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

- 1. The project is consistent with the policies of the California Coastal Act because it does not impact public access or sensitive habitat, and the proposed industrial development is an appropriate use in an area of the City that is zoned for and developed with these types of uses, as described in Section VI.B.2 of the Staff Hearing Officer Staff Report dated February 17, 2021 and in Section VI of the Planning Commission Staff Report dated May 13, 2021.
- 2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because it provides a use that

is appropriate for the land use designation and zoning for the site as described in Section VI of the Staff Hearing Officer Staff Report dated February 17, 2021 and in Section VI of the Planning Commission Staff Report dated May 13, 2021.

The project has been designed with appropriate screening for the types of uses on the site, and will not negatively impact ocean views, and is compatible with the neighborhood, as identified in Section VIII of the Staff Hearing Officer Staff Report dated February 17, 2021 and in Section VI of the Planning Commission Staff Report dated May 13, 2021. The project is providing six onsite parking spaces, consistent with Municipal Code and Land Use Plan requirements.

II. Said approval is subject to the following conditions:

In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owners and occupants of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all required design review approvals.
2. Submit an application for and obtain a Building Permit (BLD) to demolish any structures / improvements and/or perform rough grading. Comply with condition E “Construction Implementation Requirements.”
3. Record any required documents (see Recorded Conditions Agreement section).
4. Permits.
 - a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.
 - b. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements.

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 and Community Development 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 May 20, 2021 is limited to approximately 3,151 square feet of building area and the improvements shown on the plans signed by the Planning Commission on said date and on file at the City of Santa Barbara, and as described in the applicant letter dated January 18, 2021.
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. **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.
- 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 Staff Hearing Officer land use conditions have been satisfied.
1. **Perimeter Wall.** The proposed wall along the Quinientos and Quarantina Street frontages shall be a solid material and not chain link fencing.
 2. **Screened Backflow Device.** The backflow devices for fire sprinklers, pools, spas 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.
 3. **Location of Dry Utilities.** Dry utilities (e.g. above-ground cabinets) shall be placed on private property unless deemed infeasible for engineering reasons. If dry utilities must be placed in the public right-of-way, they shall be painted "Malaga Green," and if feasible, they shall be screened as approved by ABR.
 4. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.
 5. **Street Trees.** All street trees shall be 24-inch box.

6. **Accessible Parking.** The accessible parking space and access thereto shall be addressed prior to ABR project design approval,

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.d “Quarantina Street Public Improvements” and D.1.e “Quinientos Street Public Improvements” shall be submitted to the Public Works Department for review and approval. Upon acceptance of completed public improvement plans, a Building permit may be issued if the Owner has bonded for public improvements and executed the *Agreement to Construct and Install Improvements (Not a Subdivision)*.

b. **Dedications.** Easements, as shown on the Civil Plans and described as follows, subject to approval of the easement scope and location by the Public Works Department and/or the Building and Safety Division:

(1) An approximate 3.5-foot dedication of private property to public right-of-way along the Quarantina Street frontage to establish a 10.5-foot wide pedestrian access [6-inch curb, 4-foot furnishings zone, 6-foot sidewalk, and varying 1' - 2' frontage zone (note frontage zone can be on private property)].

(2) An approximate 3.7-foot dedication of private property to public right-of-way along the Quinientos Street frontage to establish a 10.5-foot wide pedestrian access [6-inch curb, 4-foot furnishings zone, 6-foot sidewalk, and varying 1' - 2' frontage zone (note frontage zone can be on private property)].

c. **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.

d. **Quinientos Street Public Improvements.** The Owner shall submit Public Works plans for construction of improvements along the property frontage on Quinientos Street. Plans shall 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. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: approximately 140 linear feet of sidewalk, commercial driveway apron modified to meet Title 24 requirements with a maximum width of 30 feet., 140 linear feet of curb and gutter, Blended Transition access ramp, crack seal to the centerline of the street along entire subject property frontage and slurry seal a minimum of 20 feet

beyond the limits of all trenching, connection to City water and sewer mains and utilities, preserve and/or reset survey monuments, protect and relocate existing contractor stamps to parkway, supply and install directional/regulatory traffic control signs per the CA MUTCD during construction, supply and install new street name sign(s), 3 new street trees per approval of the Parks and Recreation Commission, all street trees shall be 24-inch box, provide as much street lighting as possible to improve public safety, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.

- e. **Quarantina Street Public Improvements.** The Owner shall submit Public Works plans for construction of improvements along the property frontage on Quarantina Street. Plans shall 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. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: approximately 380 linear feet of sidewalk, commercial driveway apron modified to meet Title 24 requirements with a maximum width of 30 feet, 380 linear feet of curb and gutter, crack seal to the centerline of the street along entire subject property frontage and slurry seal a minimum of 20 feet beyond the limits of all trenching, connection to City water and sewer mains and utilities, preserve and/or reset survey monuments, protect and relocate existing contractor stamps to parkway, supply and install directional/regulatory traffic control signs per the CA MUTCD during construction, storm drain stenciling fronting 1 S. Quarantina Street and 702 Kimball Ave. (on Quarantina St.), 10 new street trees per approval of the Parks and Recreation Commission, all street trees shall be 24-inch box, provide as much street lighting as possible to improve public safety, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.
- f. **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.
- g. **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.
- h. **Bicycle Parking.** In addition to the general requirements for bicycle parking spaces, 1 long-term bicycle parking space shall be provided. The size and location shall be approved by the Public Works Director.
- i. **Agreement to Construct and Install Improvements.** The Owner shall submit an executed *Agreement to Construct and Install Improvements*, prepared by the Engineering Division, an Engineer's Estimate, signed and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the Agreement.

- j. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements shall be obtained by the Owner.

2. **Community Development Department.**

- a. **Soil Contamination.** Prior to site issuing the building permit for redevelopment, the applicant shall perform a Phase I site assessment (or update any previous Phase I report as necessary to conform to ASTM E1527-05) to identify potential environmental issues at the site. The applicant shall provide this Phase I to an environmental oversight agency (e.g. Santa Barbara County Environmental Health Services, Central Coast Regional Water Quality Control Board, etc.) and develop a Phase II sampling plan in conjunction with the agency based upon the proposed redevelopment plan. Based upon the data obtained from the Phase II investigation and the proposed redevelopment plans, a Corrective Action Plan shall be developed, submitted to the environmental oversight agency for approval, and incorporated into the redevelopment plans.
- b. **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.
- c. **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 treatment, rate and volume. The Owner shall submit a hydrology report 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 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 (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.
- d. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section C “Design Review,” and all elements/specifications shall be implemented on-site.
- e. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. The following statement shall be signed prior to issuance of and permits: 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.

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 points of entry to the site that list the contractor’s name and telephone number, 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.
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. **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.
4. **Air Quality and Dust Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:
 - a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
 - b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- d. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
- g. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- h. Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- i. All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
- j. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- k. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- l. If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- m. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- n. All construction equipment shall be maintained in tune per the manufacturer's specifications.
- o. The engine size of construction equipment shall be the minimum practical size.
- p. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

5. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

- F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
 1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
 2. **Complete Public Improvements.** Public improvements, as shown in the public improvement plans or building plans, shall be completed.
- 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 Staff Hearing Officer.
- c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City. 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. **Site Maintenance.** The existing site shall be maintained and secured. Any landscaping shall be watered and maintained.

4. **Litigation Indemnification Agreement.** In the event the Staff Hearing Officer approval of the Project is appealed to the Planning Commission, 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. Said approval is subject to the following 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 20th day of May, 2021 by the Planning Commission of the City of Santa Barbara, by the following vote:

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

Gillian Fennessy
Gillian Fennessy, Commission Secretary

6/10/2021
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.