

**DRAFT**

## City of Santa Barbara Planning Division

### JOINT MEETING OF THE PLANNING COMMISSION AND FIRE AND POLICE COMMISSION SPECIAL MEETING MINUTES

August 25, 2011

#### **CALL TO ORDER:**

Chair Jostes called the meeting to order at 4:00 P.M.

#### **I. ROLL CALL**

Chair John Jostes, Vice Chair Sheila Lodge, Commissioners Bruce Bartlett, Charmaine Jacobs, Mike Jordan, Stella Larson, and Deborah L. Schwartz.

**Absent: Commissioner Charmaine Jacobs**

#### **Fire and Police Commission:**

Chair Patrick J. Lennon, Jr; Vice Chair Jennifer Christensen; Joe Rodriguez; Daniel E. Signore; Diego Torres-Santos.

**Absent: Commissioner Daniel E. Signore**

#### **STAFF PRESENT:**

Paul Casey, Community Development Director  
Frank Mannix, Deputy Chief, SBPD  
Gil Torres, Captain, SBPD  
N. Scott Vincent, Assistant City Attorney  
Danny Kato, Senior Planner  
Joshua Haggmark, Public Works Supervising Engineer  
Julie Rodriguez, Planning Commission Secretary

#### **II. PRELIMINARY MATTERS:**

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

Chair Jostes opened the public hearing at 4:01 P.M. and, with no one wishing to speak, closed the hearing.

#### **III. DISCUSSION ITEM**

**ACTUAL TIME: 4:01 P.M.**

**APPLICATION OF THE CITY OF SANTA BARBARA FOR 215 E. FIGUEROA STREET, APN 029-162-037, R-3 ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL/OFFICES.**

The purpose of this special joint Planning Commission/Fire and Police Commission discussion item is to provide a status update on the City Council's consideration of rebuilding the police station located at 215 E. Figueroa Street.

**No formal action will be taken at this hearing, nor will any determination be made regarding environmental review of the proposed project.**

Case Planner: Allison DeBusk, Project Planner  
Email: ADeBusk@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4552

Paul Casey, Assistant City Administrator, gave the Staff presentation, joined by Deputy Chief Frank Mannix, Santa Barbara Police Department; Joshua Haggmark, Supervising Engineer, Public Works Department; and Captain Gil Torres, Santa Barbara Police Department.

Chair Jostes opened the public hearing at 4:36 P.M.

The following people commented on the project:

1. Kip Bradley, commercial neighbor offered whole-hearted support of the project.
2. Steve Hoegerman, residential neighbor, expressed concern for potential disruption and impact to neighborhood.

With no one else wishing to speak, the public hearing was closed at 4:40 P.M.

Commissioner's comments:

1. The Planning Commission/Fire and Police Commission support the project and found seismic inadequacies, an inefficient layout and a lack of integrity, accessibility, and security in the existing facility to be dangerous and deplorable conditions. There was strong concern that the existing facility is a worst case scenario waiting to happen. Some Commissioners wanted to be convinced that the selected option is the best option of any option.
2. There was consensus that financing remains the most challenging aspect. Some Commissioners felt that financing is the number one capital need and should be the number one or only RDA priority for funding. Commissioner Schwartz felt that there should be a 'Plan B' if the bond measure is not approved by voters.
3. Many Commissioners felt that the public should be included in the needs assessment and in gaining support for funding options.

**IV. ADJOURNMENT**

Chair Jostes adjourned the meeting at 5:57 P.M.

Submitted by,

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Julie Rodriguez, Planning Commission Secretary

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## City of Santa Barbara Planning Division

### PLANNING COMMISSION MINUTES

September 1, 2011

#### CALL TO ORDER:

Chair Lodge called the meeting to order at 1:00 P.M.

#### I. ROLL CALL

Vice Chair Sheila Lodge, Commissioners Bruce Bartlett, Charmaine Jacobs, Mike Jordan, Stella Larson, and Deborah L. Schwartz.

**Absent: Commissioner John Jostes**

#### STAFF PRESENT:

Bettie Weiss, City Planner  
 Danny Kato, Senior Planner  
 N. Scott Vincent, Assistant City Attorney  
 Julie Rodriguez, Planning Commission Secretary

#### II. PRELIMINARY MATTERS:

A. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of August 11, 2011
2. Resolution 016-11  
602 Anacapa Street
3. Draft Minutes of August 18, 2011

#### MOTION: Jordan/Larson

Approve the minutes and resolutions as corrected.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: As noted. Absent: 1 (Jostes)

Commissioner Jostes abstained from the Minutes and Resolution of August 11, 2011

Commissioner Jacobs abstained from the Minutes of August 18, 2011.

- B. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.  
None.
- C. Announcements and appeals.  
None.
- D. Comments from members of the public pertaining to items not on this agenda.  
Chair Lodge opened the public hearing at 1:04 P.M. and, with no one wishing to speak, closed the hearing.

**III. DISCUSSION ITEM:**

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

**COURTESY REVIEW OF AN APPLICATION TO SANTA BARBARA COUNTY FOR 4111 AND 4119 STATE STREET.**

The purpose of this courtesy review of a project under the jurisdiction of Santa Barbara County is to allow the Planning Commission and City residents the opportunity to provide comments to the Santa Barbara County Planning Commission regarding a proposal to demolish an existing motel, and construct a 90-room, 46,849 s.f. hotel with 94 parking spaces in a partially subterranean parking garage. The City of Santa Barbara does not have purview over this project, as it is outside the city limits.

**No formal action will be taken at this hearing, nor will any determination be made regarding environmental review of the proposed project.**

Case Planner: Danny Kato, Senior Planner

Email: DKato@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 2567

Bettie Weiss, City Planner, gave introductory remarks and introduced Anne Almy Supervising Planner and Julie Harris, Planner, County of Santa Barbara, gave the County Staff presentation.

Richard Redmond, Applicant, gave the Applicant presentation.

Commissioner's Comments:

1. **Site Plans:** Commissioner Jordan would like to see a better set of site plans that included proximity to the water shed and show adjacent properties and parcels to indicate relation to other development.
2. **Traffic:** Some Commissioners were concerned with the challenges to vehicles exiting and entering, especially entering the South Bound 101 freeway. Traffic implications should be fully discussed with the City to look at impact to State Street

- and vicinity, including review of the Upper State Street Traffic Study. A signaled intersection could hold exiting cars hostage to a long wait.
3. **Bus Stop:** Suggested looking at the bus stop nearby and moving it closer to the proposed hotel or possibly integrated to the front of the hotel.
  4. **Santa Barbara Gateway:** Commissioner Jacobs asked for more landscaping and less paving in consideration for the area being a gateway to Santa Barbara. Asked for consideration for pedestrians and bicyclist to and from the new development. Commissioners commented on this project being the gateway to Santa Barbara and one that could revitalize that stretch of State Street as it moves on to Hollister.
  5. **Housing:** Commissioners were concerned with the jobs housing imbalance and the Regional Housing Needs Assessment (RHNA) and noted that this project is generating a high density designation but not providing housing for any of its employees.
  6. **Hotel Employees:** Some Commissioners questioned the reality of having 4 employees to service the size of the hotel. If the labor is outsourced to a third party, then those numbers still need to be taken into consideration in a traffic count.
  7. **Façade:** Commissioner Bartlett would like to see the project have a more open façade. The current design shows the back side of the office, barricaded by access ramps, and does not have a positive pedestrian feel.
  8. **Hotel/Motel:** Commissioner Bartlett inquired on the designation of hotel versus motel and would like to see how definitions are made and how they work with trip generations.
  9. **Lot Coverage:** Lot coverage is very high and reported as 50%, yet if paving was included, would probably be closer to 90-95%. The Landscape Plan would be helpful.
  10. **Storm Water Quality:** The retention basin was appreciated to slow down the flow, but anything to increase the quality of the water would also be appreciated.
  11. **Memorial:** Two Commissioners would like to see a memorial plaque, possibly including a bench, on the site to memorialize the accident that occurred at that location last year.
  12. **Fenestration:** Commissioner Larson suggested reconsideration of the fenestration on the elevation that faces the train tracks so that train passengers coming to Santa Barbara would not be welcomed by the visuals of graffiti.
  13. **Signage:** Commissioner Larson cautioned about the visibility and distraction of neon signs, especially as the project is approached from Highway 154.

#### IV. ADMINISTRATIVE AGENDA

##### ACTUAL TIME: 2:11 P.M.

- A. Committee and Liaison Reports.
  1. Staff Hearing Officer Liaison Report  
  
None was given.

2. Other Committee and Liaison Reports
  - a. Commissioner Larson reported on the Historic Element Task Force.
  - b. Commissioner Jacobs reported on the 101 Design Review Team.
  - c. Commissioner Lodge reported on the Airport Commission on August 17, 2011.
  - d. Danny Kato reminded the Commission that the next Planning Commission meeting will be on September 8<sup>th</sup>, and will begin at 10 A.M.

V. **ADJOURNMENT**

Chair Lodge adjourned the meeting at 2:16 P.M.

Submitted by,

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Julie Rodriguez, Planning Commission Secretary

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## City of Santa Barbara Planning Division

### PLANNING COMMISSION MINUTES

September 8, 2011

#### CALL TO ORDER:

Chair Jostes called the meeting to order at 10:01 a.m.

#### I. ROLL CALL

Chair John Jostes, Vice-Chair Sheila Lodge, Commissioners Bruce Bartlett, Mike Jordan, Stella Larson, and Deborah L. Schwartz.

Absent: Commissioner Charmaine Jacobs

#### STAFF PRESENT:

Danny Kato, Senior Planner  
 Susan Reardon, Senior Planner  
 Renee Brooke, Senior Planner  
 N. Scott Vincent, Assistant City Attorney  
 Dan Gullett, Associate Planner  
 Gabriela Feliciano, Commission Secretary

#### II. PRELIMINARY MATTERS:

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

Senior Planner Danny Kato announced that Item IV, 404 William Moffett Place, was continued to September 22, 2011.

- B. Announcements and appeals.

Mr. Kato announced that the meeting of September 15, 2011, was cancelled and the Commission will next meet at a Special Meeting on September 22, 2011.

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

Chair Jostes opened the public hearing at 10:03 a.m. and, with no one wishing to speak, closed the public hearing.

III. **STAFF HEARING OFFICER APPEAL:**

**ACTUAL TIME: 10:03 P.M.**

**APPLICATION OF PAUL ZINK, ARCHITECT FOR DOUGLAS FOSTER, 502 E. MICHELTORNA ST., APN 029-031-001, R-2 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2011-00186)**

The applicant proposes to demolish an existing detached 182 square foot single-car garage and construct a new 185 square foot attached single-car garage in the interior setback, and construct a 426 square foot single-story addition to the existing 900 square foot single-family residence, on a 5,194 square-foot lot. This is an appeal of the Staff Hearing Officer's denial of the requested Modifications on July 13, 2011.

The discretionary applications required for this project are:

1. A Modification to allow the new garage to encroach into the three-foot interior setback (SBMC Sections 28.18.060 & 28.92.110); and
2. A Modification of the R-2 Zone Open Yard standards (SBMC Sections 28.18.060 & 28.92.110).

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

Case Planner: Daniel Gullett, Associate Planner

Email: DGullett@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4550

Daniel Gullett, Associate Planner gave the Staff presentation. Susan Reardon, Staff Hearing Officer, and Renee Brooke, Senior Planner were available to respond to any questions.

Paul Zink, Architect, gave the Appellant presentation.

Chair Jostes opened the public hearing at 10:54 a.m. and, with no one wishing to speak, closed the public hearing.

**MOTION: Bartlett/Lodge**

**Assigned Resolution No. 017-11**

Uphold the appeal and approve the modification requests for the open yard and garage encroachment into the interior side yard setback subject to the condition that the project shall be designed in a manner that would result in one residential unit.

This motion carried by the following vote:

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

Chair Jostes announced the ten calendar day appeal period.

Chair Jostes recessed at 11:29 A.M. and reconvened at 11:37 .A.M.

IV. CONSENT ITEM –CONTINUED TO SEPTEMBER 22, 2011:

APPLICATION OF ROGER RONDEPIERRE, ATLANTIC AVIATION, 404 WILLIAM MOFFETT PLACE, 073-045-003, A-F, S-D-3, AIRPORT FACILITIES AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTION (MST2011-00270, CDP2011-00008)

The project consists of the installation of three 2,820 square foot prefabricated hangars on existing paved aircraft parking ramp at Atlantic Aviation's leasehold on Santa Barbara Airport property. The project would replace five aircraft tie-down spaces with three general aviation T-hangars (small airplane hangars shaped like a capital "T"). These hangars would be owned by Atlantic Aviation and leased to airplane owners who want a secure, enclosed space for their airplane. The new hangars will replace three older T-hangars that were removed as part of construction of the new Airline Terminal.

The discretionary application required for this project is a Coastal Development Permit (CDP2011-00008) to allow construction of three prefabricated T-hangars in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303(c).

Case Planner: Laurie Owens, Project Planner  
Email: LOwens@SantaBarbaraCA.gov

Phone: 805-692-6032

**This item was continued to weeks to the September 22, 2011, meeting.**

V. NEW ITEM:

ACTUAL TIME: 11:37 A.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Jordan recused himself from hearing the item due to project proximity to residence.

APPLICATION OF JILL ZACHARY, AGENT FOR THE CITY OF SANTA BARBARA, END OF MESA LANE, 041-033-0RW, E-3/S-D-3, SINGLE FAMILY RESIDENCE/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: BEACH/COASTAL ACCESS (MST2011-00280)

The proposed project involves replacement of a portion of the Mesa Lane Stairs and its foundation on the beach that are damaged due to wear and tear from the beach tidal environment and the types of rebar and concrete used in its construction. The stairs have existed since 1982 and are an important beach access for Mesa residents. The existing stairs and support structures would be replaced with new stainless steel stairs and handrails, supported by 12" diameter stainless steel piles in holes drilled into bedrock and grouted in

place with concrete. The existing concrete stairs would be replaced with new concrete stairs that would be founded about 4.5 feet into bedrock. The lower part of the stainless steel stairs would be supported by 12" diameter stainless steel piles in holes drilled into bedrock and grouted in place with concrete. The concrete would be a specific mix that is less subject to erosion by sea water and the rebar would be covered in a special epoxy to minimize rust. The total footprint at beach level would be about 50 sq. ft. Depending on funding, construction should occur in 2012 or 2013. It will be necessary to entirely close the stairs for the duration of construction. Construction will take about three (3) months, from the day after Labor Day to no later than November 30th. Construction staging will be at Arroyo Burro Beach County Park in the overflow parking area. Most construction will use the beach to access the construction area. Concrete trucks may pump concrete from the top of the stairs. If so, they will be required to park on the path to the stairs to retain vehicular access at the intersection of Mesa Lane and Edgewater Way. Provisions have been included in the detailed project description to avoid any effects from crossing the mouth of Arroyo Burro Creek.

The discretionary application required for this project is a Coastal Development Permit (CDP2011-00010) 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 15302.

Case Planner: Jan Hubbell, Parks Project Manager  
Email: JHubbell@SantaBarbaraCA.gov

Phone: 805-564-5440

Jan Hubbell, Parks Project Manager, gave the Staff presentation.

Jill Zachary, Assistant Parks & Recreation Director, gave the applicant presentation.

Lesley Wiscomb, Chair of Parks and Recreation Commission, spoke in support of Staff's recommendations.

Chair Jostes opened the public hearing at 11:53 a.m. and, with no one wishing to speak, closed the public hearing.

**MOTION: Lodge/Larson**

**Assigned Resolution No. 018-11**

Approved the project, making the findings for the Coastal Development Permit as outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report, with the following addition to the Conditions of Approval: an anti-graffiti finish shall be applied on solid surfaces.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs, Jordan)

Chair Jostes announced the ten calendar day appeal period.

**VI. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 12:02 P.M.**

D. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

Commissioner Larson reported on the Staff Hearing Officer meeting held on September 7, 2011.

2. Other Committee and Liaison Reports

a. Commissioner Schwartz reported on Downtown Parking Committee of September 8, 2011.

b. Commissioner Larson reported on the Historic Resources Element Task Force implementations and definitions.

**VII. ADJOURNMENT**

Chair Jostes adjourned the meeting at 12:0 P.M.

Submitted by,

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Gabriela Feliciano, Commission Secretary



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 017-11

502 E. MICHELTORENA STREET

OPEN YARD MODIFICATION AND GARAGE ENCROACHMENT MODIFICATION

SEPTEMBER 8, 2011

**APPLICATION OF PAUL ZINK, ARCHITECT FOR DOUGLAS FOSTER, 502 E. MICHELTORENA ST., APN 029-031-001, R-2 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2011-00186)**

The applicant proposes to demolish an existing detached 182 square foot single-car garage and construct a new 185 square foot attached single-car garage in the interior setback and construct a 426 square foot single-story addition to the existing 900 square foot single-family residence, on a 5,194 square-foot lot. This is an appeal of the Staff Hearing Officer's denial of the requested Modifications on July 13, 2011.

The discretionary applications required for this project are:

1. A Modification to allow the new garage to encroach into the three-foot interior setback (SBMC Sections 28.18.060 & 28.92.110); and
2. A Modification of the R-2 Zone Open Yard standards (SBMC Sections 28.18.060 & 28.92.110).

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

**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, September 1 2011.
2. Site Plan, Floor Plan and Elevations

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

- I. Upheld the appeal and approved the modification requests for the open yard and garage encroachment into the interior setback.
- II. Said approval is subject to the following condition:
  - A. **Floor Plan Configuration.** The project shall be designed in a manner that would result in one residential unit.

This motion was passed and adopted on the 8th day of September, 2011 by the Planning Commission of the City of Santa Barbara, by the following vote:

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

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.

\_\_\_\_\_  
Gabriela Feliciano, 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 California

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 018-11 END OF MESA LANE COASTAL DEVELOPMENT PERMIT SEPTEMBER 8, 2011

#### APPLICATION OF JILL ZACHARY, AGENT FOR THE CITY OF SANTA BARBARA, END OF MESA LANE, 041-033-0RW, E-3/S-D-3, SINGLE FAMILY RESIDENCE/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: BEACH/COASTAL ACCESS (MST2011-00280)

The proposed project involves replacement of a portion of the Mesa Lane Stairs and its foundation on the beach that are damaged due to wear and tear from the beach tidal environment and the types of rebar and concrete used in its construction. The stairs have existed since 1982 and are an important beach access for Mesa residents. The existing stairs and support structures would be replaced with new stainless steel stairs and handrails, supported by 12" diameter stainless steel piles in holes drilled into bedrock and grouted in place with concrete. The existing concrete stairs would be replaced with new concrete stairs that would be founded about 4.5 feet into bedrock. The lower part of the stainless steel stairs would be supported by 12" diameter stainless steel piles in holes drilled into bedrock and grouted in place with concrete. The concrete would be a specific mix that is less subject to erosion by sea water and the rebar would be covered in a special epoxy to minimize rust. The total footprint at beach level would be about 50 sq. ft. Depending on funding, construction should occur in 2012 or 2013. It will be necessary to entirely close the stairs for the duration of construction. Construction will take about three (3) months, from the day after Labor Day to no later than November 30th. Construction staging will be at Arroyo Burro Beach County Park in the overflow parking area. Most construction will use the beach to access the construction area. Concrete trucks may pump concrete from the top of the stairs. If so, they will be required to park on the path to the stairs to retain vehicular access at the intersection of Mesa Lane and Edgewater Way. Provisions have been included in the detailed project description to avoid any effects from crossing the mouth of Arroyo Burro Creek.

The discretionary application required for this project is a Coastal Development Permit (CDP2011-00010) 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 15302.

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

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

1. Staff Report with Attachments, September 1, 2011
2. Site Plans

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

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

**Coastal Development Permit (SBMC §28.44.150)**

A. The project is consistent with the policies of the California Coastal Act because:

1. The project retains and extends the life of Mesa Lane Stairs, a coastal access strongly supported by the LCP and the Coastal Act.
  2. The project is designed to minimize effects on coastal and marine resources, including the beach and Arroyo Burro Creek, as well as environmentally sensitive habitats and species.
  3. The project is designed to reduce alteration of natural shoreline processes and the project itself is a coastal dependent use that has been designed to minimize impacts to the shoreline and sand supply. The proposed project would serve to continue the coastal dependent use of beach access at the existing steps.
- B. 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 for the reasons expressed in Section VI.B of the staff report.
- 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. Permits. Make application and obtain a Public Works Permit (PBW) for all required public improvements, subject to review by the Building Division to assure California Building Code compliance. Comply with Condition F: "Construction Implementation Requirements."
- Details on implementation of these steps are provided throughout the conditions of approval.
- B. **Approved Development.** The development of the Real Property approved by the Planning Commission on September 8, 2011 is limited to replacement of a portion of the Mesa Lane Stairs and its foundation on the beach that are damaged due to wear and tear from the beach tidal environment and the types of rebar and concrete used in its construction, and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. The existing stairs and support structures would be replaced with new stainless steel stairs and handrails, supported by 12" diameter stainless steel piles in holes drilled into bedrock and grouted in place with concrete. The existing concrete stairs would be replaced with new concrete stairs that would be founded about 4.5 feet into bedrock. The lower part of the stainless steel stairs would be supported by 12" diameter stainless steel piles in holes drilled into bedrock and grouted in place with concrete. The concrete would be a specific mix that is less subject to erosion by sea water and the rebar would be covered in a special epoxy to minimize rust. The total footprint at beach level would be about 50 sq. ft. It will be necessary to entirely close the stairs for the duration of construction. Construction will take about three (3) months, from the day after Labor Day to no later than November 30th. Depending on funding, construction should occur in 2012 or 2013. Construction staging will be at Arroyo Burro Beach County Park in the overflow parking area. Most construction will use the beach to access the construction area. It is possible that a small amount of sand would need to be added to the access ramp west of the Boathouse. Two dead eucalyptus trees 300 feet to the west of the stairs may need to be removed in order to access the site. Concrete trucks may pump concrete from the

top of the stairs. If so, they will be required to park on the path to the stairs to retain vehicular access at the intersection of Mesa Lane and Edgewater Way.

C. **Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

D. **Design Review.** The project, including public improvements, is subject to the review and approval of the Architectural Board of Review (ABR). The ABR shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.

1. An anti-graffiti finish shall be applied on solid surfaces.

D.E. **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. **Drainage and Water Quality.** The project is required to comply with Tier Two of the Storm Water Management Plan. The Owner shall submit worksheets from the Storm Water BMP Guidance Manual for Post Construction Practices prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City's Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project construction, shall be subject to review and approval by the Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, bacteria, etc.), or groundwater pollutants would result from the project.

b. **Haul Routes Require Separate Permit.** Apply for a Public Works permit to establish the haul route for all construction-related trucks with a gross vehicle weight rating of three tons or more entering or exiting the site. The Haul Routes shall be approved by the Transportation Manager.

c. **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 unless necessary to enter the construction site during low tide periods.

d. **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. **Condition Compliance Monitor Required.** Submit to the Planning Division a contract with a qualified independent consultant to act as the Condition Compliance Monitor (CCM) or a work program prepared by a qualified City staff person. Both the CCM and the contract/work program are subject to approval by the City Planning staff. The CCM shall be responsible for assuring full compliance with the Conditions of Approval to the City. The contract/work program shall include the following, at a minimum:
- (1) The frequency and/or schedule of the monitoring of the conditions of approval.
  - (2) A method for monitoring the conditions of approval.
  - (3) A list of reporting procedures, including the responsible party, and frequency.
  - (4) A list of other monitors to be hired, if applicable, and their qualifications.
  - (5) Submittal of biweekly reports during demolition, excavation, grading and footing installation and all other construction activity regarding condition compliance by the CCM to the Community Development Department/Case Planner.
  - (6) Submittal of a Final Condition Compliance Report.
  - (7) The CCM shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in the conditions of approval, including the authority to stop work, if necessary, to achieve compliance with conditions affecting the environment.
- b. **Biological Monitor Required.** A biological monitor shall be present when water flows from Arroyo Burro Creek to the ocean in order to the extent necessary to prevent take of endangered or threatened species. The contract for the monitor shall be subject to review and approval by the Planning Division. The biological monitor shall have the authority to halt work if tidewater goby or southern tealhead is found. If said species are found, the biologist shall notify the Environmental Analyst and the Applicant and make a recommendation for avoiding impacts to the species. The Applicant shall only proceed with construction with consent from the Environmental Analyst or other designated Planning staff person.
- c. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment to hold the Pre-Construction Conference identified in condition F.2 "Pre-Construction Conference" prior to disturbing any part of the project site for any reason.
- d. **Design Review Requirements.** Plans shall show all design elements, as approved by the appropriate design review board 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. Each condition shall have a sheet and/or note reference to verify condition compliance. 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.F. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

1. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Condition Compliance Monitor (CCM) and Contractors, site rules and Conditions of Approval pertaining to construction activities, and any additional information that will assist Public Works Inspectors, Police Officers and the public in addressing problems that may arise during construction.
2. **Pre-Construction Conference.** Not less than 10 days or more than 20 days prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, and condition compliance requirements, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Community Development Department Planning Division, the Property Owner, Coastal Engineer, Geologist, Project Engineer, Condition Compliance Monitor, Contractor and each Subcontractor.
3. **Water Quality and Habitat Protection:** Prior to Public Works permit issuance, the applicant shall submit, for the review and approval of the Planning Division, a Construction Best Management Practices Plan for the project site (including the staging area, construction corridor and construction area), prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse effects associated with construction on receiving waters (creek, storm drain and ocean). The applicant shall implement the approved Construction Best Management Practices Plan on

the project site prior to and concurrent with the project staging, demolition and construction operations. This plan shall be coordinated with Santa Barbara County Parks staff. The BMPs shall be maintained throughout the construction process. Said plan shall include the following requirements:

- a. No demolition or construction materials, debris, or waste shall be placed or stored in a manner where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- b. Refuse and debris:
  1. Construction and demolition debris and sediment shall be removed from or contained and secured within work areas each day that construction or demolition occurs to prevent the accumulation of sediment and other debris that could be discharged into coastal waters.
  2. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
  3. Any and all refuse and debris resulting from construction and demolition activities shall be removed from the project site within 72 hours of completion of demolition and construction.
  4. All demolition/construction debris and other waste materials removed from the project site shall be disposed of or recycled in compliance with all local, state, and federal regulations. No debris or other waste materials shall be placed in coastal waters or be allowed to move into coastal waters. If a disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place, unless the Planning Division determines it to be unnecessary.
- c. No storage of mechanized equipment is allowed on the beach.
- d. Sand from the beach, cobbles, or shoreline rocks shall not be used for construction material.
- e. All excavated beach sand shall be re-deposited on the beach.
- f. Concrete trucks and tools used for construction of the stairs shall not be rinsed at the site.
- g. Sandy beach and habitat areas shall not be used for staging or storage of equipment.
- h. No work shall occur on the beach between Memorial Day weekend and Labor Day of any year to avoid the highest beach use period. No work shall be done on the beach from March 1<sup>st</sup> to August 31<sup>st</sup> of any year in order to avoid grunion spawning season. No work shall occur that requires crossing the creek mouth from December 1<sup>st</sup> through April 30<sup>th</sup> to avoid higher run-off periods that could affect southern steelhead or tidewater goby.

- i. Machinery or construction materials not essential for project improvements will not be allowed at any time in the intertidal zone.
- j. If turbid conditions are generated during construction, a silt curtain will be used to control turbidity.
- k. Floating booms will be used to contain debris discharged into coastal waters and any debris discharged will be removed as soon as possible but no later than the end of each day.
- l. Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction and demolition activities. BMPs shall include, but are not limited to placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system, Arroyo Burro Creek, and Pacific Ocean.
- m. All construction materials, excluding lumber, shall be covered and enclosed on all sides, and kept as far away from a storm drain inlet and receiving waters as possible.
- n. No access to the construction site across the mouth of Arroyo Burro Creek shall occur during and for two days following a one-inch or greater rain event shall be allowed.
- o. Machinery shall only cross the mouth of Arroyo Burro Creek when flow and tide are low enough that machinery does not ride through the water, except for wheels or treads.
- p. The contractor will work with the coastal engineer to determine which high tides, if any, will disrupt the construction site and construction shall be prohibited on those days.

The required Construction Best Management Practices Plan for the project site shall also include the following BMPs designed to prevent spillage and/or runoff of construction and demolition-related materials, sediment, or contaminants associated with construction activity.

- q. Develop and implement spill prevention and control measures to ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The fueling and maintenance area shall be located as far away from the receiving waters and storm drain inlets as possible and shall not be located on the beach.
- r. Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters, and more than fifty feet away from a storm drain, open ditch, or surface waters.

- s. Provide and maintain adequate disposal facilities for solid waste, including excess concrete, produced during construction.
  - t. Provide and maintain temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence or hay bales, and silt fencing.
  - u. Stabilize any stockpiled fill with geofabric covers or other appropriate cover, and close and stabilize open trenches as soon as possible.
  - v. The discharge of any hazardous materials into any receiving waters shall be prohibited.
  - w. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
  - x. Prior to final inspection of the proposed project, the applicant shall ensure that no gasoline, lubricant, or other petroleum-based product was deposited on the beach or at any beach facility. If such residues are discovered, the residues and all contaminated sand shall be reported to the Planning Division in order to determine if the removal and disposal of the contaminated matter shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.
  - y. The Construction Best Management Practices Plan approved by the Planning Division pursuant to this provision shall be attached to all final construction plans. The permittee shall undertake the approved development in accordance with the Construction Best Management Practices Plan approved by the Planning Division pursuant to this provision. Any proposed changes to the approved Construction Best Management Practices Plan shall be reported to the Planning Division in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without an amendment to this coastal development permit unless the Planning Division determines that no amendment is legally required.
4. Construction Contact Sign. Immediately after Public Works permit issuance, signage shall be posted at the point of entry to the site that list the contractors and Condition Compliance Monitor's (CCM) name, contractors and CCM's telephone numbers, construction work hours, site rules, and construction-related conditions, to assist Public Works Inspectors and Police Officers in the enforcement of the conditions of approval. Said sign shall include a statement that construction may occur outside of normally allowed construction hours if necessary to access the site during low tide, subject to approval by the City Engineer. 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.
5. Construction Hours. Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m.

and Saturdays between the hours of 9:00 a.m. and 4:00 p.m., excluding the following holidays:

Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day

\*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, such as timing of low tide, 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.

6. Construction Storage/Staging. Construction vehicle/ equipment/ materials storage and staging shall be done as shown on the approved plans. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.
7. Construction Staging Plan. The contractor shall submit a construction staging plan for review and approval by the Planning Division which indicates that the construction staging area(s) and construction corridor(s) will minimize public access impacts to the public beach and impacts to sensitive habitats. The plan shall demonstrate that:
  - a. Coordination with County Parks staff has occurred and that they have accepted the plans.
  - b. Construction equipment, materials, or activity shall not occur outside the staging area, construction corridor, and construction area identified on the site plan required by this provision.
  - c. Construction equipment, materials, or activity shall not be placed on the sandy beach outside of the immediate construction zone.
  - d. The construction staging area will gradually be reduced as less materials and equipment are necessary.
  - e. The construction access route will only be intermittently closed for transport of equipment and materials. When not in use for transportation of equipment and materials, it will be made available for undisrupted public access.
  - f. The site plan shall include, at a minimum, the following components:
    - (1) limits of the staging area(s);
    - (2) construction corridor(s);
    - (3) construction site;
    - (4) location of construction fencing and temporary job trailers with respect to the existing parking lot, day use area and the sandy beach.

- g. If fill is necessary to improve access to the beach west of the restaurant, it shall be clean fill and shall be removed when construction is complete.
  - h. The contractor shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Planning Division for consideration and possible approval.
8. 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 Transportation Manager.
9. Stair Closure. The Parks and Recreation Department will submit a closure plan, including fencing and signage, prior to issuance of the Public Works permit. All public access to the stairs will be prohibited for the duration of construction. A sign shall be placed at the top of the stairs that states:
- Mesa Lane Stairs is closed for repair from September \*, 20\*\* (day after Labor Day) through November 30, 20\*\*. Alternative coastal access is available at Arroyo Burro (Hendry's) Beach to the west and Shoreline Park and Ledbetter Beach Park to the east. Parking is available at all three locations. Please contact the City of Santa Barbara Parks and Recreation Department if you have any questions at (805) 564-5418.

The sign will also include a map showing the alternate access locations.

10. Condition Compliance Reports. The CCM shall submit biweekly reports during demolition, excavation, grading, footing installation, and all other construction activity regarding condition compliance to the Community Development Department Planning Division.
11. 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.G. Prior to Final Inspection.** Prior to Final Inspection, the Owner of the Real Property shall complete the following:

**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 §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

1. **Condition Compliance Report.** Submit a final construction report for construction compliance.

**G.H. 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. This approval shall be valid for five (5) years from the date of Planning Commission approval.
  - 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.

**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 Public Works 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 8th day of September, 2011 by the Planning Commission of the City of Santa Barbara, by the following vote:

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

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

\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary

\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

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