



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 10, 2007
AGENDA DATE: May 18, 2007
PROJECT ADDRESS: 1418 Santa Rosa Street (MST2006-00288)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Suzanne Johnston, Assistant Planner

I. PROJECT DESCRIPTION

The proposed project involves the subdivision of a 30,163 square foot lot into three parcels. The three resulting parcels would range from 9,239 – 9,288 net square feet of lot area each and are proposed to be developed with three one-story single-family residences ranging in size from 2,995 – 3,060 net square feet including the attached garage. Parcel 1 will have the required street frontage with Parcels 2 and 3 being interior lots with access via a 16-foot wide driveway along the eastern property line. The proposal includes the demolition of all existing structures on site, including the existing 1,681 square foot single-family residence, and approximately 1,100 cubic yards of grading (200 cubic yards of fill and 900 cubic yards of export). All site drainage would direct surface runoff towards Santa Rosa Avenue via storm drains and swales, and include on-site detention structures.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Tentative Subdivision Map to allow the division of one parcel into three lots (SBMC §27.07);
2. A Public Street Waiver to allow the approval of a subdivision where access is provided by a private road that serves more than two lots (SBMC §22.60.300);
3. Two Modifications to allow the creation of Parcel 2 and Parcel 3 with less than the required sixty feet of street frontage on a public street (SBMC §28.15.080);
4. A Modification for covered parking (Parcel 2 garage) to have a total aggregate floor area of more than 500 square feet (SBMC §28.87.160.4);
5. A Modification for covered parking (Parcel 3 garage) to have a total aggregate floor area of more than 500 square feet (SBMC §28.87.160.4);

6. A Modification to locate an uncovered parking space (Parcel 3) within the required interior yard setback (SBMC §28.87.190.1 and 28.15.060.2); and
7. A Coastal Development Permit (CDP2006-00007) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

III. RECOMMENDATION

The proposed project is consistent with City's Zoning Ordinances and all applicable policies of the General Plan and Local Coastal Plan, with approval of the requested modifications and the street frontage waiver. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



APPLICATION DEEMED COMPLETE:	April 9, 2007
DATE ACTION REQUIRED PER MAP ACT:	June 28, 2007
DATE ACTION REQUIRED:	June 28, 2007

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Santa Rosa Associates, LLC	Property Owner: Santa Rosa Associates, LLC
Parcel Number: 045-132-014	Lot Area: 30,163 gross / 27,767 net
General Plan: Residential – 5 units/acre	Zoning: E-3/SD-3
Existing Use: single-family residential	Topography: average 5% slope
Adjacent Land Uses: North - Single-Family Residential East – Single-Family Residential South - Single-Family Residential West - Single-Family Residential	

B. PROJECT STATISTICS

	Existing	Proposed Parcel 1	Proposed Parcel 2	Proposed Parcel 3
Parcel Gross / Net Area	30,163 s.f. / 27,789 s.f.	11,622 s.f. / 9,288 s.f.	9,262 s.f. / 9,262 s.f.	9,239 s.f. / 9,239 s.f.
Living Area	1,681 s.f.	2,526 s.f.	2,519 s.f.	2,413 s.f.
Garage	N/A	469 s.f.	541 s.f.	628 s.f.
Total Development		2,995 s.f.	3,060 s.f.	3,041 s.f.

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement Allowance	Proposed Parcel 1	Proposed Parcel 2	Proposed Parcel 3
Setbacks				
-Front	20'	20'	N/A	N/A
-Interior	6'	6'	6'	6'
-Rear	6'	6'	6'	6'
Building Height	30'	22' 6"	21'	21' 6"
Parking	2 covered/lot	2 covered	2 covered	3 covered 2 Uncovered *
* The two uncovered parking spaces are to be shared by Lots 2 and 3. The spaces are to be proposed to provide off-street guest parking				
Lot Area Required	7,500 net s.f.	9,288 net s.f.	9,262 net s.f.	9,239 net s.f.
Open Yard	1,250 s.f.	1,250 s.f.	1,255 s.f.	1,254 s.f.
Lot Coverage				
-Building	N/A	3,156 s.f. 34.0 %	3,126 s.f. 33.8 %	3,489 s.f. 37.8 %
-Paving	N/A	2,551 s.f. 27.5 %	2,639 s.f. 28.5 %	2,952 s.f. 32.0 %
-Landscaping	N/A	3,581 s.f. 38.5 %	3,497 s.f. 37.7 %	2,798 s.f. 30.2 %

Maximum House + Garage		3,522 s.f.	3,515 s.f.	3510 s.f.
Percentage of Max FAR *		85 %	87 %	87 %
* Maximum FAR is a regulation for two-story single-family residences on lots less than 15,000 square feet and is used as a guideline for all other single-family residences.				

The proposed project would meet the requirements of the E-3/SD-3 Zone, with the exception of lot frontage, the uncovered off-street guest parking, and the garage for lots 2 and 3 exceeding 500 square feet.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed by the Architectural Board of Review (ABR) on January 16, 2007 (meeting minutes are attached as Exhibit D). At that meeting, the ABR stated that the subdivision and additional dwelling unit and modification were appropriate improvements; however, they did have concerns with three residential units taking access from the new driveway, maintenance of the cypress trees and the installation of formal public improvements. However, with the adoption of the updated Neighborhood Preservation Ordinance, Single-Family Residential Design Guidelines, and associated Single Family Design Board (SFDB) this project will not return to the Architectural Board of Review. This project will be subject to the Single Family Design Board for review and approval of the project.

B. ZONING AND MODIFICATION REQUESTS

The requirements for the E-3 zone are listed under Section III, E-3 Zone Requirements above. The proposed lot sizes exceed the minimum lot sizes required for this zone. Upon development, the interior yard requirements will have to be met.

Santa Rosa Avenue is a narrow street with limited parking opportunities. Since two of the new lots would not have any street frontage, the applicant has proposed to provide two off-street guest parking spaces on the rearmost lot in order to avoid overburdening the on-street parking resources. Two of the three proposed garages are in excess of the maximum 500 square foot garage size in the E-3 zone district (SBMC §28.87.160.4). Proposed for Parcel 2 is a two-car, 520 square foot garage that allows space for a water heater and storage at the rear. Proposed for Parcel 3 is a three-car, 628 square foot garage. The proposal provides additional space dedicated to off-street parking and incidental residential storage uses.

The applicant is requesting a modification of the requirement that newly created lots in the E-3 zone provide at least 60 feet of frontage on a public street. The applicant's justification is that the proposed lots exceed the minimum lot size of the zone and that the proposed subdivision is consistent with other subdivisions in the area.

C. PUBLIC STREET WAIVER

The Public Works Department is in support of granting the project a waiver to allow a private driveway to serve three lots instead of the maximum two lots. The proposed driveway would be a common driveway 17 feet in width meeting the Fire Department's required access requirements. Staff believes that the proposed driveway would provide adequate access to the property and adequate access for emergency vehicles. While a waiver would not be required if Parcel 1 had a separate driveway, this would result in a more paving and more driveways. Staff supports the waiver to reduce the pedestrian and vehicular conflicts and reduce paving. A condition will be recorded for the maintenance of the proposed private driveway, and the Planning Commission could make the finding that it is in the best interest of the City to grant the waiver, and with the insured maintenance, it will improve the quality and reduce the visual impacts of the proposed development.

D. COMPLIANCE WITH THE GENERAL PLAN/LOCAL COASTAL PLAN

1. General Plan

Before a Tentative Subdivision Map can be approved, it must be found consistent with the City's General plan. Based on staff's analysis, the proposed subdivision, with approval of the modifications and street waiver, can be found consistent with the plans and policies of the City of Santa Barbara.

The proposed subdivision is located in the East Mesa neighborhood of the General Plan. Discussion of this neighborhood recognizes the small-lot, single-family residences. The General Plan reflects this development pattern with the land use designation of Residential, 5 dwelling units per acre. This would equate to 8,712 square feet per lot. The proposed lot sizes range from 9,239 – 9,288 net square feet of lot area each and are consistent with this designation.

2. Local Coastal Plan

The proposed subdivision is located in Component 2 of the Local Coastal Plan. The major coastal issues for this component include the protection of the riparian habitat of Arroyo Burro Creek, hazards of seacliff retreat and flooding, maintaining and providing access along the bluffs, protection of recreational access to Arroyo Burro Beach County Park, protection of archaeological resources, maintenance of existing coastal views and open space, and provision of adequate circulation on Las Positas Road. The project site is not located near Arroyo Burro Creek, the seacliff, or Arroyo Burro Beach County Park. Therefore, it is not anticipated that the project would cause impacts to these resources. The project site is also not located in an archaeological resource sensitivity zone. Therefore, no impacts to archaeological resources are anticipated.

Transportation Staff has determined that the project is not expected to cause any impacts to the circulation on Cliff Drive. Additionally, a new six foot wide sidewalk will be constructed across the property frontage on Santa Rosa Avenue.

The following Local Coastal Plan (LCP) policy applies to the proposed project:

LCP Policy 5.3: *New development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhoods shall not be permitted.*

Since two of the new lots would not have any street frontage, a condition of approval is proposed that would require the applicant to provide one off-street guest parking to the rearmost lot in order to avoid overburdening the on-street parking resources. Additionally, a review of the surrounding neighborhood shows that the proposed subdivision would be consistent both in size and in the pattern of development (Exhibit E). Staff believes that the proposed subdivision is consistent with the policies in the LCP.

E. ENVIRONMENTAL REVIEW

It has been determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15315 [Minor Land Divisions] for the three-lot subdivision and Section 15303 [New Construction] for construction of three single-family residences and associated garages.

VII. FINDINGS

The Planning Commission finds the following:

A. FOR THE LOT FRONTAGE MODIFICATIONS (SBMC§28.15.080):

The modification to allow two of the lots to be created without the required 60 feet of frontage on a public street is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot because the proposed lots would provide more than the minimum lot area and, the proposed lot split is consistent with the development pattern in the surrounding area.

B. FOR THE GARAGE SIZE MODIFICATIONS (SBMC§28.87.160.4):

The modification to allow two of the lots to have garages in excess of 500 square feet is consistent with the purposes and intent of the Zoning Ordinance and provides additional off-street parking for the newly created interior lots reducing the impact to the surrounding neighborhood. The garage for parcel 2 is proposed to be two-car 541 square feet and the garage for Parcel 3 is 689 square foot three-car garage.

C. FOR THE WAIVER TO ALLOW A PRIVATE DRIVEWAY TO SERVE THREE LOTS INSTEAD OF THE MAXIMUM TWO LOTS PURSUANT TO SECTIONS 22.60.300 OF THE CODE

1. The proposed driveway, with a width of 17 feet, will provide adequate access to the subject property and other properties using said driveway. It will meet Public Works and Fire Department standards.
2. The proposed driveway and adjacent paved areas will provide adequate access for fire suppression vehicles as required by applicable fire regulations, including, but not limited to turnaround area, width, grade and construction. The Fire Department has reviewed the proposal and it is within their allowed standards.
3. There is adequate provision for maintenance of the proposed driveway a recorded agreement that provides for adequate maintenance of said driveway, or
4. The waiver is in the best interests of the City and will improve the quality and reduce the impacts of the proposed development. The private driveway would limit the amount of hardscape associated with a roadway and guest parking will be provided on-site for the rearmost lot.

D. FOR THE COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009.6.H)

The subdivision is consistent with all applicable policies of the California Coastal Act and the City's Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code. The proposed lot sizes are consistent with the requirements of the Municipal Code and the proposed density is consistent with the General Plan.

E. FOR THE TENTATIVE SUBDIVISION MAP:

The Planning Commission finds that the tentative subdivision map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara because the proposed project would meet the density requirements of the General Land Use Designation of five (5) dwelling units per acre. The project also complies with all of the requirements outlined in the E-3 Zone. The project will have no impacts on the environment or significant wildlife habitat. The project will not result in public health concerns nor will it disrupt any public easements.

Staff believes the request is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot because:

1. The proposed lots would provide more than the minimum lot area,
2. The proposed lot split is consistent with the development pattern in the surrounding area (See Exhibit E).

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Exhibits:

- A. Conditions of Approval
- B. Applicant's letter, April 24, 2007
- C. Site Plan and Proposed Elevations
- D. Architectural Board of Review Minutes
- E. Neighborhood Map

PLANNING COMMISSION CONDITIONS OF APPROVAL

1418 SANTA ROSA AVENUE
TENTATIVE SUBDIVISION MAP, MODIFICATIONS,
& A COASTAL DEVELOPMENT PERMIT
MAY 17, 2007

In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 2. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance and shall be recorded concurrently with the agreement relating to subdivision conditions imposed on real property.
 3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property. This would include but is not limited to the guest parking spaces that are located on Parcel 3.
 4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.
 5. **Approved Development.** The development of the Real Property approved by the Planning Commission on May 17, 2007 is limited to the subdivision of a 30,163 square foot lot into three parcels. The three resulting parcels would range from 9,239 – 9,288 net square feet of lot area each and are proposed to be developed with three one-story single-family residences ranging in size from 2,995 – 3,060 net square feet including the attached garage. Parcel 1 will have the required street frontage with Parcels 2 and 3 being interior lots with access via a 16-foot wide driveway along the eastern property line. The proposal includes the demolition of all existing structures on site, including the existing 1,681 square foot single-family residence and detached three-car garage, and approximately 1,100 cubic yards of grading (200 cubic yards of fill and 900 cubic yards of export). All site drainage would direct surface runoff towards Santa Rosa Avenue

EXHIBIT A

via storm drains and swales, and include on-site detention structures and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the Parcels.

b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.

c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.

d. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.

e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

B. **Design Review.** The following items are subject to the review and approval of the Single Family Design Board (SFDB) shall not grant preliminary approval of the project until the following conditions have been satisfied.

1. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.

2. **Permeable Paving.** Incorporate a permeable paving system for the (project driveway(s)) (walkway(s)) (parking area(s)) that will allow a portion of the paved area runoff to percolate into the ground, except as necessary to meet Fire

Department weight requirements. Materials in driveways and parking areas must be approved by the Transportation Manager.

- C. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Parcel Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
 2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
 3. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.
 4. **Drainage Calculations.** The Owner shall submit drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
 5. **Off-Site Public Street Improvement Plans.** The Owner shall submit building plans for construction of improvements along the property frontage on Santa Rosa Avenue. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, crack seal to the centerline of the street along entire subject property frontage, underground service utilities, connection to City/private water and sewer mains, public drainage improvements with supporting drainage calculations and/or hydrology report for installation of (drainage pipe, curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection (provide off-site storm water BMP plan), etc.), preserve and/or reset survey monuments and contractor stamps, supply and install directional/regulatory traffic control signs, new street tree(s) (and tree grates) per approval of the City Arborist and provide adequate positive drainage from site. Existing private sewer lateral(s) serving the property shall be repaired before new dwelling(s) is occupied. Any existing sewer lateral(s) identified to be abandoned, shall be disconnected at the sewer mainline connection. A licensed plumber shall verify if the property requires a backwater valve. If existing lateral already has a backwater valve, then it shall be inspected. The building plans, drainage calculations and hydrology report shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.

6. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
- D. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:
1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
 2. **Traffic Control Plan.** A traffic control plan shall be submitted, as specified in the City of Santa Barbara Traffic Control Guidelines. Traffic Control Plans are subject to approval by the Transportation Manager.
- E. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single Family Design Board (SFDB), outlined in Section B above.
 2. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and 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 Planning Division 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 Planning Division grants authorization.

3. **Guest Parking.** Two uncovered guest parking space(s) shall be provided on proposed lot 3 in addition to the two (2) covered parking spaces required by the Zoning Ordinance.
4. **Driveway Improvements.** The proposed driveway shall be constructed to the standards provided in the Subdivision Design and Improvement Standards and as approved by the Public Works Director.
5. **Utilities.** Provide individual water, electricity, and gas meters, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point five feet (5') outside the building.
6. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor		License No.
Architect		License No.
Engineer		License No.

- 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. (Community Development Department staff shall review the plans and specifications to assure that they are incorporated into the bid documents, such that potential contractors will be aware of the following requirements prior to submitting a bid for the contract.)

1. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
2. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

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

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

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

3. **Construction Parking/Storage/Staging.** Construction parking, storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
4. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
5. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
6. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s)

name, contractor(s) telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height.

7. **Existing Tree Preservation.** The existing tree(s) shown on the approved Tentative Subdivision Map to be saved shall be preserved and protected and fenced three feet outside the dripline during construction.
8. **Unanticipated Archaeological Resources Contractor Notification.** 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 associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant 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.

- G. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
 1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility service undergrounding and
3. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided that the private CC&Rs required in Section A have been recorded.

H. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission's action approving the Coastal Development Permit shall expire two (2) years from the date of approval, per Santa Barbara Municipal Code §28.45.009.q, unless:

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.

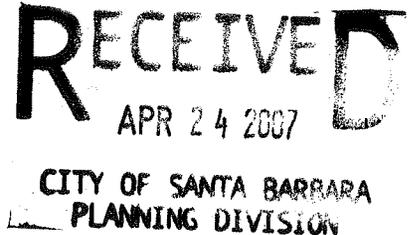
PLANNING COMMISSION CONDITIONS OF APPROVAL
1418 SANTA ROSA AVENUE
MAY 17, 2007
PAGE 9

**NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS
AND CONDOMINIUM CONVERSIONS) TIME LIMITS:**

The Planning Commission's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.

April 24, 2006

Planning Commission
c/o Planning Division City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101



Re: Formal DART Application Submittal – Three-Lot Subdivision of
1418 Santa Rosa Avenue, APN: 045-132-014

Dear Commissioners:

On behalf of Santa Rosa Associates, LLC, the owner of 1418 Santa Rosa Avenue, Santa Barbara, California (“Property”), we are requesting City approval of a proposed subdivision of the Property into three separate parcels. We have previously provided (or include with this letter, if so shown) the following items pertinent to the proposed three lot subdivision:

1. Planning Commission Submittal Cover sheet
2. Completed Zoning Plan Checklist
3. Completed Master Application Form
4. Soils Report prepared by Coast Valley Testing dated March 8, 2006.
5. Two copies of a drainage study prepared by Flowers & Associates, Inc. dated March 22, 2006.
6. Three copies of a Policy of Title Insurance prepared by First American Title Insurance Company dated April 5, 2006.
7. Fees totaling \$10,975
8. Ten copies of a three sheet map package including site plan, tentative map, and preliminary drainage and grading plan.
9. Ten copies of an eleven sheet package showing current photos of the property and surrounding area as well as elevations and floor plans for the proposed three homes on the property.
10. Ten copies of a proposed landscape plan.
11. Ten copies of an aerial photograph of the property and adjacent properties with lot lines.
12. Sample sheet with exterior colors of proposed structures
13. Correspondence from California Department of Conservation, Division of Oil and Gas dated November 21, 2005 and December 5, 2005 regarding abandoned well location and approval of site plan.
14. Hazardous Waste and Substances Requirement Form
15. Coastal Development Permit Application
16. Percolation Test by Coast Valley Testing dated September 19, 2006
17. Declaration of Covenants, Conditions and Restrictions for Maintenance of Private Drive (enclosed).

Application Request

The purpose of the application is to seek a division of a .69 acre property into three lots. The project goals are to obtain approval of the subdivision then construct three single-family homes. This project is justified since it is a continuation of the development pattern of the neighboring properties and the overall neighborhood and helps alleviate a shortage of new homes in the City. Each of the three lots will be in excess of 9200 square feet. Development approvals requested are a Tentative Subdivision for a lot split and Coastal Development Permits for demolition of an existing home and construction of the project. In addition, we are requesting a waiver to allow the subdivision to be served with a private driveway, modifications to allow garages to exceed 500 square feet on two of the lots, a modification to allow an uncovered parking space for Parcel 3 within the required interior yard setback and a public street frontage modification for two of the lots.

Existing Conditions

The existing parcel is 27,789 square feet net and 30,163 square feet gross. It is zoned E-3/SD-3, as are the adjacent properties on all sides. The topography is a gently sloping topography towards Santa Rosa Avenue to the south. The property is described in the General Plan as an East Mesa neighborhood with small lot single residences. It is currently improved with a dilapidated 1,681 square foot one-story single family residence. The lots in the neighborhood range from approximately 7,400 square feet to 30,000 square feet in size. Surrounding land uses are entirely residential. All surrounding parcels formerly this size have been previously subdivided into smaller single family home lots, as shown on the submitted aerial photograph.

The title of the property is completely free of existing easements or recreational trails. The property is not located near a creek or other watercourse. Access to the site is provided from an existing eight foot wide private concrete driveway off of Santa Rosa Avenue, a twenty foot wide public street. The property is currently served by utilities and infrastructure for water, sewer, electrical, gas, telephone and cable television. The locations of the existing connections are shown on the submitted tentative map.

Demolition

The existing residence is not habitable and constitutes a public safety hazard. It has not been occupied since prior to our acquisition in 2005. As a part of our application, we are requesting the issuance of a Coastal Development Permit and any other permits necessary in order to demolish it.

Proposed Subdivision

The proposed three lot subdivision would allow for in-fill development. The subdivision is consistent with the general planning designation requiring five dwelling units per acre and the pattern of development in the area. Upon development of the lots, minimal grading shown in the submitted preliminary grading plan would occur in order to accommodate building pads and a driveway. This plan essentially contemplates 1100 cubic yards of cut and 200 cubic yards of fill. The disposal site for the export will be determined at the time grading occurs.

Upon development of the lots, the existing driveway will be removed and replaced with a new sixteen-foot wide private driveway located on an easement along the eastern edge of the property. A four-foot wide section on the westerly side of the driveway will consist of scored paving sufficient to serve as fire equipment access that will delineate it as primary pedestrian access route.

The development proposes the access and utility easement along the eastern edge of the property as well as a five foot wide drainage and utilities easement along the westerly side of the property. In addition, two parking spaces for guest parking will be provided between Lots 2 and 3 of the proposed subdivision to allow for additional off street parking. A sidewalk is proposed along the front of the property in accordance with City standards. All of these are shown on the submitted plans. Pursuant to Parks and Recreation's recommendation, twenty-four inch box *Metosideros excelsus* (New Zealand Christmas) trees will be planted 25-30 feet apart in the new parkway along the sidewalk. Easements for public utilities will be provided as necessary.

An abandoned well is located on the property at the location as well as the required access are shown on the site plan. The exact location of the wellhead is noted on the plans. A plaque or monument will be placed in the driveway directly above the wellhead to designate this location. The closure of this well has been verified with the California Department of Conservation, Division of Oil and Gas. As shown in the submitted California Department of Conservation, Division of Oil and Gas correspondence dated November 21, 2005 and December 5, 2005, the proposed site plan has been approved by the Division of Oil and Gas as being consistent with its requirements for open space surrounding and access to a former well head location.

Proposed Homes

The owner is proposing to construct three single story homes on the property. The architectural style of the proposed homes has been carefully selected in order to fit well with the neighboring property in the Mesa area. All of the proposed homes comply with the required setbacks for the E-3 zone. In addition, the required 1,250 square feet of open yard area is provided on each lot, meeting the minimum dimension standards of the Municipal Code. The plans for these homes will be submitted to the Architectural Board of Review prior to Planning Commission review of the project.

The proposed size of the new residences will be as follows:

Lot	House	Garage
1	2526 square feet	469 square feet
2	2519 square feet	541 square feet*
3	2413 square feet	628 square feet*

* modifications requested below

The site statistics for the project will be as follows:

Buildings	9,711 Sq. Ft.	35.17%
Paving	8,142 Sq. Ft.	29.29%
Landscape	9,876 Sq. Ft.	35.54%

When purchased, the property had not been lived in for a substantial period of time and was incredibly overgrown. To reduce hazard exposure, the site was substantially cleared following the purchase. We anticipate that the remaining palm and other trees will either be left in place or relocated on site. A landscape plan has been prepared and submitted for the proposed residences.

The proposed project's exterior lighting will consist of typical residential lighting such as porch, driveway and path lighting. It will all be focused downward so as not to extend off the property. The only sources of smoke, odors and noise are those typically associated with residential use.

The fire hydrant for this area is located beyond the scope of the submitted plans but is referred to by distance and location. The fire hydrant is 350 feet east of the Project's property line. Its flow data is 110 PSI static, 70 PSI residual, 827 GPM, as shown on the plans.

Drainage

The submitted drainage study prepared by Flowers & Associates shows the impact of the proposed project on drainage. Storm run off flow for the site was calculated using the 25 and 100 year storm events for both the existing and proposed site.

The project drainage will be designed to flow southerly towards Santa Rosa Avenue as it currently flows. Storm drains and swales will be placed along the northern most property line to collect off-site water entering from the North and channel it to the storm drain system shown that runs along the driveway. In addition, drains will be located at the Northwest corners of Lots 1 and 2 and at the southwest corners of Lots 2 and 3 that will connect to a storm drain that runs along the westerly side of Lots 1 and 2. On-site storm water detention structures are proposed to be installed to prevent any increase in the net storm water run off of the property. Roof drainage will be collected and diverted to the on site detention structures. It is the intent of these drains to intercept all on-site drainage and either detain it on site or direct it towards the existing street drain system in Santa Rosa Avenue.

Construction Activity Estimates

Primary estimates of the demolition and construction activity consist of the following. We anticipate a demolition phase of approximately two weeks. Substantial equipment on-site during this phase will include a backhoe, a loader and refuse trucks. The next phase would be a grading phase of approximately six weeks. During the early portion of this phase, significant equipment would include a bulldozer, loaders and compactors. During the later portion of this phase, a backhoe and/or excavator may be used to trench for underground utilities and related items.

The last phase will be the construction phase. We anticipate that would last nine to twelve months. During this phase, significant equipment will include reach lifts, light tractors and refuse trucks.

The number of workers present on the property at any one time will range from two to a potential peak of approximately thirty. All equipment, material and manpower will be staged on-site. No street parking would be allowed for construction workers.

Issues Addressed

We have addressed in our site plan and development proposal all issues of which we are aware. The lots sizes and configuration proposed are comparable to the lot size and configuration of all of our adjacent neighbors. Finally, we have proposed single story homes that would be compatible with the homes of all of our adjoining neighbors, each of which are also single story.

Easements for drainage, utilities and ingress and egress sufficient for the development will be granted. The locations of these easements are shown on the submitted drawings.

We understand that Santa Rosa Avenue has limited on street parking. Therefore, we have provided two on site parking spaces for the shared use of Lots 2 and 3. To further reduce potential parking impact, the garages of Lots 2 and 3 have been planned with an additional area of approximately one hundred square feet in excess of that necessary for parking cars. This is in recognition that today's lifestyle requires the storage of bikes, seasonal items, surfboards, etc. This additional space is intended to provide for the storage of those items without interfering with the use of the balance of the garage for parking.

We also understand that storm drainage may be of concern to some neighbors. Therefore, we have provided for on-site detention facilities that will result in no net increase run off from the property in a 25 year storm.

Discretionary Applications

We are requesting and Tentative Subdivision Map to allow the division of one parcel into three parcels (SBMC §27.07). The project is located in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009). Therefore, a Coastal Development Permit (CDP 2006-00007) is also requested in connection with the demolition of the existing home and the subdivision.

Two street frontage modifications are also requested. These are requested since Lots 2 and 3 will not provide the requisite sixty feet of street frontage for the two new lots (Santa Barbara Municipal Code §28.15.080). As stated above, this modification results in a project comparable to the properties in the neighborhood.

We are also seeking a waiver to allow the subdivision of the three lots to be served by a private driveway per Santa Barbara Municipal Code §22.60.300. This waiver was not a part of our original application, which contemplated that the front house, Lot 1, would gain access off a separate driveway off of Santa Rosa Avenue. In accordance with staff recommendations, we have modified

the subdivision plan to eliminate that second driveway. The elimination allowed for additional street parking and reduction of additional intersection of cars entering and leaving Santa Rosa Avenue. The result of complying staff's recommendations, was that the three lots will now be accessed off of a single driveway.

Planning Commission has sufficient support for the findings it is required to make in order to grant this waiver. The proposed driveway will provide adequate access to the subject property. No other properties will use the proposed driveway. The proposed driveway will also provide adequate access for fire suppression vehicles as it complies with all applicable fire regulations. There will be adequate provision for the maintenance of the proposed private driveway by a recorded agreement for the maintenance of the private drive. A draft of that agreement is enclosed. Finally, this waiver is in the best interest of the City since it is in accordance with staff recommendations. Staff has determined that the use of the single driveway will improve the quality of the subdivision by increasing the available street parking and reducing the impacts of the proposed development by eliminating an additional intersection for cars entering and leaving Santa Rosa Avenue.

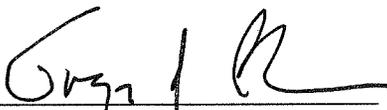
We request that staff approve a modification for two of the three garages (on Parcels 2 and 3) to exceed the five hundred square feet contemplated by SBMC §28.87.160.4. We anticipate that the additional space will be used for storage, as discussed above, thereby increasing the likelihood that the garages will be used to park cars, in turn reducing the potential impact of the project.

We are requesting a modification to locate an uncovered parking space (Parcel 3) within the required interior yard setback (SBMC §28.87.190 and 28.15.000.2). This parking space is near the boundary of Lots 2 and 3 and will serve as additional off-street parking shared by those two homes in order to mitigate potential street parking issues related to the project.

The proposed project is entirely an in-fill project. It is fully consistent and compatible with the surrounding residential uses. The site of the proposed homes, and their configuration of single story residences, are entirely appropriate for the property. We appreciate in advance your consideration of this proposed subdivision. If you have any questions or wish to discuss this project further, please don't hesitate to contact me.

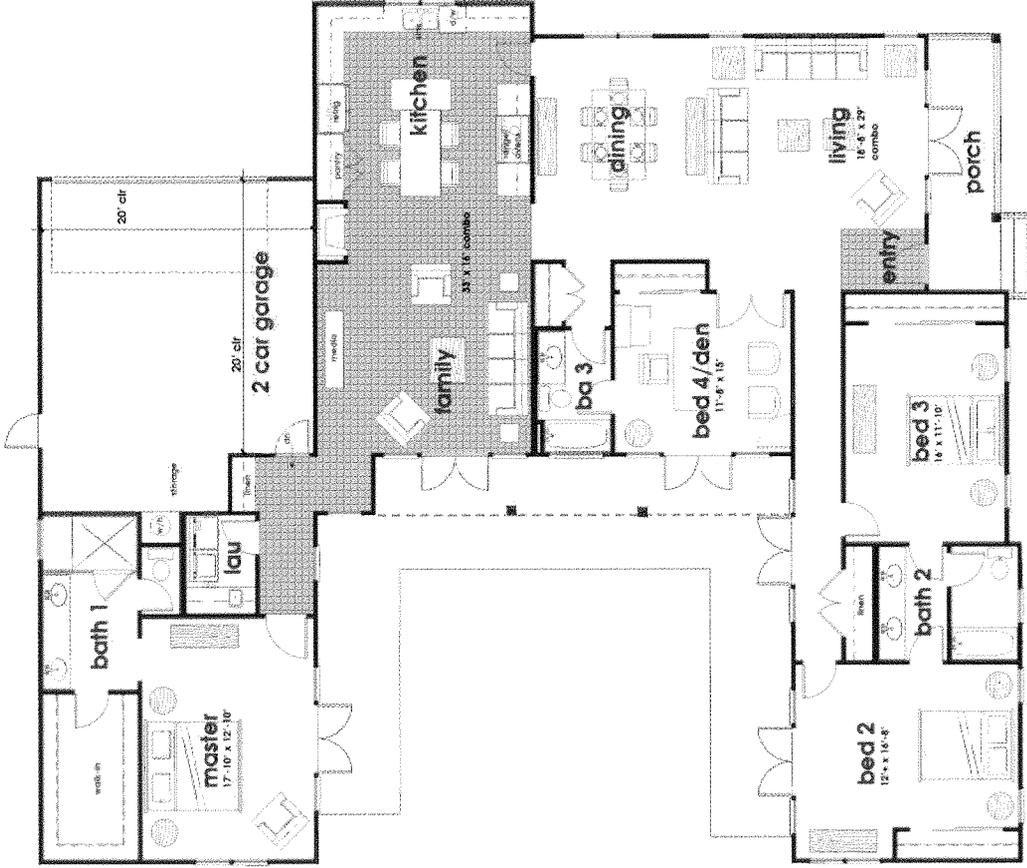
Sincerely yours,

Santa Rosa Associates, LLC

By: 
Gregory Parker, Manager

Enclosures

lot 1



floor plan

1/4" = 1'-0"

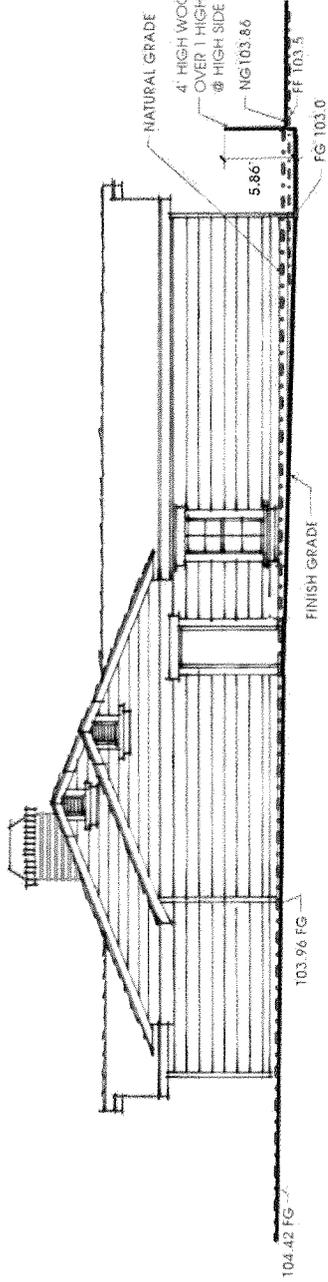
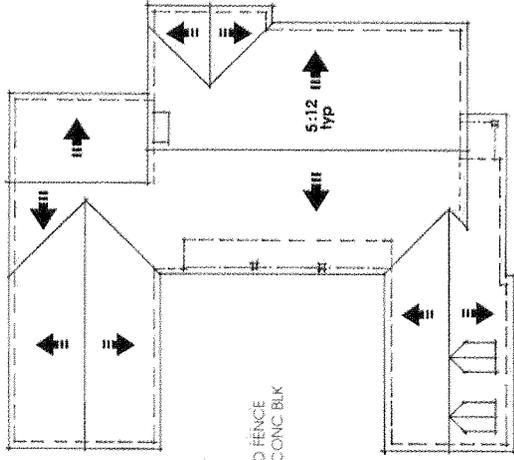
2625 sq ft (Gross)
2526 sq ft (net)
469 sq ft (garage)

1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

205 E. CARRILLO STREET, SUITE 200, SANTA BARBARA, CA 93101 805-942-9995



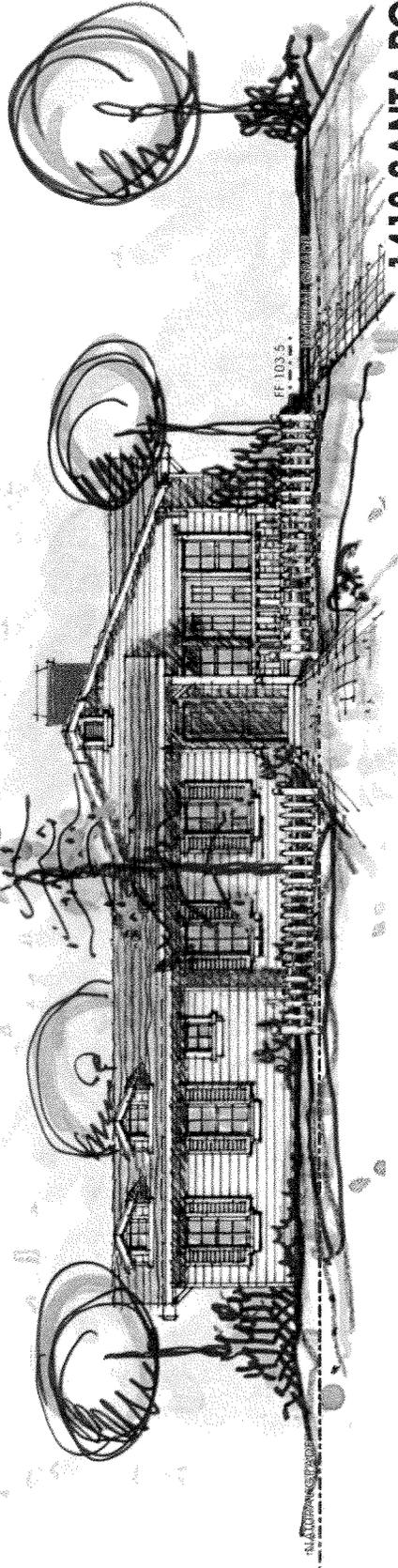
RICHARD T. THORNE ARCHITECT architecture / planning



north elevation

roof

1/8"=1'-0"



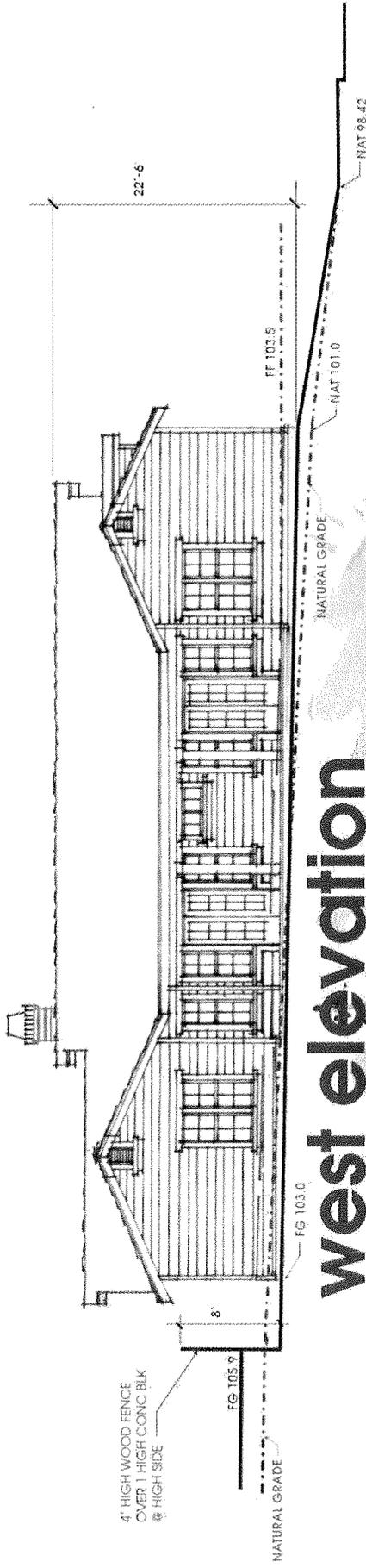
lot 1 south elevation

1/4"=1'-0"

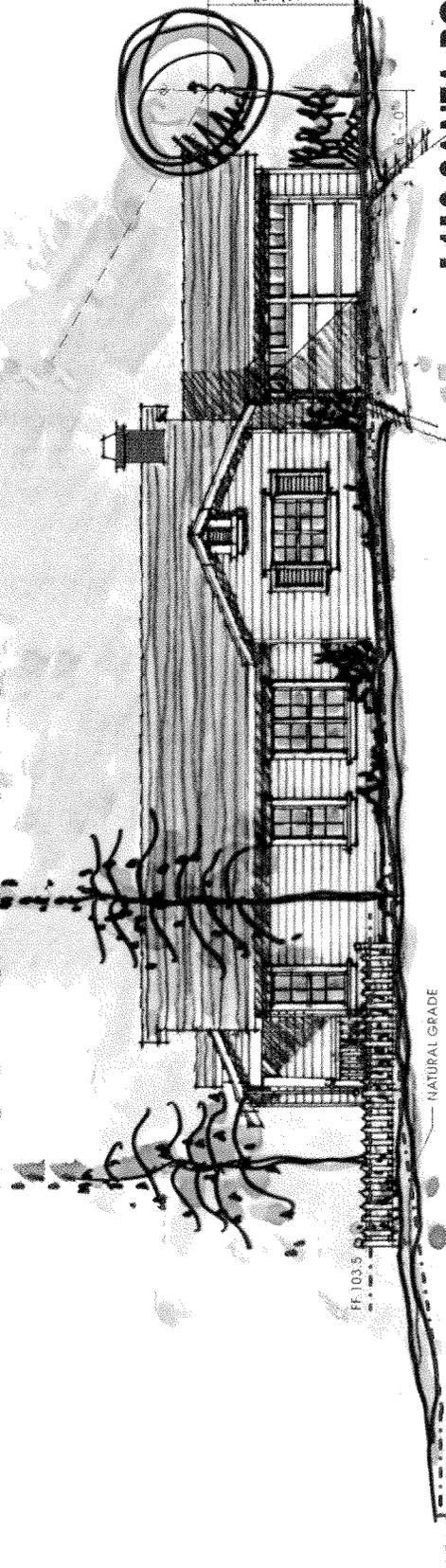
1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

281 E. CAROLLO STREET, SUITE 208, SANTA BARBARA, CA 93101 805-962-8989

RICHARD T. THORNE-ARCHITECT architecture / planning



west elevation



lot 1 east elevation

1/4" = 1'-0"

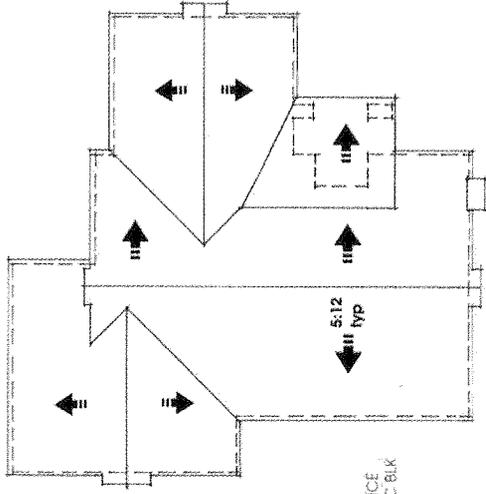
1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

200 E. CARRILLO STREET, SUITE 200, SANTA BARBARA, CA 93101 805-962-8999

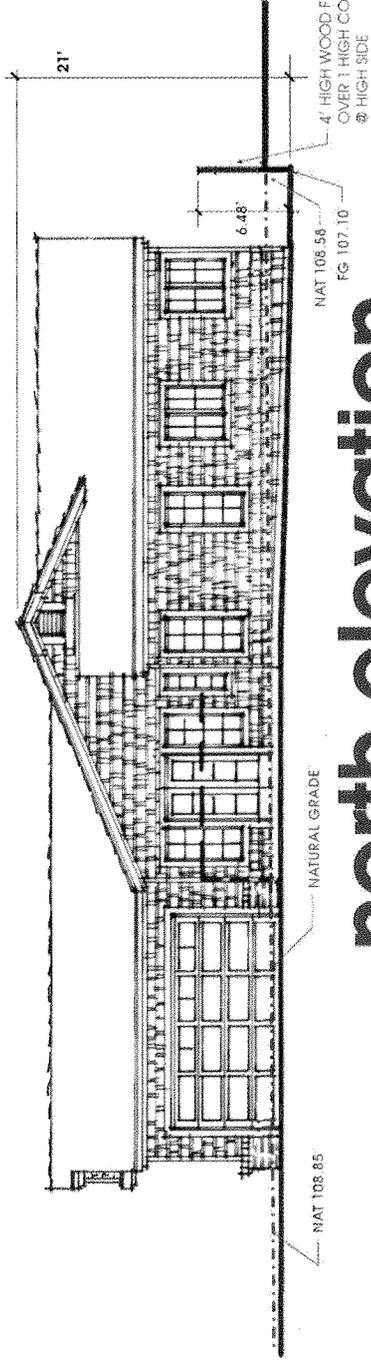
RICHARD J. THORNE-ARCHITECT architecture / planning

4.20.06
 2.8.07 REV.

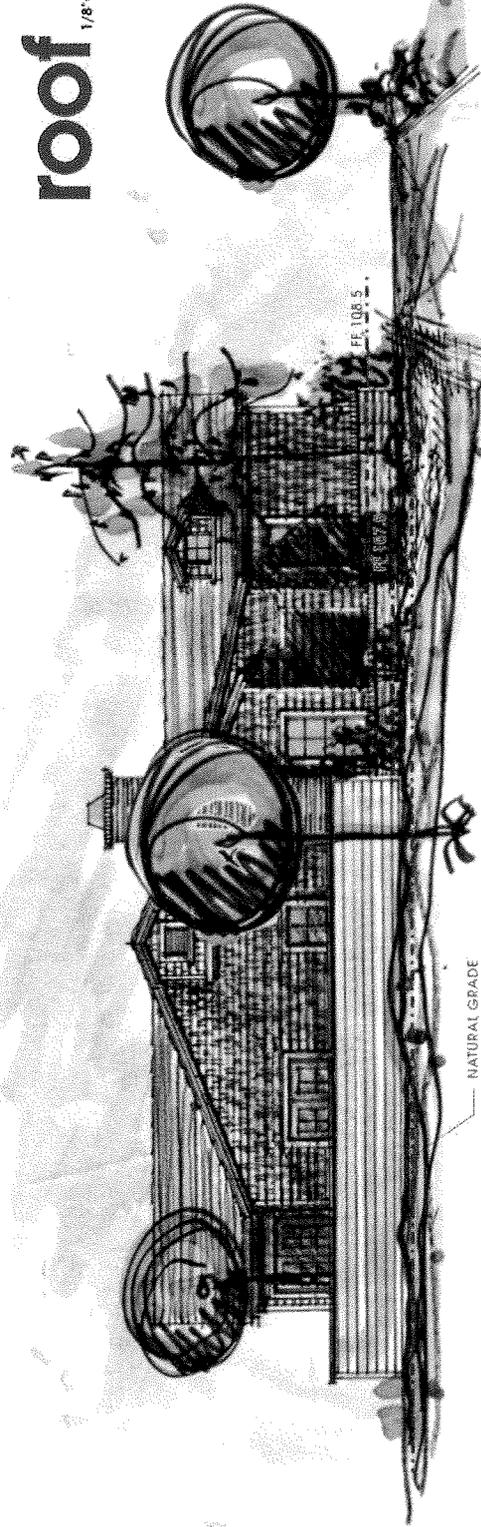
6



roof
1/8"=1'-0"



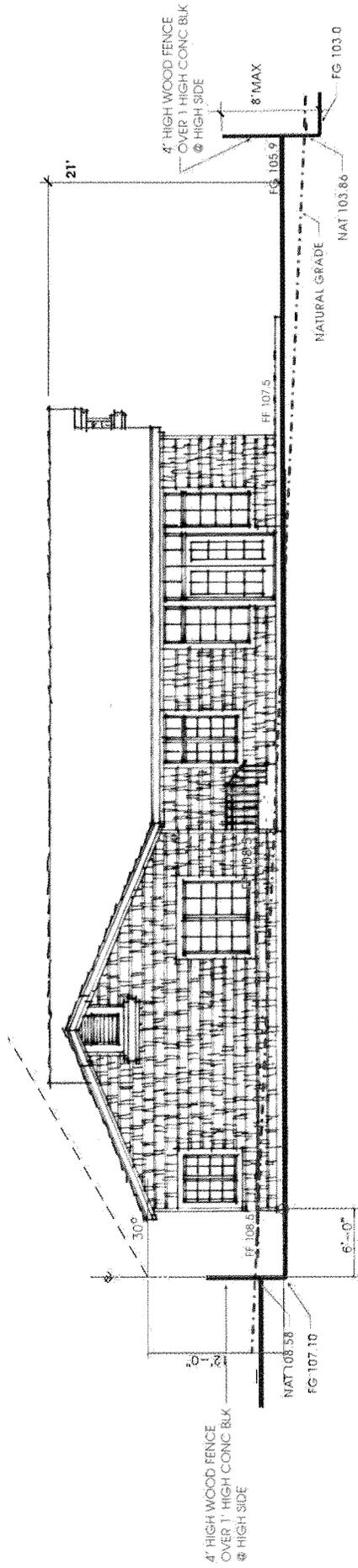
north elevation



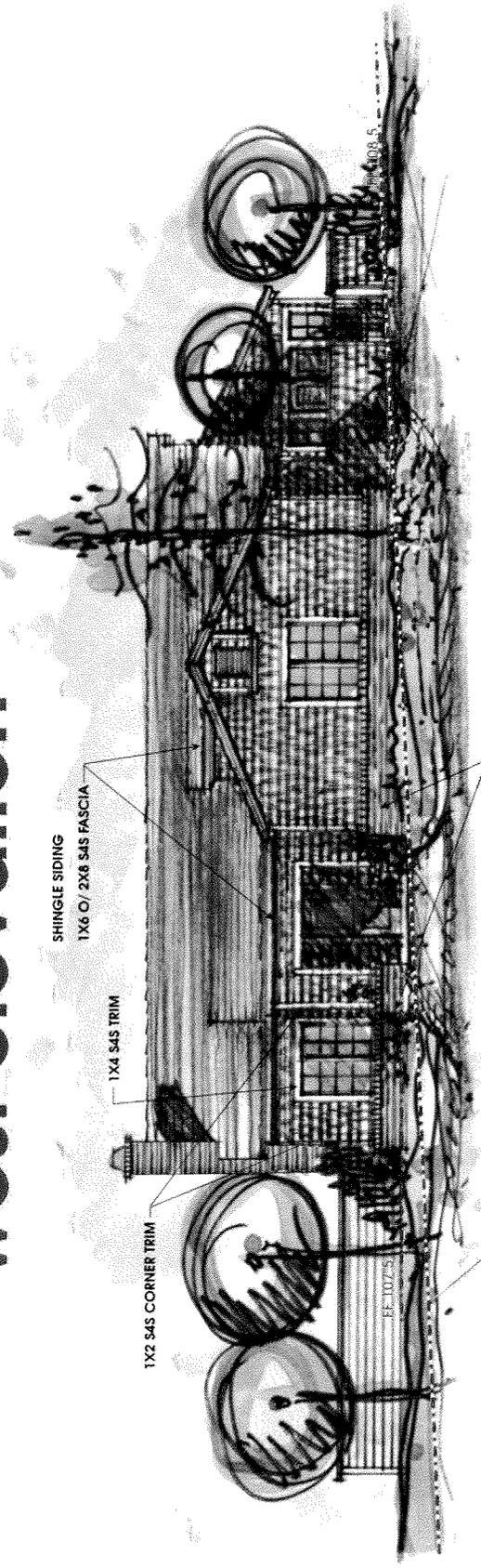
lot 2 south elevation
1/4"=1'-0"

1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

200 E. CARRELO STREET, SUITE 200, SANTA BARBARA, CA 93101 805-942-9989



west elevation

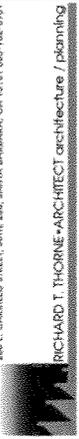


lot 2 east elevation

1/4" = 1'-0"

1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

200 E. CARRILLO STREET, SUITE 200, SANTA BARBARA, CA 93101 805-462-8999

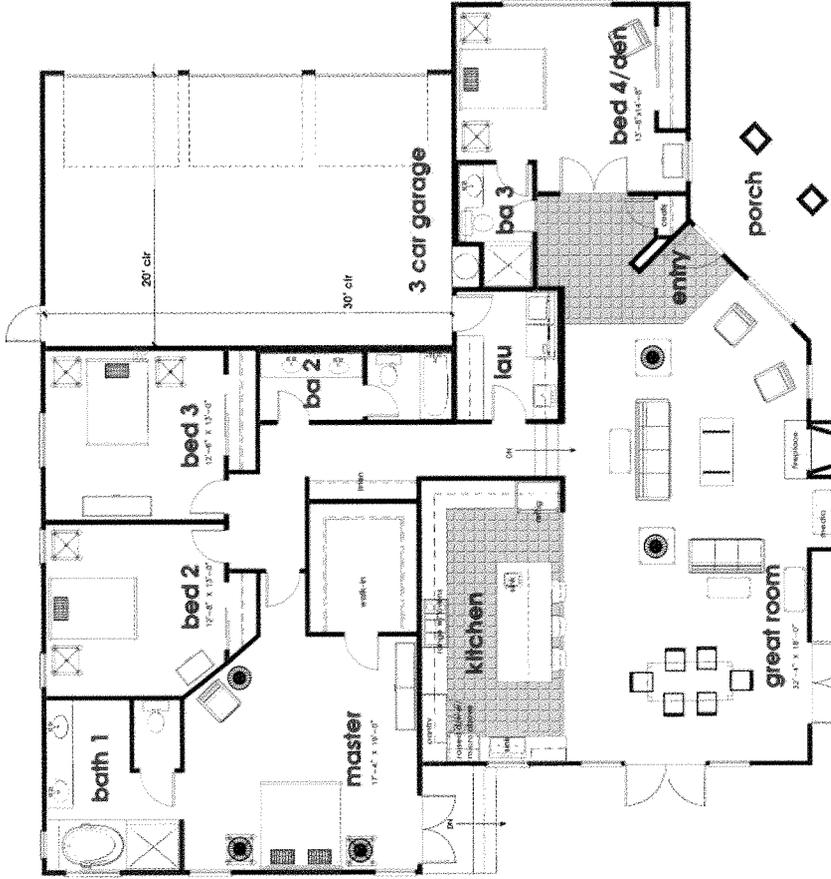


RICHARD T. THORNE-ARCHITECT architecture / planning

9

DATE: 11/11/11
 2:50 PM
 4/16/07 REV

lot 3



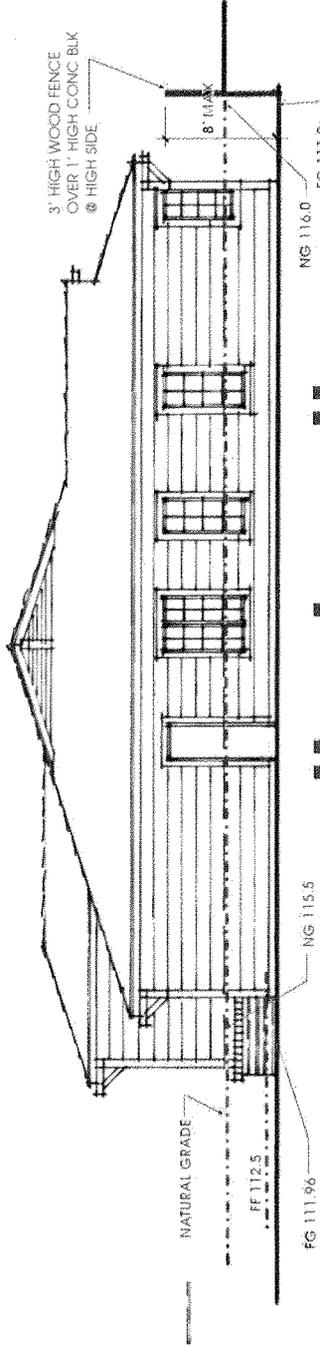
floor plan 1/4" = 1'-0"
2492 sq ft (gross)
2413 sq ft (net)
628 sq ft (garage)

1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

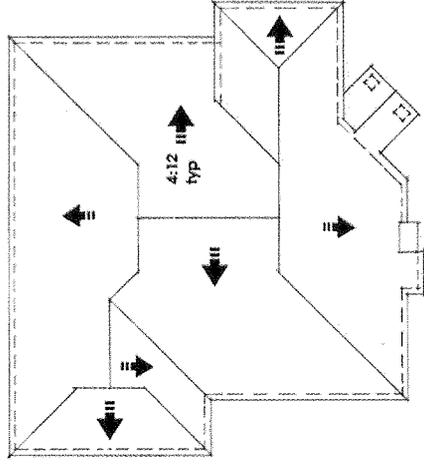
300 E. CARRILLO STREET, SUITE 206, SANTA BARBARA, CA 93101 805-962-8989

10

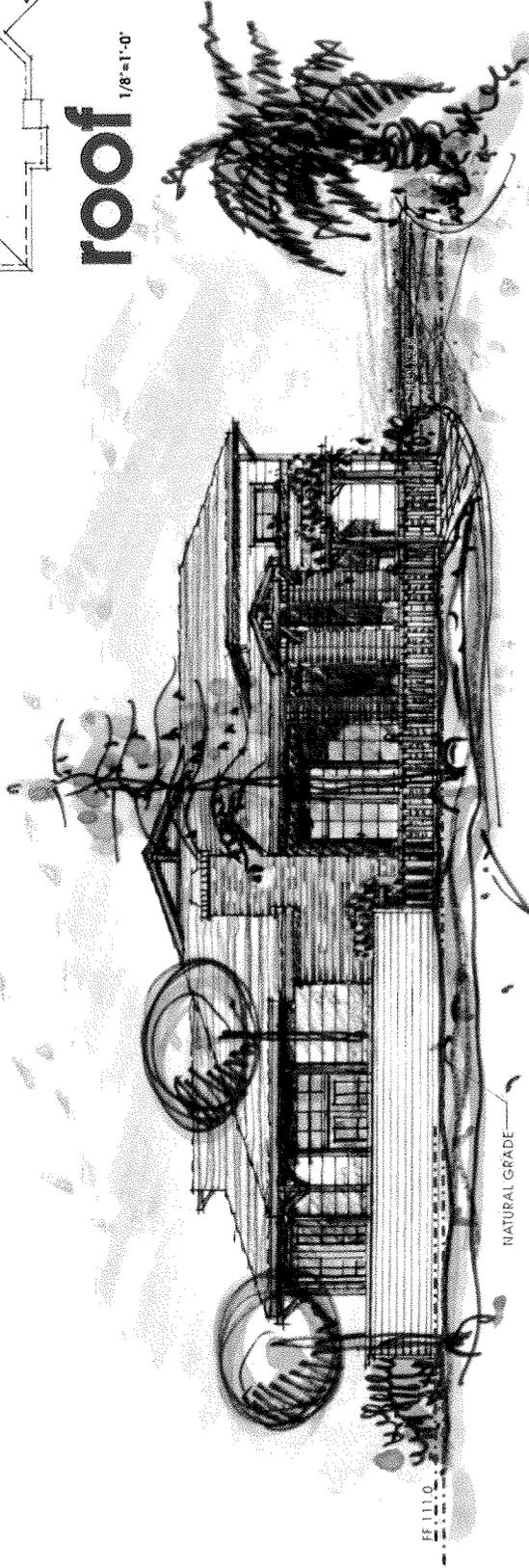
RICHARD T. THORNE ARCHITECT architecture / planning
6.25.06 rev.



north elevation



roof
1/8"=1'-0"



lot 3 south elevation
1/4"=1'-0"

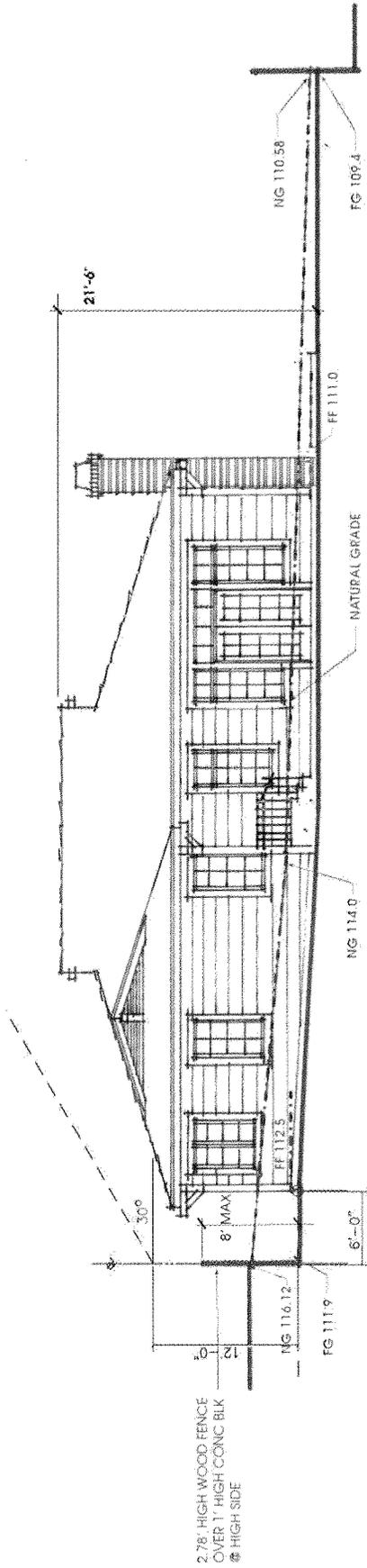
1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

200 E CARPILLO STREET, SUITE 200, SANTA BARBARA, CA 93101 805-962-8999

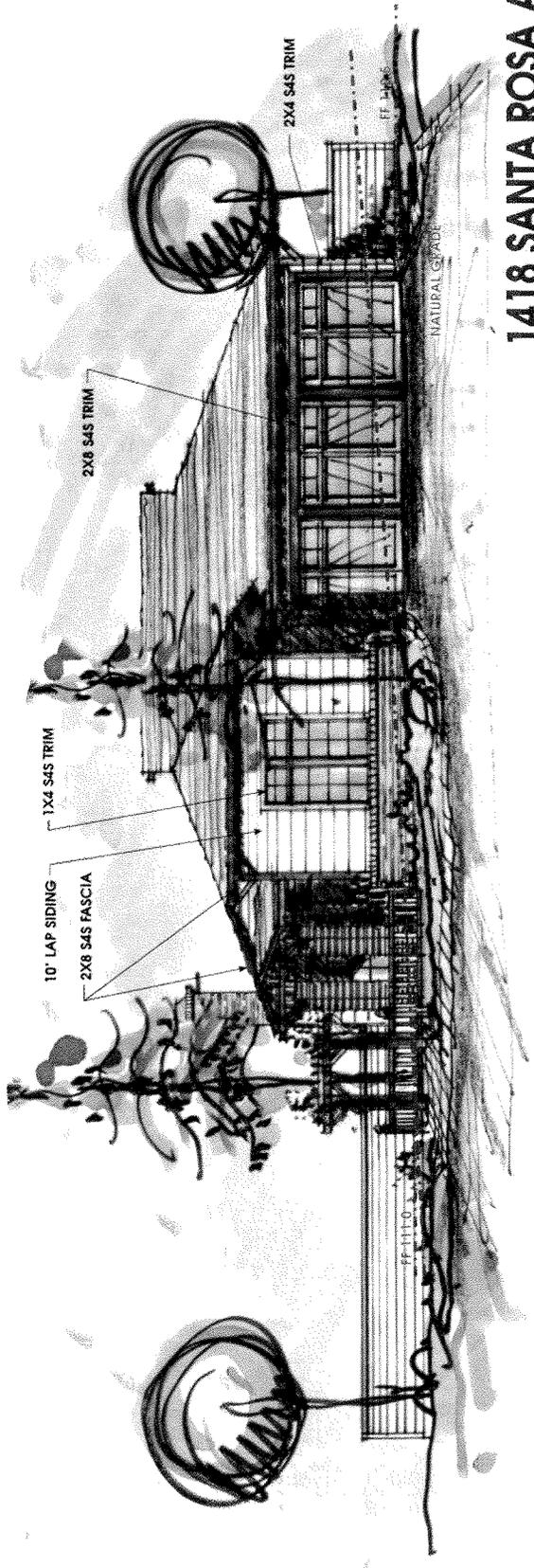
11

4-20-04
1:25-07

RICHARD T. HORNE-ARCHITECT architecture / planning



west elevation



lot 3 east elevation

1/4" = 1'-0"

1418 SANTA ROSA AVE.
Santa Rosa Associates, LLC

208 E. CARRELO STREET, SUITE 200, SANTA BARBARA, CA 93101 805-842-8999



RICHARD T. THORNE-ARCHITECT architecture / planning

www.rttarchitect.com

12

8-23-06 BY
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DESIGN REVIEW ACTIVITIES SUMMARY

1418 SANTA ROSA AVE (MST2006-00288)

R-NEW

Proposal for a three-lot subdivision and construction of three one-story single-family residences. The existing 1,861 square foot single-family residence and attached garage would be demolished and the 27,937 square foot lot would be divided into three approximately 9,200 square foot parcels. Parcel 1 would have a 2,526 square foot residence and attached 469 square foot two-car garage, Parcel 2 would have a 2,519 square foot residence and attached 541 square foot two-car garage, and Parcel 3 would have a 2,413 square foot residence and attached 628 square foot three-car garage. There would be 1,300 cubic yards total of cut and fill grading. Access to the new lots is proposed via a common driveway along the eastern property line. Planning Commission approvals of a Coastal Development Permit and a Tentative Subdivision Map are requested, along with modification requests to allow the creation of two lots without the required street frontage and modification requests to allow two of the garages to exceed 500 square feet.

Status: Pending

DISP

Date 3

ABR-Concept Review (New) - PH

CONT

01/16/07

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR A THREE LOT SUBDIVISION, A COASTAL DEVELOPMENT PERMIT, MODIFICATIONS AND A STREET FRONTAGE WAIVER.)

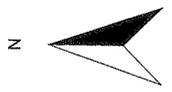
Motion: Continued indefinitely to the Full Board with the following comments:

1) The project and site planning are well conceived. The Board appreciates the proposed one-story residences, and the choice of materials and colors to differentiate the units. 2) It is suggested that the chimneys be faced in either brick or stone, to integrate the design and for more detail. 3) Study the use of a brick edge at the sidewalk along the driveway, and consider using brick bands to break up the visual length of the driveway. 4) Incorporate the canopy trees throughout the project. 5) Some Board members are concerned about the amount of export grading required for the project, caused by the grading of flat pads.

Action: Sherry/Manson-Hing, 6/0/0. Motion carried.

EXHIBIT D

1418 Santa Rosa Neighborhood Map



SCALE 1 : 2,546

