



Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 11CDP-00000-00041

Project Name: Housing Authority of SB Pescadero Lofts Project

Project Address: 761 Camino Pescadero

Assessor's Parcel No.: 075-020-005

Applicant Name: Housing Authority of Santa Barbara County

The Board of Supervisors hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

Date of Approval: _____

Associated Case Number(s): 11DVP-00000-00004, 11RZN-00000-00003, 11GPA-00000-00004, 11BAR-00000-00113

Project Description Summary: Development of a 33-unit apartment complex totaling 21,031 square feet and requiring approximately 208 cubic yards of cut and 261 cubic yards of fill

Project Specific Conditions: See Attachment A

Permit Compliance Case: Yes No;

Permit Compliance Case No.: _____

Appeals: The approval of this Coastal Development Permit may be appealed to the California Coastal Commission by the applicant or an aggrieved person. The written appeal and accompanying fee must be filed with the California Coastal Commission at 89 S. California Street, Suite 200, Ventura within 10 business days following receipt by the Coastal Commission of the County's notice of final action.

The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission after the appellant has exhausted all local appeals. Therefore a fee is not required to file an appeal of this Coastal Development Permit.

Terms of Permit Issuance:

- 1. Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
- 2. Date of Permit Issuance.** This Permit shall be deemed effective and issued following the expiration of the appeal period provided an appeal of this approval has not been filed and all applicable conditions of approval that are required to be met prior to permit issuance have been completed.
- 3. Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

NOTE: Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to

be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.

Owner/Applicant Acknowledgement: Undersigned permittee acknowledges receipt of this approval and agrees to abide by all terms and conditions thereof.

Print Name	Signature	Date
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Planning and Development Department Approval by:

Print Name	Signature	Date
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Planning and Development Department Issuance by:

Print Name	Signature	Date
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ATTACHMENT A: PROJECT SPECIFIC CONDITIONS

Remember to include permit compliance conditions and collect permit compliance fees, if applicable. 1. This Coastal Development Permit is based upon and limited to compliance with the project description, the exhibits, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The applicant is requesting to amend the land use designation of the property from RES-20 to RES-30 and rezone the property from SR-H-20 to SR-H-30; and to develop a total of 33 new affordable residential apartments and common area facilities, including 26 studio apartments, six one-bedroom apartments, and one two-bedroom apartment for the apartment manager. Common area facilities would include a lobby, meeting rooms, a community room, and a kitchen to provide meeting space and space for training opportunities for the residents of the site. The spaces would not be used by outside guests or community groups. The rezone requires establishment of a new density of 30 units per acre under the existing SR-H zone district in Article II. The project includes a request to add restrictive language to the rezone ordinance to require that for any site rezoned to SR-H-30, all units would be affordable. Total square footage for the project would be 21,031 square feet. The maximum building height is proposed to be 35 feet. The project would include 34 parking spaces, in conformance with State Density Bonus Program allowances, and 68 bicycle parking spaces. Two oak trees would be removed and replaced. Grading for the project would total approximately 208 cubic yards of cut and 261 cubic yards of fill.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above, the referenced exhibits, and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) shall be implemented as approved by the County.

2. **Rules-02 Effective Date-Appealable to CCC.** This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
3. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

4. **Rules-11 CDP Expiration-With CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made.
5. A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).
6. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
7. **Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.
8. Prior to issuance of the Coastal Development Permit, the California Coastal Commission shall certify the Article II Coastal Zoning Ordinance text amendments establishing the SR-H-30 zone district (Case No. 11ORD-00000-00034).