



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 045-09

130 HARBOR WAY

COASTAL DEVELOPMENT PERMIT, DEVELOPMENT PLAN

DECEMBER 10, 2009

APPLICATION OF JAMES ZIMMERMAN, ARCHITECT FOR SANTA BARBARA YACHT CLUB, CITY OF SANTA BARBARA, 130 HARBOR WAY, APN 045-250-011, HC/ SD-3, HARBOR COMMERCIAL AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RECREATION AND OPEN SPACE, BEACH (MST2009-00071) (CDP2009-00010)

The proposal for the Santa Barbara Yacht Club consists of an enclosure of 142 square feet of an existing second story deck to allow for an expansion of the kitchen, two additions to the second story deck for a total of 165 square feet, and the relocation of the existing exterior stairs along the eastern elevation.

The discretionary applications required for this project are:

1. A Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009) and
2. A Development Plan to allow the construction of 142 square feet of nonresidential development (SBMC §28.87.300).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities).

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

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

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

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

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

A. **DEVELOPMENT PLAN APPROVAL (SBMC§28.87.300)**

1. The proposed development complies with all provisions of the Zoning Ordinance. *The proposed addition will comply with the HC/SD-3 Zone standards, as described in Section V of the Staff Report.*
2. The proposed development is consistent with the principles of sound community planning. *The proposed project is consistent with the principles of sound community planning because the kitchen expansion and increased deck areas would be compatible with the current use of the property as a yacht club, which is an allowed use in the HC Zone, and is consistent with the General Plan and Local Coastal Plan.*
3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood. *All exterior alterations onsite require review and approval by the Architectural Board of Review (ABR). All exterior details and materials would match the existing building. The ABR has conceptually reviewed the project and has found it to be compatible with the existing yacht club facility and surrounding neighborhood.*
4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock. *The proposal is not expected to have a potential adverse impact upon City and South Coast affordable housing stock because it would not result in an increase in employees for the existing yacht club and the proposal would not generate housing demand in and of itself.*
5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources. *Adequate City services are currently available to the project site. Water resource impacts are not anticipated with the enclosure of 142 square feet (net) of an existing second story deck to allow for an expansion of the kitchen.*
6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic. *Traffic impacts are not anticipated because no additional employees are anticipated with the proposal to enclose 142 square feet (net) of an existing second story deck to allow for an expansion of the kitchen.*

7. Resources will be available and traffic improvements will be in place at the time of project occupancy. *Adequate City services are currently available to the project site, and traffic improvements are not required.*

B. Coastal Development Permit (SBMC §28.44)

The project is consistent with the policies of the California Coastal Act, all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because the proposal would be compatible with the existing yacht club facility, and would not impact public access and public recreation, as described in Section VI of the Staff Report.

II. Said approval is subject to the following conditions:

- A. **Approved Development.** The development of the Real Property approved by the Planning Commission on December 10, 2009 is limited to an enclosure of 142 square feet of an existing second story deck to allow for an expansion of the kitchen, two additions to the second story deck for a total of 165 square feet, the relocation of the existing exterior stairs along the eastern elevation and the improvements shown on the project plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
- B. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
 1. **Design Review Requirements.** Plans shall show all design elements, as approved by the Architectural Board of Review.
 2. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner Date

Contractor Date License No.

Architect Date License No.

Engineer Date License No.

C. **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.

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.
2. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
3. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

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

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

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

4. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
5. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.

6. **Construction Contact Sign.** Immediately after Building Permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), 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.
 7. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
- D. **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 damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090.

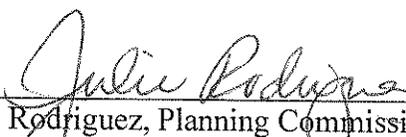
NOTICE OF APPROVAL TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.

This motion was passed and adopted on the 10th day of December, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 5 NOES: 0 ABSTAIN: 0 ABSENT: 2 (Jacobs, White)

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



Julie Rodriguez, Planning Commission Secretary



Date

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