



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: January 4, 2007
AGENDA DATE: January 11, 2007
PROJECT ADDRESS: 1837 ½ El Camino de la Luz (MST2002-00214)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Debra Andaloro, Environmental Analyst
 Victoria Greene, Project Planner

I. SUBJECT

Environmental hearing to receive Planning Commission and public comment on the Draft Environmental Impact Report (EIR) for the proposed residence at 1837½ El Camino de la Luz.

No action on the Draft EIR or project permit will be taken at this hearing. Written comments on the Draft EIR will be accepted through January 12, 2007.

II. PROJECT DESCRIPTION

The project is a proposal to construct a 1,499 square foot, two-story single family residence with an attached 443 square foot garage, on a 23,885 square foot vacant bluff-top lot. Access to the site would be provided by private easements extending south from the terminus of the paved public road (El Camino de la Luz). The project application letter is included as Attachment 1 of this report. The proposed development would require the following discretionary applications:

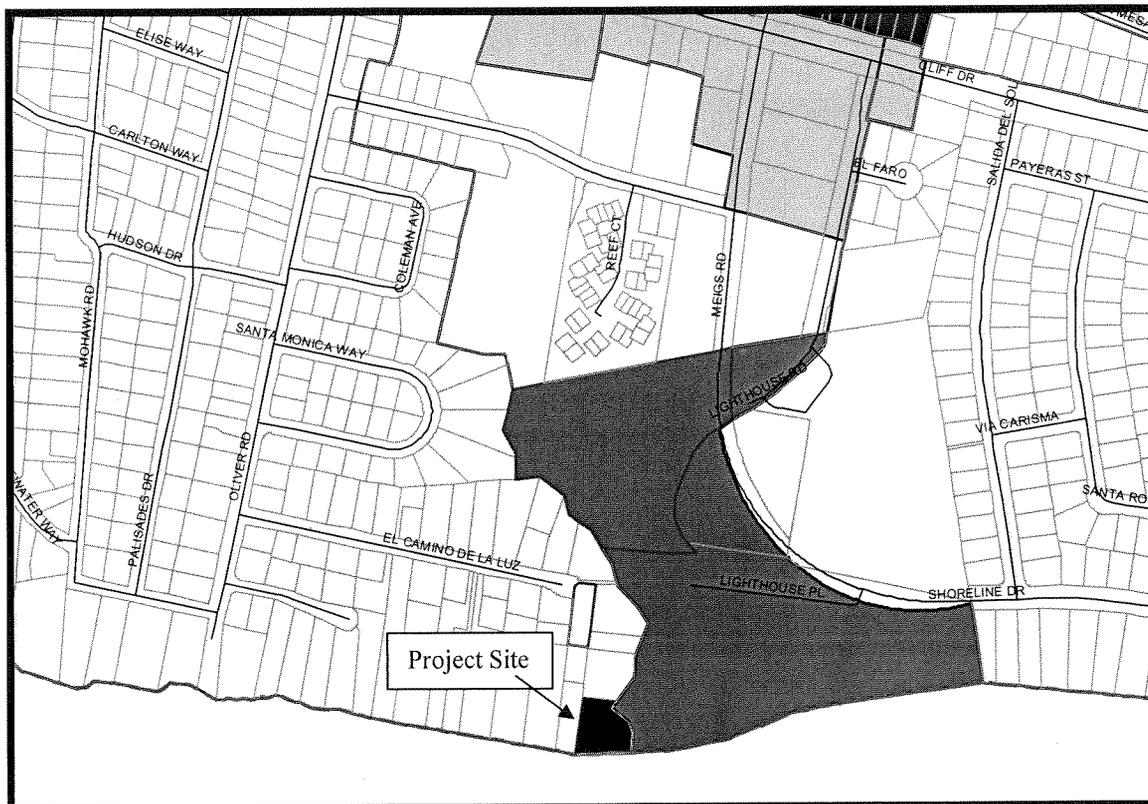
1. A Coastal Development Permit to allow construction of a new residence in the Appeals Jurisdiction of the City's Coastal Zone (SBMC §28.45.009); and
2. A Modification to allow construction of a new residence on a lot without the required 60-foot frontage on a public street (SBMC §28.15.080 and §28.92.110).

III. ENVIRONMENTAL REVIEW

Environmental review of the proposed project is being conducted pursuant to the California Environmental Quality Act (CEQA). An Initial Study was originally prepared by staff to analyze the potential environmental impacts of the project. At the environmental hearing for the Draft Mitigated Negative Declaration, the public and Planning Commission noted potentially significant visual impacts and requested further analysis in an EIR. A revised initial study was prepared and on September 22, 2005 the Planning Commission held an environmental scoping hearing.

The Draft EIR includes an evaluation of the visual and geologic impacts of the proposed project and of

two alternative house designs intended to minimize the aesthetic impacts of the project. One alternative provides for a residence of similar size to the proposed residence but with a lower visual profile. The other alternative is for a house of reduced size and visual profile.



Vicinity Map – 1837½ El Camino de la Luz

The Draft EIR identifies a significant adverse aesthetic impact from the proposed project because it would substantially block existing public scenic views of the ocean from La Mesa Park. The Draft EIR concludes that this impact can be reduced to a less than significant level with a substantial redesign of the residence to lower the visual profile of the structure. Redesign Alternative 2 (evaluated in Section 8.3 of the Draft EIR) substantially implements the design changes required to reduce aesthetic impacts to a less than significant level.

Geologic impacts associated with the project and the two design alternatives are evaluated and determined to be less than significant with the implementation of mitigation measures.

Other issue areas are evaluated in the project initial study and mitigation measures have been identified where appropriate. The initial study is incorporated in the Draft EIR.

IV. PUBLIC REVIEW PROCEDURES

The public review and comment period for the Draft EIR began on November 27, 2006 and extends through January 12, 2007. The purpose of the environmental hearing is to provide an opportunity to receive verbal comments from the public and Commissioners on the environmental analysis. No comment letters on the Draft EIR have been received to date[daa1].

Following the end of the public comment period on the Draft EIR, staff will consider all comments received and will prepare a proposed Final EIR, including written responses to comments, and any clarifications or revisions to the document analysis as needed. The proposed Final EIR will then be forwarded to the Planning Commission along with a Staff Report providing planning analysis of the project. At the subsequent Planning Commission hearing, the Commission will consider certification of the Final EIR and approval or denial of the project.

V. **RECOMMENDATION**

- A. Receive a Staff presentation outlining the environmental and public review process, and summarizing the project description and EIR analysis, and
- B. Hold a public hearing to receive public, agency, and Planning Commission comments on the Draft EIR.

Exhibits:

- A. Letter from the Applicant, dated August 9, 2004
- B. Planning Commission minutes dated May 19, 2005
- C. Planning Commission minutes dated September 22, 2005
- D. Draft Environmental Impact Report - under separate cover (previously distributed to the Planning Commission). The Draft EIR is available at the Community Development Department, 630 Garden Street, the Main Library and online at http://www.santabarbaraca.gov/Documents/Advisory_Groups/Planning_Commission/Current/03_Staff_Reports/2006-11-27_1837%20and%20one%20half%20EI%20Camino%20de%20la%20Luz%20Draft%20EIR.pdf



3 West Carrillo Street, Suite 205 Santa Barbara, CA 93101
ph: 805.962.4611 fax: 805.962.4161 www.landpconsultants.com

RECEIVED

AUG 10 2004

CITY OF SANTA BARBARA
PLANNING DIVISION

August 9, 2004

[L&P P.N. 01-041.01]

Ms. Renee Brooke, Associate Planner
City of Santa Barbara
Department of Community Development
630 Garden Street
Santa Barbara, CA 93101

**Subject: Development Application Review Team (DART) Submittal Package
Barthel SFR; 1837.5 El Camino De La Luz; APN 045-100-065
Coastal Development Permit; MST2002-00214**

Dear Ms. Brooke:

Enclosed herewith please find our resubmitted application package for DART regarding a proposed new single family dwelling within the subject property. The package is comprised of the following items:

PREVIOUSLY SUBMITTED INFORMATION:

- Master Application form.
- Ten (10) prints of the site plan showing the existing lot, existing improvements, and proposed house footprint and development envelope.
- Ten (10) prints of the architectural elevations for the proposed home.
- Ten (10) copies of a View Study of the proposed home.
- One (1) copy of the "Proposed Building Site Feasibility", prepared by CFG Consultants, dated June 19, 1996 (Please note: Photos 1-6 unable to locate).
- One (1) copy of an Engineering Geologic Update Report, prepared by Fisher Geologic, dated December 1, 2001.
- One (1) copy of a Geologic Review of Supplemental Information, prepared by Fisher Geologic, dated July 15, 2002.

EXHIBIT A

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 2 of 14

- One (1) copy of a Biological Assessment, prepared by Rachel Tierney, dated August 22, 2002
- One (1) copy of A Conditional Certificate of Compliance, recorded December 8, 1999.
- One (1) original letter from Richard Monk of Hollister & Brace, presenting a legal opinion regarding property access, dated July 22, 2002 (NOTE: Includes Preliminary Title Report).
- One (1) copy of the ABR minutes for MST2002-00214.
- One (1) copy of the Record of Survey, filed with the County Recorder on December 2, 1958, Book 43, Pg 84.
- One (1) copy of the HLC minutes, dated May 8, 1996.
- DART Application fee: \$1,020 CDP + \$550 ND + \$40 Noticing = \$1,610

ADDITIONAL INFORMATION PREVIOUSLY RESUBMITTED:

- Ten (10) revised prints of the site plan showing the existing lot, existing improvements, and proposed house footprint and development envelope.
- Ten (10) revised prints of the architectural elevations for the proposed home.
- One (1) copy of a Biological Assessment, prepared by Rachel Tierney, dated August 22, 2002, Revised December 12, 2002.
- One (1) copy of a Geologic Response to City Review Team Comments, prepared by Fisher Geologic, dated December 16, 2002.
- One (1) 8½x11 copy and one (1) Large Format copy of Record of Survey, Book 28, Page 124, dated September 1947, filed December 16, 1947, which graphically demonstrates and dimensions the then-yet-to-be centerline of the 15-foot easement in question.
- One (1) 8½x11 copy and one (1) Large Format copy of Record of Survey, Book 29, Page 25, dated July 1948, filed October 18, 1948, which graphically demonstrates and dimensions the 15-foot easement in question;
- One (1) copy of a Grant Deed, Instrument Number 14012 of Official Records, Book 883, Pages 328-329, dated November 10, 1949, which made operative the 15-foot road and utility easement in question;

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 3 of 14

- One (1) copy of the Minutes from the May 29, 1958 City Council public hearing which approved the lot split in question;
- One (1) Large Format copy of Proposed Division of Property map, dated 1958 from City Property Files, which graphically demonstrates and dimensions both the previously existing 15-foot wide easement, and the new 10-foot wide easement to the subject property;
- One (1) 8½x11 copy and one (1) Large Format copy of the Record of Survey, filed with the County Recorder on December 2, 1958, Book 43, Page 84 of Official Records, which graphically demonstrates and dimensions both the previously existing 15-foot wide easement, and the new 10-foot wide easement to the subject property;
- One (1) copy of a Grant Deed Instrument Number 15214 of Official Records, Book 1985, Pages 1490, dated April 9, 1963, which made operative the 10-foot easement in the approved lot split by including a 7.5-foot (later found to be incorrectly described) and 2.5-foot easement for road and utility purposes;
- One (1) copy of Grant Deed Instrument Number 37841 of Official Records, Book 2173, Page 765, dated November 29, 1966, which re-recorded Instrument Number 15214 for the purpose of correcting the erroneous description shown in Parcel 3 of Inst. No. 15214 (a 15-foot easement for road and utility purposes), and correctly describing Parcel 3 and Parcel 3½ (the 7.5-foot easement now correctly described);
- One (1) copy of a Preliminary Title Report, prepared by Fidelity National Title Company, dated February 25, 2002, (For reference purposes with respect to the “insurability” of the access and utility easements to the subject property.)
- Two (2) sets of Tenant mailing labels with corresponding map to verify 100-foot boundary requirements.

ADDITIONAL INFORMATION INCLUDED IN THIS RESUBMITTAL:

- Ten (10) revised prints of the site plan showing the existing lot, existing improvements, and proposed house footprint and development envelope.
- Ten (10) revised prints of the architectural elevations for the proposed home.
- Three (3) sets of a Barthel Residence Photo Simulation, prepared by Interacta, dated June 11, 2004.
- One (1) copy of a Letter from the Fire Department, dated July 29, 2004

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 4 of 14

Purpose of Application Request

The applicant requests approval of a Coastal Development Permit (CDP) in order to construct a new single family dwelling on a vacant parcel located on a coastal bluff at the most southeasterly portion of El Camino De La Luz.

Project Site Location and Conditions

The project site is a 23,885 square foot property located at the most southeasterly parcel of El Camino De La Luz, in the West Mesa neighborhood of the City of Santa Barbara, on a bluff top above the Pacific Ocean. The property landform consists of a small flat area at the northwest quadrant of the property with an ocean bluff of about 90 feet in height to the south. The property slopes steeply to the east to an old unimproved accessway, which has been covered over time by vegetation. Below the old access is the Lighthouse Creek corridor. The property is unimproved for structures. Surrounding land uses include residential lots to the north, and west, the lighthouse property on the opposite side of the creek corridor to the east, and the Pacific Ocean to the south. No rare, threatened or endangered species are known to inhabit the site.

The property is within the Coastal Zone, and is subject to provision of the City's Local Coastal Plan. Zoning of the parcel is E-3 (Single Family Residence) and the General Plan designation is Residential, five units per acre.

The project site has the potential to be fully served by underground utilities for sewer, water, electrical, CATV, telephone and natural gas located at the terminus of El Camino De La Luz and in the existing road and utility easements to the property.

Project Description

The Project is a request for approval of a Coastal Development Permit to construct a new home on a vacant bluff top property in the coastal zone. The current proposal consists of a 2-story, 2-bedroom, 2½ -bath home with an attached 443 square foot 2-car garage. The first floor is 893 square feet and includes a half bath, kitchen and living area, laundry room and outdoor deck. The second floor is 606 square feet and includes the two bedrooms and two full bathrooms. The proposal meets all required zoning setbacks, required on-site parking spaces, minimum open space requirements, and height regulations.

As discussed below in this application letter, the proposal is a modest size home with minimal view impacts from La Mesa Public Park, and negligible to no view impacts from public beach below.

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 5 of 14

The proposal was recently reviewed by the Architectural Board of Review (ABR) and was the subject of a site visit with City staff and ABR members. In summary, the ABR was comfortable with the design of the home but not the massing. The architect was directed to reduce the impact of the project on the public views, minimize the second story and understory and reducing the overall square footage of the proposal (See attached ABR Minutes).

The current proposal reflects a significant reduction in floor area since the initial ABR meetings in June 2002. Overall the size of the proposal had decreased by 26 percent (2,614 to 1,932 sq.ft.), the second story and understory have been reduced considerably thereby reducing the massing of the structure, while the habitable floor area has been reduced by 28 percent (2,086 to 1,499 sq.ft.). We believe that the current design of the structure appropriately addressed the concerns which the ABR originally had about the previous design proposal. Additional ABR hearings will be required to obtain formal comments from the design board on the current proposal.

Further, all necessary utilities will be underground to the site within the utility and road easements which exist from the terminus of El Camino De La Luz to the subject property.

Parcel Validity, Access and Easement History

Extensive discussions have occurred with the City Attorney's office, the Public Works Department and Planning Department staff, over the past two years with respect to the history of the subject parcel. L & P Consultants have made a thorough investigation and review of the history of the property, and is present as follows:

Property History - A Record of Survey, Book 28, Page 124, dated September 1947, filed December 16, 1947, established the easterly line of El Camino de Luz (See attached). This easterly line would be used in subsequent surveys and deeds to establish the then-yet-to-be centerline of the 15-foot easement to the parent parcel of the property in question.

A Record of Survey, Book 29, Page 25, dated July 1948, filed October 18, 1948, established the location and dimension of a 15-foot wide easement (See attached). This easement utilized the easterly line of El Camino de Luz as the centerline of the easement, and demonstrated that there was 7.5 feet easement width on either side of the centerline. The easement became operative 13 months later when a Grant Deed was recorded from A.L. Kienzle to Fred Eaton. The Grant Deed conveyed certain property (the parent parcel, 1837 El Camino de la Luz) and road and utility easements in favor of the Eaton's. As stated in the Grant Deed, an easement and right of way for road and public utility purposes was conveyed, over a strip of land 15 feet in width, the centerline of which was described as the same line from the Record of Survey in Book 28, Page 124.

On May 29, 1958 City Council reviewed a request from Mrs. Fred Eaton to divide into two parcels the property at 1837 El Camino de la Luz. The City Planning Commission had

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 6 of 14

recommended denial of the request to Council. After the request was debated, City Council minutes (See attached) clearly demonstrate that Council approved the lot split, **as submitted by the applicant** (emphasis added). The attached Proposed Division of Property map, a copy of which was initially obtained from City Property Records Files, demonstrates the previously presented 15-foot easement, and further graphically demonstrates and dimensions a new 10-foot easement for the benefit of Parcel 2 (the southern parcel of the proposed lot split). Given that both "City Planning Commission Received" stamp and "Lot Split Approved by City Council" stamp are on this plan, it is presumed that this is the plan "as submitted by the applicant."

Subsequent to Council approval, a Record of Survey was filed with the County Recorder on December 2, 1958 (See attached R/S Book 43, Pg 84). This Record of Survey identifies the exact same 15-foot easement and 10-foot easement as was included on the Proposed Division of Property map as submitted by the applicant, and approved by City Council.

The 10-foot easement became operative April 9, 1963 when a Grant Deed was recorded by Gertrude E. Eaton to Ed. R. and Joanne F. Brewer (See attached). The Grant Deed conveyed certain property (the southern split parcel, 1837.5 El Camino de la Luz) and road and utility easements in favor of the Brewers. Specifically, the 10-foot easement identified on the plans approved by Council, and in the Record of Survey, was supposed to have been conveyed as two separate easements of 7.5-feet and 2.5-feet in width, both for road and public utility purposes. As stated in the Grant Deed, the same easement and right of way for road and public utility purposes was conveyed, over a strip of land 15 feet in width, the centerline of which was described as the same line from the Record of Survey in Book 28, Page 124. However, that 15-foot easement was erroneously conveyed to the subject parcel. What was supposed to have been a 7.5 foot wide easement over the Eaton property, was erroneously described as 15-feet (7.5 feet on the Eaton property and 7.5 feet on the property to the west of Eaton). Clearly, Eaton had no ability to grant an easement to Brewer over property that she did not own (that being the westerly 7.5 feet of the described centerline of the fifteen foot easement).

In order to remedy the erroneous description, Grant Deed Instrument Number 37841 of Official Records, Book 2173, Page 765, dated November 29, 1966 (See attached), re-recorded Instrument Number 15214 for the purpose of correcting the description shown in Parcel 3 of Inst. No. 15214 (a 15-foot easement for road and utility purposes), and correctly describing Parcel 3 and Parcel 3½ (the 7.5-foot easement now correctly described). This Grant Deed, 37841, now correctly made operative the 10-foot wide road easement approved by City Council in 1958, which was graphically demonstrated and dimensioned on the Proposed Division of Property map, "as submitted by the applicant."

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 7 of 14

In 1958 the City required the recordation of a written instrument to evidence a lot split within one year of approval. This never occurred in the instant case. Hence, the 1963 deed from the owner at the time of the lot split (Eaton) to a successor owner (Brewer) was illegal. In order to remedy this delayed conveyance of property the Subdivision Map Act allows for a Certificate or Conditional Certificate of Compliance. A Conditional Certificate of Compliance (CCC; see attached) was recorded on the property December 8, 1999. This CCC allows for the property to be legally sold, leased or financed, pursuant to the State Subdivision Map Act, however if development is proposed for the property, the following condition must be satisfied:

“Provide evidence, satisfactory to the City Engineer that the owner of the parcel described herein substantially possesses the required amount of legal access that formed the basis of the original lot split.”

As evidenced by the attached exhibits and the preceding discussion, the required amount of legal access that formed the basis of the original lot split continues to exist, and therefore is in substantial conformity with the width of the road access shown on the 1958 Lot Split Map approved by the City Council, and the 1958 Record of Survey map filed with the County Recorder.

Additionally, we have reviewed attorney Richard C. Monk’s letter to the Planning Commission dated July 22, 2002 (See attached Hollister & Brace letter) and concur with the conclusion set forth therein. Based upon the foregoing, it is our opinion that the subject Property is a legal parcel, has legal access and that such access substantially conforms to the access approved on the 1958 Lot Split Map.

Furthermore, the attached Preliminary Title Report, prepared by Fidelity National Title Company, dated February 25, 2002, describes the same insurable appurtenant parcels (road and utility access easements) for the benefit of the subject property.

Environmental Setting and Impacts

The project site is situated within the residential urban area of the City of Santa Barbara. All necessary public utility services exist to the property or within the public street frontage and utility and road easements. As indicated in the project description the proposal is a modest dwelling unit on a vacant bluff top property. The property is a previously disturbed parcel that currently consists of an asphalted overlay and berm creating what appears to be open parking and storage area. An access road down slope to the east of the property terminates at the southern portion of the property to remnants of an older concrete and brick planter, outdoor barbeque and sink area, and what was once a cabana structure from the 1950’s. These disturbed areas have been covered over time with invasive non-native vegetation.

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 8 of 14

Flora and Fauna

A Biological Assessment (attached) was performed for the property by Rachel Tierney Consulting. Ms. Tierney conducted site visits in September 2001 and again in July 2002. The entire site was walked on foot, including the steep south and east facing slopes. The Assessment concludes that the majority of the flora at the project site consists of non-native ornamental species and common garden escapees or remnants from previous use of the parcel. Native plants were identified on the steep slopes facing the ocean and approaching the creek, however are not in proximity and would not be affected by the proposed home site. The fauna observed or expected to frequent the property are composed of species which are typically found in urbanized settings. The diversity of amphibians, reptiles and land mammals known or expected to inhabit the site is low.

Given that the property abuts a creek corridor to the east, Ms. Tierney was requested to study the creek. The Assessment states that Lighthouse Creek is an unusually short stream. The portion adjacent to the property is particularly steep due to a raised culvert upstream and a beach bluff retreat at the ocean. Habitat value of the stream adjacent to the site is limited and contains little native vegetation.

In response to the City DART letter of September 25, 2002, a revised Biological Assessment had been included with this resubmittal. The Assessment continues to conclude that no significant biological impacts are expected from the proposed development, and with the inclusion of appropriate erosion control measures during construction potential short-term impacts from construction activities can be mitigated.

Geology and Soils

Due to the location of the property next to the coastal bluff, a significant amount of review and study has occurred with respect to an appropriate location for development. Jim Fisher of Fisher Geologic had originally studied the property in 1996, and was again retained to complete an updated study of the property (attached).

In order to determine an appropriate 75-year structural setback, Mr. Fisher's study was based on geological conditions of the property, aerial photographic analysis from 1928 to the present, and documented and published retreat rates of nearby survey control stations. The Geologic Update Report concludes that an appropriate annual rate of retreat factor to determine the 75-year geological setback on the property is four (4) inches per year. This factor equates to a 25 foot setback from top of the coastal bluff and top of bank from the creek corridor. The Geologic Update Report contains a map (Plate 1) which identifies the 75-year setback and this mapping has also been overlaid onto the architectural site plan, with the proposed structure respecting this demarcation.

Additionally, Mr. Fisher compiled a supplemental review of information (attached) for the property. The supplemental information that Mr. Fisher reviewed had been obtained from neighbors and interested parties who had submitted various forms of documentation to the

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 9 of 14

City of Santa Barbara as recent as April and June of 2002 regarding the geology of the property. Mr. Fisher reviewed the supplemental information and concluded that the findings of the December 2001 Geologic Update Report remain valid, including the location of the top of the sea cliff on the Barthel property.

In response to the City DART letter of September 25, 2002, a response to City Review Team Comments from Fisher Geologic had been included with this resubmittal. The Fisher letter serves to clarify City staff questions regarding apparent differences in earlier studies of the subject property. Fisher's recommended "75-year" geological setback line correctly defines the bluff edge as outlined by the Coastal Commission, and continues to be more restrictive geographically than the previous sited studies.

In order to mitigate impacts from future construction, our project proposes installation of a storm drain collection system to capture run-off and concentrate flows to a drain system to the east of the project site and outlet into an appropriate drain dissipater into the creek corridor. This system will eliminate bluff erosion from runoff and maintain bluff stability.

Archaeological Resources

The project site was involved in a previous application by the current owner, and during that process a Phase I Archaeological Resource Evaluation was conducted by Larry Wilcoxon and a report prepared dated February 13, 1996. Mr. Wilcoxon concluded that his intensive archaeological survey did not identify any potentially significant prehistoric or historic resources. Given his findings, he concludes that future construction should be allowed to proceed.

The Historic Landmarks Commission reviewed the Phase I on May 8, 1996 and the minutes reflect that the HLC accepted the report on a 5-0 vote (See attached HLC Minutes).

Coastal Plan / General Plan Policy Consistency

In preparing the project application, we reviewed and considered various Coastal Plan and General Plan policies that appeared to be relevant to the proposed project. We believe that policy consistency is evidenced as follows:

Coastal Development Policies

The policy mandates that new residential development be located within or in close proximity to existing development and that adequate public services exist. The project is located within an urban area of the City and the surrounding properties are developed, and adequate public service are available to serve the subject parcel.

Coastal Hazards Policy (Seacliff Retreat/Drainage)

Policy I.1 of the LCP (pg 3-112) required that new development on the top of the cliff shall be placed at such distance away from the edge of the cliff that normal rates of erosion and cliff material loss will not seriously affect the structure during its expected lifetime. As discussed in the Geology and Soils section above, a seacliff retreat rate and corresponding structural setback has been established for the subject property by a certified engineering geologist, and that setback has been respected by the proposed home.

Policy 8.1 of the LCP (pg 3-119) requires all new development of bluff top land to have drainage systems carrying run-off away from the bluff to the nearest public street. Or, in areas where the landform makes landward conveyance of drainage impossible, private bluff drainage systems are permitted if they are:

- (a) sized to accommodate run-off from all similar drained parcels bordering the subject parcel's property lines;
- (b) the owner of the property allows for the permanent drainage of those parcels through his property; and
- (c) the drainage system is designed to be minimally visible on the bluff face.

As earlier described, our proposal is designed to outflow into a dissipater near the eastern edge of the property line continuous to the creek corridor. The proposal can meet all three of the criteria listed in Policy 8-1 for private systems and direct surface waters away from the bluff top.

Coastal Visual Quality

Visuals and aesthetics are considered an important element to the design team. The need to balance the owners desires for development with the neighbors aesthetic issues, combined with the public view corridor from La Mesa Park have all been taken into account in order to identify a design which can harmonize and be compatible with this property.

Policy 9.1 (pg 3-132) states that the existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following:

- (a) Acquisition of land for parks and open space;
- (b) Requiring view easements of corridors in new developments;
- (c) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development; and
- (d) Developing a system to evaluate view impairment of new development in the review process.

The Final Environmental Impact Report for Entrada de Santa Barbara, June 2001, is the most recent example of the City's attempt to develop a system to evaluate view impairment of new development. We have reviewed this EIR and specifically the View Analysis Methodology in an attempt to utilize this work as a model to assist with the identification of potential visual impacts of the proposed single family home.

As presented in the Entrada EIR, the evaluation of project impacts on public views is a two-step process:

- Step-1: Assessing the importance of public views in the project vicinity, and
- Step-2: Assessing the significance of project changes to important public scenic views.

Step-1 Criteria: Assessing the importance of public views in the project vicinity - The importance of a public view is determined by three interrelated criteria, as follows (Entrada EIR):

- The view / view corridor includes one or more important visual resources; and
- The view / view corridor has scenic quality; and
- The view / view corridor is experienced from a heavily visited public viewpoint.

Important visual resources are identified in City policies to include (Entrada EIR):

- Santa Ynez Mountains;
- Shoreline;
- Open space areas; and
- Historic buildings.

Scenic qualities are described by the following variables (Entrada EIR):

- Magnitude;
- Intactness; and
- Distinctiveness.

Heavily visited public viewpoints may include the following (Entrada EIR):

- Public Gathering Area (parks, visitors or tourist center);
- Major Public Transportation corridor;
- Areas of extensive pedestrian / bicycle use.

Step-1 Discussion: The importance of public views in the La Mesa Park view corridor - The La Mesa Park view corridor includes important visual resources such as the ocean and open space areas. While the magnitude and intactness of the corridor may be of lesser value, there is a relatively unique aperture southerly through the creek channel. La Mesa Park itself is considered a "Public Gathering Area", and therefore, given the above criteria the view to the ocean from the park can be considered an important public scenic view.

Step-2 Criteria: Assessing the significance of project changes to important public scenic views - Once important public view corridors have been identified in the project area, the effect of the proposed project on these view corridors is analyzed. The proposed project

would represent a significant adverse impact to an important public scenic view if it would conflict with the applicable vista protection standards, scenic resource protection requirements, or design criteria of the City, or if it would alter or obstruct existing public viewsheds from or across the project site, by:

- Substantially degrading an important public scenic view;
- Substantially blocking an important public scenic view corridor; or
- Substantially impairing the visual context of the La Mesa Park area.

Step-2 Discussion: Assessing the significance of the proposed house to the La Mesa Park view corridor - A View Study had been previously compiled and included within this application submittal in order to assess the significance of the proposed project changes to the La Mesa Park public scenic views. The Study presented an aerial view of the project site and surrounding area, and includes seventeen (17) separate viewpoints (taken with a digital camera) in and around the subject property. [Please note: In response to City staff questions regarding type of lens, the digital pictures were all taken with a Canon Power Shot G1 camera, and at a focal length of 35mm, which approximates the view from the "naked eye."] Fourteen (14) of these viewpoints were directly in line with the subject property and include a superimposed dwelling if appropriate. Superimposing the dwelling onto the photos was achieved by using site photos from the ABR site visit which included surveyed story poles for scale, extracting an outline of the proposed house from the architectural elevations, and carefully locating the building outline into the digital photo. Once located, the outline was reduced if appropriate by "carving" out significant vegetation which currently exist in the foreground of the photo. The visual representations of the proposed house were designed to depict the approximate location and scale of the proposed structure in order to demonstrate the effect of the proposed project on the La Mesa Park view corridor. The brownish/tan color of the representation was used to aid the viewer in identifying the proposed structure. The representations did not account for detailed variations of architectural massing, materials, color and/or landscape screening on the subject property. It was therefore a "worst-case" representation.

Given City staff concerns regarding the potential visual impacts of the proposal, the applicant decided to produce a professionally rendered photo simulation report to further depict the proposed house. This photo simulation report incorporates the scaled architectural drawings from Peikert Group Architects, the topographic AutoCAD files from the City mapping project and photographs taken around the site to accurately demonstrate the house as it would appear. This report was undertaken to more accurately reflect the proposed structure in relationship to its surroundings.

An objective review of the enclosed View Study and photo simulations demonstrates that many of the viewpoints, especially those farthest from the project site have a negligible, if any, impact to the view corridors. The viewpoints with the most perceptible impacts are obviously closest to the project site. While the proposed home in these closer viewpoints may adversely affect the La Mesa Park view corridor, it appears clear from the View Study and the photo simulations that the majority of the expected ocean view and open space area through the creek corridor remains relatively intact. Therefore, it is our belief that the

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 13 of 14

proposed dwelling is not anticipated to substantially degrade, block or impair this important public scenic view as experienced from the included vantage points.

The remaining three (3) viewpoints in the View Study are taken in close proximity to La Mesa Park and demonstrate the panoramic view corridor which exists and can be enjoyed from the public right-of-way, including the sidewalk and bike path. As demonstrated in the View Study and the photo simulations, the La Mesa Park view corridor while considered an important public view, is of a relatively narrow aperture, especially when compared with the panoramic view one observes just southeast of the park exit. The proposed project will have no visual impact on this larger panoramic public view resource.

Policy 9.3 (pg 3-133) requires that all new development in the coastal zone provide for the undergrounding of utilities and the undergrounding of existing overhead utilities shall be considered high priority. Our proposal includes the provision for the undergrounding of all utilities to the site.

Locating New Development

The LCP Component 2 (pg 4-4) identifies the potential for development in the area of the subject property as containing only scattered vacant parcels. No major constraints to development are identified in Component 2 that would affect the subject property. The one significant property that was identified in Component 2 was the Wilcox property, which is now parkland known as the Douglas Family Preserve. The subject property is one of very few vacant coastal parcels which remain and is characterized in this section of the LCP which anticipated "only sporadic small lot developments in-fill."

Conservation Element/Visual Resources

Policy 1.0 (pg 51) of the Visual Resources section states that development adjacent to creeks shall not degrade the creek or riparian environments. As discussed in the Biological Assessment the proposed home will have no impacts associated with the creek corridor.

Policy 2.0 (pg 52) states that development on hillsides shall not significantly modify the natural topography and vegetation. Our proposed design conforms to the existing topography and removes predominately non-native vegetation to be replaced with appropriate creek corridor native vegetation.

Policy 3.0 (pg 52) states that new development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations. As described above, the proposed home is located on the west side of the Lighthouse Creek corridor as viewed from La Mesa Park. We believe that the development of this home is not expected to substantially degrade, block or impair the public scenic view as experienced from La Mesa Park.

Ms. Renee Brooke
1837.5 EL CAMINO DE LA LUZ
August 9, 2004
Page 14 of 14

Summary

We have proposed a project that attempts to avoid, to the maximum extent feasible, impacts to environmental resources, that will be fully consistent with surrounding uses, that is consistent with Zoning Ordinance requirements, and that is consistent with City policies. We believe that an objective analysis and review will confirm this perspective. If you have any questions regarding this application package, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,
L & P Consultants



Brent Daniels
Project Manager

cc: Herb Barthels
Richard Monk
L & P File

G:\2001\01-041.01 Barthels\word\L&P BKD-CDP-Appl-ltr3.doc



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES (Portion)

May 19, 2005

CALL TO ORDER:

Chair Jonathan Maguire called the meeting to order at 1:13 p.m.

ROLL CALL:

Present:

Vice-Chair John Jostes

Commissioners, Charmaine Jacobs, Stella Larson, Bill Mahan, George C. Myers and Harwood A. White, Jr.

Chair Jonathan Maguire

Absent:

None.

STAFF PRESENT:

Jan Hubbell, Senior Planner

Kathleen Kennedy, Assistant Planner

Victoria Johnson, Project Engineer

Rob Dayton, Supervising Transportation Planner

Cathy Taylor, Supervising Engineer

Renee Brooke, Assistant Planner

Jim Austin, Fire Inspector II

Michael Berman, Environmental Analyst

N. Scott Vincent, Assistant City Attorney

Stephen Wiley, City Attorney

Liz N. Ruiz, Senior Recording Secretary

IV. CONTINUED ITEM:

ACTUAL TIME: 3:30 P.M.

APPLICATION OF BRENT DANIELS, L&P CONSULTANTS, AGENT FOR HERB BARTHELS (PROPERTY OWNER), 1837 ½ EL CAMINO DE LA LUZ, APN 045-100-065, E-3/SINGLE-FAMILY RESIDENTIAL AND SD-3/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2002-00214) (CDP2002-00008).

The purpose of this hearing is to receive public comments on the Draft Mitigated Negative Declaration prepared for this project. The proposal consists of the construction of a 1,499 square foot, 2-story single family residence with an attached 443 square foot garage, on a 23,885 square foot vacant bluff-top lot. Access to the site would be provided by private easements extending south from the end of the paved public road (El Camino de la Luz).

DRAFT ENVIRONMENTAL DOCUMENT: A Draft Mitigated Negative Declaration (Draft MND) that evaluates environmental effects of the project has been prepared and is available for review and comment. The analysis identifies potentially significant, but mitigable environmental effects in the following issue areas: aesthetics, biological resources, geophysical conditions, fire hazard, transportation/circulation, and water environment. Also evaluated in the document as less than significant impacts are air quality, cultural resources, noise, population and housing, public services, and recreation issues. Mitigation measures are identified to reduce potentially significant impacts to insignificant levels, and to minimize less than significant impacts.

DOCUMENT AVAILABILITY: The Draft MND is available for review at the Planning Division, 630 Garden Street between 8:30 a.m. to noon and 1:00 p.m. to 4:30 p.m., at the Public Library at 40 E. Anapamu Street during hours of operation, and on the City's website, at www.SantaBarbaraCa.gov

PUBLIC COMMENT PERIOD: The City of Santa Barbara encourages the public to provide written comment on this and other projects. The public review period of the Draft MND began on April 6, 2005 and has been extended to May 13, 2005. Comments on the Draft MND must be submitted by **Friday, May 13, 2005, at 4:30 p.m.** Please send your comments to: **City of Santa Barbara, Planning Division, Attn: Renee Brooke, Associate Planner, P.O. Box 1990, Santa Barbara, CA 93102-1990**, or send them electronically to rbrooke@santabarbaraca.gov

Renee Brooke, Associate Planner, gave an overview of the project.

Commissioners' comments and questions:

1. Commented that on the site visit, noted a staircase that goes from this property down to the beach and is wondering if staff has included any analysis of the use of that staircase.
2. Asked if the drainage that will occur from the drive above the project was included in this study, and is the proposed drainage system adequate to handle the drainage that will come down that drive.
3. Commented that one of the issues on this project that is a make or break is the access. What is the context of this work; is the issue settled or not?
4. Commented on the issue of access as it relates to hazard mitigation and the mitigation monitoring program; could not find any requirement for a demonstration of this minimum access width as a mitigation measure in the mitigation monitoring framework.
5. Requested that Mitigation Measure T-1 be duplicated as a hazard mitigation, and a fire protection mitigation in two additional locations within the MMRP to make it very clear that this is an action that solves multiple problems.
6. Asked for clarification of the difference between the creek setback and the bluff retreat setback.

7. Asked a hypothetical question, suppose a commissioner felt like a particular impact was not in fact mitigatable or that the proposed mitigation would not mitigate the impact to less than significant; what would be the appropriate course of action for that commissioner to take?
8. Asked, in respect to the bluff trail/stair access, if it was ever a public facility. Do people think they can escape from danger that way, or do we just not know that information? Also asked what is the cut-off date for the trail in terms of the Coastal Act?
9. Noted that the current geotechnical report disagrees with the prior report, in that massive failure of cliff and not just erosion would occur. Is that a better or worse condition? Also asked if either one of these conditions favor catastrophic failure or would they resist some sort of massive slide that occurred west of the property?
10. Questioned what looked like a chimney on the elevations, since a mitigation measure prohibits a wood-burning fireplace.

Steve Wiley, City Attorney, feels the access issue should be addressed to Fire, Public Works and possibly Planning Staff. His advice to the Planning Commission is that it really isn't particularly relevant to them because the City should do the right thing, from a land use perspective here, and it has very little to do with the legal history. This parcel was not properly validated when it was first approved in the 1950's. At the time, apparently the City ordinance required a transfer to a different party within a year of the approval in order to confirm the validity of a lot split like this, and that did not occur. The City did issue a Conditional Certificate of Compliance a few years ago, and so this is an existing valid parcel at this point, with the ability to go through the City process; in this case, to request a Coastal Development Permit. His advice is that the Commission, staff, and, if necessary, the City Council make what they feel is the right land use decision with respect to this property. There are many concerns that need to be addressed, and should be addressed in a way that the Commission is comfortable in making its decision. To this day, the City does not know what access they have; however, appropriate steps are being taken to find out. Lastly, he stated that if the adjoining neighbors feel they have some rights that are being infringed upon they might have to take legal action, and that's the only way we will find out what is what here.

Ms. Hubbell stated Commissioner White's question regarding fire should be addressed here today. She also explained the creek and bluff setbacks.

Jim Austin, Fire Inspector, stated what they have already done in this particular situation. It is built into the ordinance that a property located outside the high fire area that includes a residential sprinkler system can get a bonus of 100 feet of access, which takes you to 250 feet from the furthest exterior wall.

Ms. Brooke and Ms. Hubbell addressed mitigation concerns, Chair Maguire's hypothetical question, and the bluff trail/stairs, which Mr. Wiley also commented on.

William Anikouchine, Ph.D., Geologist, stated that there is a bedding plane fracture, but does not believe that it would lead to a catastrophic failure.

Brent Daniels, L & P Consultants, Agent, gave a presentation of the project.

Detlev Peikert, Peikert Group Architects, talked about the architecture involved in this project.

Richard Monk, Hollister & Brace, presented a legal opinion regarding legal access from El Camino de la Luz to the Barthel property.

The public hearing was opened at 4:35p.m., and the following persons spoke:

Peter Miller is a neighbor of the project and noted that there have been a number of slides in the last year. He is concerned that Dr. Anikouchine stated that it was only his opinion. He is concerned that digging a new foundation for the proposed house could affect his house and the bluff.

The following person spoke in opposition to the project:

Ray Franco, representing Bruce and Grace Peterson, Joanna Morgan, Stan Krome, Tom and Tena Sloan, and Skeets and Jerilou Wright, stated the following:

- The bluff trail has been in place since the 1950s, although the location has shifted as the bluff has changed.
- The opponents do not contest the legality of the parcel, but do contest the buildability of the Barthels' lot.
- Agree that there is a 10-foot access easement for most of the distance, with the exception of the area reduced to nine feet along the Morgan's property.
- The Barthels' quitclaimed the entire 7 ½ feet on the parcel immediately to the north to the Petersons.
- The project would result in a significant unavoidable impact on views. What makes Santa Barbara is its geography, parks and landscape. Existing houses step back from each other to protect each ones private views. The house cannot be made small enough or pushed far enough west, to mitigate its effects.
- The geologist reviewing the reports still concludes that there is not enough data to assure the stability of the bluff. Mr. Franco presented photos of surficial slides in 1995 and 2005.
- Expressed concern that frogs in Lighthouse Creek might be red-legged frogs. Also concerned about the impact of the project on the red fox. Stated that the habitat is not entirely urban as the biological resources report states.

With no one else wishing to speak, the public hearing was closed at 4:58 p.m.

Commissioner White left at 4:55 p.m.

Vice-Chair Jostes left at 4:58 p.m.

Commissioner Jacobs left at 5:00 p.m.

MOTION: Mahan/Larson

Move to continue this item to June 16, 2005.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Jacobs, Jostes & White)



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES (Portion)

September 22, 2005

CALL TO ORDER:

Vice-Chair John Jostes called the meeting to order at 1:04 p.m.

ROLL CALL:

Present:

Vice-Chair John Jostes

Commissioners, Charmaine Jacobs, Stella Larson, Bill Mahan, George C. Myers and Harwood A. White, Jr.

Absent:

Chair Jonathan Maguire

STAFF PRESENT:

Jan Hubbell, Senior Planner

Renee Brooke, Project Planner

Victoria Greene, Project Planner

Michael Berman, Environmental Analyst

Don Olson, Special Projects Manager

Browning Allen, Transportation Manager

Rob Dayton, Supervising Transportation Planner

N. Scott Vincent, Assistant City Attorney

Deborah J. Bush, Acting Planning Commission Secretary

III. ENVIRONMENTAL HEARING:

APPROXIMATE TIME: 1:07 P.M.

APPLICATION OF BRENT DANIELS, AGENT FOR HERBERT BARTHELS, TRUSTEE, OWNER, 1837 ½ EL CAMINO DE LA LUZ, 045-100-065 E-3/ONE-FAMILY RESIDENCE AND SD-3/COASTAL OVERLAY, GENERAL PLAN DESIGNATION RESIDENTIAL, 5 UNITS PER ACRE, MST2002-00214

Project Description: The project consists of the construction of a 1,499 square foot, 2-story single family residence with an attached 443 square foot garage, on a 23,885 square foot vacant bluff-top

lot. Access to the site would be provided by private easements extending south from the terminus of the paved public road (El Camino de la Luz).

The **City of Santa Barbara** will be the Lead Agency and will prepare an environmental impact report (EIR) to evaluate impacts of the proposed 1837 ½ El Camino de la Luz Residence. The purpose of an EIR is to provide decision-makers and the public with information that enables them to consider the environmental consequences of the proposed project. The EIR would identify potentially significant effects, and any feasible means of avoiding or reducing the effects through project redesign, the imposition of mitigation measures, or implementation of alternatives to the project.

Comments on the proposed EIR scope of analysis are invited from public agencies, community interest groups, and individual members of the public. We request the views of public agencies as to the scope and content of environmental information germane to agency statutory responsibilities for the project. Some agencies may need to use the EIR prepared by our agency when considering approvals for the project. Please provide the name of an agency contact persons, if applicable.

EIR Scope of Analysis: The proposed EIR scope of analysis would include evaluation of project environmental effects associated with visual aesthetics impacts. An Initial Study, describing potentially significant visual aesthetic impacts as well as less than significant impacts in other issue areas, is available for review at the City Planning Division located at 630 Garden Street, or online at www.SantaBarbaraCA.gov.

Comments: Written comments on the EIR scope of analysis identified in the Initial Study should be sent at the earliest possible date, but **received not later than, October 3, 2005, at 4:30 p.m.** Please send your written comments to the attention of Renee Brooke, AICP, Project Planner, at the above address.

Renee Brooke, Project Planner, provided an overview of the project and stated the purpose of the hearing.

Brent Daniels, Agent for Herbert Barthels, commented briefly on the project and thanked Staff for their continued efforts.

Public comment opened at 1:21p.m.

Commissioner questions:

1. Asked if views from the Coast Guard property should be included in the analysis.
2. When impacts cannot be mitigated, how can the Commission balance issues?

Public comment opened at 1:21p.m.

The following people commented on the scope of the EIR:

Stan Krome, stated that the project since the onset has been plagued by problems. Mr. Krome believes the lot is an illegal lot and would like the Commissioners to view the site.

JoAnna Morgan stated that she concurs with Mr. Krome. Ms. Morgan is concerned that only the issue of view is being considered in the EIR.

Public comment closed at 1:25p.m.

During the discussion, the Commissioners either individually or collectively with regards to the scope of the EIR:

1. Asked how the framing of alternatives would be addressed in the EIR.
2. Asked, if EIR focuses on view corridor, how does the EIR consultant determine what is being taken away and what will remain?
3. Asked when a public view would be considered permanently impacted
4. Stated that the geological review is defensible and is comfortable with the analysis of that issue in the Initial Study.
5. Suggested that the project architect prepare massing studies, starting with the smallest, legally allowable residence on the property.
6. Stated that oftentimes with EIRs, alternatives considered are not feasible. Would like to see the architect and owner propose feasible alternatives which would reduce the visibility of the home. Would like to see how the various scenarios will impact the view corridor, so the EIR should focus more on pictures than words. Suggested that a representative from the Parks and Recreation Department be consulted to help develop potential mitigation measures at La Mesa Park.
7. Stated that it would be helpful to develop feasible alternatives, conduct an analysis of the alternatives.
8. Stated the focus of the EIR should not be narrowed so much that the utility of the document is lost. Alternatives need to include an analysis of impacts to other issue areas.
9. Stated an alternative-based EIR should be considered, where a discussion of alternatives makes up the bulk of the document.

Ms. Hubbell stated that if an impact cannot be mitigated, the Commission must decide if the project results in a public benefit that outweighs the unmitigable impact.

*****THIS EXHIBIT WAS PREVIOUSLY DISTRIBUTED*****

Draft Environmental Impact Report

1837 ½ El Camino de la Luz (MST2002-00214)

This report may also be viewed on the City's website by following these instructions:

- Go to www.SantaBarbaraCA.gov
- Click on 'Boards and Commissions' in the right hand box marked 'Quick Links'.
- Click on 'Planning Commission' on the list
- Click on 'Agendas, Minutes, and Meeting Schedule'.
- Scroll down to 'Reports'.

A printed copy of the report is also available at the following address between the hours of 8:30 a.m. to noon, and 1:00 p.m. to 5:00 p.m., Monday through Friday:

Community Development – Planning Division
630 Garden Street, upper level
Santa Barbara, CA 93101



Chair Charmaine Jacobs
Commissioner Bruce Bartlett
Commissioner Stella Larson
Commissioner Harwood A. White, Jr.

Vice-Chair George C. Myers
Commissioner John Jostes
Commissioner Addison S. Thompson

**PLANNING COMMISSION
AGENDA**

**CITY COUNCIL CHAMBERS
CITY HALL - DE LA GUERRA PLAZA
THURSDAY, JANUARY 11, 2007
1:00 P.M.**

Website: www.SantaBarbaraCa.gov

I. NOTICES:

- A. TUESDAY, JANUARY 9, 2007
SITE VISITS

7:45 A.M.
630 GARDEN STREET
Community Development Parking Lot
1533 W. Valerio Street

The Planning Commission will visit the project sites scheduled for review at the Thursday Planning Commission meeting. No public testimony will be taken, but the public is invited to attend. Call 564-5470 for additional information.

- B. This regular meeting of the Planning Commission will be broadcast live and rebroadcast in its entirety on Friday at 6:00 p.m. and again on Sunday at 9:00 a.m. on Channel 18.
- C. **AMERICAN WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's Office at (805) 564-5305. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.
- D. This agenda schedule is subject to change. It is recommended that applicants and interested persons plan to arrive at 1:00 P.M. However, for longer agendas, all parties are encouraged to monitor Channel 18 and, when the item prior to the application of interest begins, come to the Commission hearing.

- E. The scope of a project may be modified as it proceeds through the planning process. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for an item, please contact City Planning staff at (805) 564-5470 between the hours of 8:30 a.m. to noon and 1:00 p.m. to 4:30 p.m., Monday through Friday.
- F. **AGENDAS, MINUTES and REPORTS:** Copies of all documents relating to agenda items are available for review at 630 Garden St. and posted online at www.SantaBarbaraCa.gov. Please note that online Staff Reports may not include some exhibits.

II. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
- B. Announcements and appeals.
- C. Comments from members of the public pertaining to items not on this agenda. [Due to time constraints, each person is limited to two (2) minutes.]

III. ENVIRONMENTAL HEARING:

APPLICATION OF BRENT DANIELS, L&P CONSULTANTS, AGENT FOR HERB BARTHELS, 1837 ½ EL CAMINO DE LA LUZ, APN 045-100-065, E-3/SINGLE-FAMILY RESIDENTIAL AND SD-3/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2002-00214) (CDP2002-00008).

The purpose of this hearing is to receive public comments on the Draft Environmental Impact Report prepared for this project. The proposal consists of the construction of a 1,499 square foot, 2-story single family residence with an attached 443 square foot garage, on a 23,885 square foot vacant bluff-top lot. Access to the site would be provided by private easements extending south from the end of the paved public road (El Camino de la Luz).

Case Planner: Victoria Greene, Project Planner

Email: vgreene@SantaBarbaraCA.gov

IV. NEW ITEM:

APPLICATION OF JUSTIN VAN MULLEM, ON DESIGN, AGENT FOR LLC FOR JAMES AND PAMELA HALDEMAN, 1533 W. VALERIO STREET, APN: 041-071-031, A-2/R-1 ZONES, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2003-00338)

The proposed project consists of the subdivision of an existing 3.45 acre site into two lots of approximately 1.725 acres each. The lots would take access from West Valerio Street via a shared private driveway that also serves two existing single-family residences. Proposed Parcel 1 would be 75,140 square feet with an average slope of 29%. A new residence is proposed on this parcel and would be approximately 5,843 square feet, including basement and garages.

Proposed Parcel 2 would be 75,142 square feet with an average slope of 31%. This parcel contains the existing residence, which is approximately 5,948 square feet.

The discretionary applications required for this project are:

1. Modifications to allow the two newly created lots to have less than the required 100 feet of frontage on a public street (SBMC §28.15.080);
2. A Modification to permit garage space in excess of 750 square feet in the A-2 zone (SBMC §28.87.160.4);
3. A Tentative Subdivision Map (TSM) to allow the division of one parcel into two lots (SBMC §27.07).
4. A Public Street Frontage Waiver to create a lot that does not front on a public street (SBMC, §22.60.300).
5. Neighborhood Preservation Ordinance Findings to allow grading in excess of 500 cubic yards on a project site located within the Hillside Design District (SBMC §22.68.070).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15332, Infill Development.

Case Planner: Allison De Busk, Associate Planner

Email: adebusk@SantaBarbaraCA.gov

V. CONTINUED ITEM:

APPLICATION OF LISA PLOWMAN, AGENT FOR SOUTHERN CALIFORNIA-NEVADA CONFERENCE – UNITED CHURCH OF CHRIST, 230 LIGHTHOUSE ROAD, APN: 045-021-021, E-3/S-D-3 ONE FAMILY RESIDENTIAL/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2006-00455) Continued from December 7, 2006

The proposed project involves the rezone of the property from one-family residential (E-3) to two-family residential (R-2), and development of the site with 22 three-bedroom condominium units under the Garden Apartment Zoning designation (SBMC, Chapter 28.30). Four of the units would be affordable to middle-income homebuyers, and two of the units would be affordable to upper-middle-income homebuyers. The development includes 58 parking spaces. The subject parcel is currently developed with a church, which is proposed to be demolished as part of the project.

The purpose of the concept review is to allow the Planning Commission an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project. Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

1. Initiation of a Rezone from E-3/S-D-3 to R-2/S-D-3 by the Planning Commission (SBMC, §28.92.020);

2. General Plan Map amendment to amend the General Plan Land Use Map for the subject parcel from Residential 5 dwelling units per acre to Residential, 12 units per acre;
3. Local Coastal Plan Amendment to amend the General Plan Land Use Map in the Coastal Zone (SBMC §28.45.009.7);

The following decisions will be contingent upon City Council approval of the rezone and General Plan Amendment and Coastal Commission approval of the Local Coastal Plan Amendment:

4. Tentative Subdivision Map (TSM) for a one lot subdivision with 22 residential condominiums (SBMC Chapters 27.07 and 27.13);
5. Lot Area Modification to allow two over-density units (bonus density) on a lot in the R-2 Zone (assuming zone change) (SBMC §28.92110, A, 2);
6. Front Setback Modification to reduce the required 30-foot front yard setback (based on Garden Apartment Development standards in SBMC Chapter 28.30) (SBMC §28.92110, A, 2);
7. Interior Yard Setback Modifications (3) to reduce the required 30-foot interior yard setbacks (based on Garden Apartment Development standards in SBMC Chapter 28.30) (SBMC §28.92110, A, 2);
8. Conditional Use Permit to allow Garden Apartments in the R-2 Zone SBMC §28.94.030, K);
9. Coastal Development Permit to allow development in the non-appealable jurisdiction of the Coastal Zone (SBMC §28.45.009.6);
10. Recommendation by Planning Commission and final approval by the City Council of Rezone, General Plan Map Amendment and Local Coastal Plan Amendment (SBMC, §28.92.080 (B)); and
11. Design Review Approval by the Architectural Board of Review (ABR) (SBMC, Chapter 22.68).

Case Planner: Allison De Busk, Associate Planner

Email: adebusk@SantaBarbaraCA.gov

VI. ADMINISTRATIVE AGENDA:

- A. Committee and Liaison Reports.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.080.
- C. Review and consideration of the following Planning Commission Resolutions and Minutes:
 - a. Draft Minutes of October 19, 2006
 - b. Resolution 042-06
1 Adams Road

- c. Resolution 043-06
113-117 W. De la Guerra Street
- d. Draft Minutes of November 2, 2006
- e. Resolution 044-06
625 Flora Vista
- f. Resolution 045-06
3408-3412 State Street

VII. ADJOURNMENT:

CITY OF SANTA BARBARA PLANNING COMMISSION

MEETING PROCEDURES

NOTE: State legislation requires persons who contributed \$250 or more to appointed members of boards or commissions within the past twelve (12) months to so inform the Chairman prior to speaking.

The public is invited to speak on any item on the Planning Commission Agenda. After receiving recognition from the Chairman, please approach the podium and speak into the microphone. State your name and purpose for appearing. Your name and comments will be entered into the public record.

The order of presentation after the Chairman introduces the item is as follows:

1. Presentation by Staff (15 minutes)*.
2. Presentation by Applicant (15 minutes)*.
3. Public Hearing*.
4. Additional response by Applicant/Staff (5 minutes each)*.
5. Questions and comments by the commission.
6. Commission consideration of Findings and Conditions of Approval.
7. Motion, discussion of motion, decision, and vote by the Commission.

***Time may be extended or limited by the Chair of the Planning Commission.**

Items that generate a large amount of citizen interest may be taken out of their scheduled order on the agenda as a courtesy to the public in attendance. Where there are a large number of people wishing to speak on an item, the Chairman may limit time allotted to each speaker.

Written testimony is invited and will be entered into the public record. Written information can be submitted prior to the meeting to the Planning Division Office, 630 Garden Street. Only one copy is required. Longer written statements must be submitted as early as possible to allow the Commission time to adequately consider the information. The preferred submittal time for written statements is Monday at noon for the Thursday meeting. Written statements submitted at the meeting are limited to two (2) pages and ten (10) copies are required.

It is not possible to determine the precise time an item will be heard. The Planning Commission sessions are broadcast live on the Government Access Television Channel 18. Monitoring will assist in determining when the item will come up. Any continued items are announced at the beginning of the meeting and repeated throughout the meeting by the Chairman.

Many of the items before the Commission may be appealed to the City Council. For further information on appeals, contact the Planning Division Staff or the City Clerk's Office. Any further information on the Planning Commission meeting procedures or agenda items may be obtained by calling the Planning Division at Phone 564-5470.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's Office at 564-5305. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.