



City of Santa Barbara California

III.

PLANNING COMMISSION STAFF REPORT

REPORT DATE: December 4, 2014
AGENDA DATE: December 18, 2014
PROJECT ADDRESS: 302 Coleman Avenue (MST2014-00498)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4539
Renee Brooke, AICP, Senior Planner *RLB*
Tony Boughman, Assistant Planner *TB*

I. PROJECT DESCRIPTION

The proposed project involves alterations to an existing 1,690 square-foot one-story single-family residence with attached garage. The proposal would demolish the existing 380 square-foot attached garage and replace it with habitable space and a 100 square-foot addition to create two new bedrooms and a bathroom. The proposal also includes construction of a new 435 square-foot two-car attached garage. An existing detached 108 square-foot storage shed would be converted to a workshop. The project is located on a 9,328 square-foot lot in the Appealable Jurisdiction of the Coastal Zone.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Coastal Development Permit (CDP2014-00013) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);

APPLICATION DEEMED COMPLETE: November 18, 2014
DATE ACTION REQUIRED: January 17, 2015

III. RECOMMENDATION

If approved as proposed, the project would conform to the City's Zoning and Building Ordinances and policies of the Local Coastal Plan. 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.



Vicinity Map 302 Coleman Avenue

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Jose Luis Esparza		
Property Owner:	Shane and Katie Mahan		
Site Information			
Parcel Number:	045-081-007	Lot Area:	9,328 square feet
General Plan:	Low Density Residential 5 du/acre	Zoning:	E-3/S-D-3
Local Coastal Plan: Residential 5 units per acre			
Existing Use:	Single-family residential	Topography:	Flat
Adjacent Land Uses			
	North – Single-family residential	East – Multi-family residential	
	South – Single-family residential	West – Single-family residential	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,310 sq. ft.	1,797 sq. ft.
Garage	380 sq. ft.	435 sq. ft.
Accessory Space	108 sq. ft.	108 sq. ft.

V. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement / Allowance	Existing		Proposed	
Setbacks					
-Front	20 ft.	15 ft.		No Change	
-Interior	6 ft.	15 ft.		6 ft.	
-Rear	6 ft.	35.5 ft.		No Change	
Building Height	30 ft.	14.25 ft.		No Change	
Parking	2 covered	2 covered		2 covered	
Open Yard	1,250 sq. ft.	> 1,250 sq. ft.		> 1,250 sq. ft.	
Lot Coverage					
-Building	N/A	1,877 sq. ft.	20.1%	2,438 sq. ft.	26%
-Paving/Driveway	N/A	876 sq. ft.	9.4%	415 sq. ft.	4.4%
-Landscaping	N/A	6,575 sq. ft.	70.5%	6,527 sq. ft.	69.6%

B. LOCAL COASTAL PLAN CONSISTENCY

The project site is located within the Coastal Zone and thus must be found consistent with the City’s Local Coastal Plan (LCP), which implements the California Coastal Act. The project is in Component Two of the LCP, located between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential and has very limited additional development potential. The major coastal issues identified for Component Two include hazards of sea cliff retreat and flooding; maintaining and providing public access along the bluffs; preventing overuse of public facilities; protection of recreational access; protection of archaeological resources; and the maintenance of existing coastal views and open space.

The project is not located on a coastal bluff and will not contribute to overuse of public facilities or hinder recreational access. As detailed below, the project is consistent with applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines.

1. NEIGHBORHOOD COMPATIBILITY

LCP Policy 5.3 states, “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.” The project is not located within any special design district and is one story and less than 17 feet in height and, therefore, is exempt from design review. The proposed first-floor addition and new attached garage are slightly lower in height than the existing house and the distance between the structure and the street is not reduced. The project’s design is compatible with the existing architecture, and its size is compatible with the neighborhood.

2. VIEWS

Policy 9.1 of the LCP states, "The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced." The project is approximately 1,600 feet from the coastline and no such public views exist across the subject property and the house is not visible from the beach or ocean. The existing immediate neighborhood is composed of low, one-story houses. The location of the proposed addition, and its low height would have no impact on public views.

3. WATER QUALITY

LCP Policy 6.9 urges the use of best management practices for Santa Barbara's watersheds and urban areas. This policy is implemented through the City's Storm Water Management Program (SWMP). The proposed project increases the amount of permeable area on the site by only 278 square feet. The project complies with the SWMP Tier 2 requirement to implement a best management practice (BMP). The selected BMP will collect storm water from the new roof areas in rain barrels connected to downspouts.

4. ARCHAEOLOGICAL RESOURCES

The project is in a location identified on the Master Environmental Assessment (MEA) maps as potentially sensitive for prehistoric archaeology. The project involves a new attached garage addition at an existing residence. New footings for the garage are estimated to occur within 16 inches below existing and finished grade. The project addition is of limited scope and would occur within a currently paved area that was previously disturbed with extensive earthwork for site preparation and improvements as part of the earlier residential tract development (Sea View Acres), as demonstrated by prior plans. Due to previous landform modification, it is unlikely that the project would disturb archaeological resources. The standard condition of approval regarding discovery measures for unanticipated archaeological resources is included.

VI. ENVIRONMENTAL REVIEW

Staff has determined that the project is categorically exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301 (Existing Facilities), which allows for additions to existing structures.

VII. FINDINGS

The Planning Commission finds the following:

A. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

1. The project is consistent with the policies of the California Coastal Act because it does not result in any adverse effects related to coastal resources, including views and public access, as described in Section V of the Staff Report.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because the proposed residence would maintain the single-family character of the West Mesa Neighborhood, would not change existing views to, from or along the coast, and would

maintain or improve the quality of marine waters through additional best management practices for on-site storm water management, as described in Section V of the Staff Report.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated September 30, 2014

PLANNING COMMISSION PRELIMINARY CONDITIONS OF APPROVAL

302 COLEMAN AVENUE

MST2014-00498

DECEMBER 11, 2014

I. 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. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Pay Land Development Team Recovery Fee (30% of all planning fees, as calculated by staff) at time of building permit application.
2. Record any required documents (see Recorded Conditions Agreement section).
3. Permits.
 - a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.
 - b. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements.

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Recorded Conditions Agreement.** The Owner shall execute a *written instrument*, which shall be prepared by Planning staff, 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. **Approved Development.** The development of the Real Property approved by the Planning Commission on December 11, 2014 is limited to approximately 2,340 net square feet of total building area and the improvements shown on the plans signed by the chairperson of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state and in accordance with the Storm Water BMP Guidance Manual and Operations and Maintenance Procedure Plan approved by the Creeks Division. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the

system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new (Building Permit) (and Coastal Development Permit) is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

4. **Geotechnical Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from landslides, erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

- C. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Public Works Department.**

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 in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner's signature.

2. **Community Development Department.**

- a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition B "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.

- b. **Drainage and Water Quality.** The project is required to comply with Tier 2 of the Storm Water Management Program per Santa Barbara Municipal Code Chapter 22.87. The Owner shall submit plans which include at least one Best Management Practice (BMP) to demonstrate consistency with the Storm Water BMP Guidance Manual.

- c. **Requirement for Archaeological Resources.** The following information shall be printed on the site plan:

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.

- d. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

D. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

1. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Public Works Director with a Public Works permit.
2. **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, telephone number(s), construction 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. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
3. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

- E. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
- F. **General Conditions.**
1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
 2. **Approval Limitations.**
 - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
 - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
 - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
 3. **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 being notified of a lawsuit regarding 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 action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.



City of Santa Barbara California

Exhibit B: The site plan for 302 Coleman Avenue has been distributed separately.

A copy of the plans is available for viewing at the Planning and Zoning Counter, 630 Garden Street, Santa Barbara, CA between the hours of 8:30 A.M and 4:30 P.M. Monday through Thursday, and every other Friday. Please check the City Calendar at www.SantaBarbaraCA.gov to verify closure dates.

Jose Luis Esparza, AIA
Architect

To: City of Santa Barbara Planning Division,
City of Santa Barbara

Re: Coastal Permit for 302 Coleman Ave.
Assessor's Parcel Number: 045-081-007
Owner: Shane & Katie Mahan

Date: September 30, 2014

Dear Planning Commission,

On behalf of the owners, I am requesting a Coastal Permit for an addition, convert garage to living space & remodel to an existing single family dwelling (1,354 s.f.) with an attached 2-car garage (403 s.f.) at 302 Coleman Ave. The addition is 100 s.f. and the garage conversion is 403 s.f. for 503 s.f. new living for 2-new bedrooms and bath. We will add a new attached 2-car garage (461 s.f.) at front. The additional living space is 37% of the existing living space. The interior remodel area is 200 s.f. removing the laundry from inside the house, removing a ½ bath and adding a new walk in closet to the master bathroom.

The site area is 9,328 s.f. The proposed project will not require any trees to be removed. The new areas will be replacing lawn and driveway. The site drainage will not be altered. The new 2-car garage will use the existing driveway and will comply with the 20'x20' clear interior dimension required by the Transportation Department. The site landscape area will be 6,527 s.f., 69.6% of the lot while the paving area is being reduce to 308 s.f., 3.3%. The grading proposed is cut of 6 cubic yards that will be exported. The cut will be removed for footing and slab placement.

The project neighbors are single family residences to the North, West and South with multi-family apartments to the East. The project will not be moving the exterior lighting on the garage face to the new garage face otherwise there is no new exterior lighting. The project will not create smoke or odors. The project will not create new noise sources. There are no geotechnical studies prepared for this site. There are no resource studies prepared for this site. The site has a 10' utility easement on the Easterly property lines and a 10' right of way easement on the Southerly property line. There are no apparent creek or other water courses adjacent to the site. Sewer and Water are provided to the site by the City of Santa Barbara.

1746 Calle Poniente, Santa Barbara CA 93101, Ph/Fax 805 883-1600 Cell: 805 570-7056
Members: American Institute of Architects

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EXHIBIT C

Construction on the project is estimated to take 4 months with demolition of garage walls taking 3 days. There is no site grading but the digging of the foundation footings and preparation for the concrete slab is estimated to take 6 days. Demolition is estimated to be done with hand tools by 4 to 6 workers. The digging of the footing is estimated to be done by 2 workers using pick and shovels. The staging of the construction is to take place over the existing driveway and the yard to the north of the structure.'

The existing single family residence is 2-bedrooms with 2 ½ bathrooms. The residence as proposed will be a 4-bedroom with 3 bathrooms. The project is being done to give the family more room. They are a family of 4 with a son and a daughter sharing a bedroom. Each of the kids need their own room.

The site's impervious surfaces area will only be increase by 278 s.f. The majority of the new structure is being built over the existing driveway, 403 s.f. with the remainder being built over open space, 278 s.f. Site drainage will not be altered. Existing drainage is transmitted to the public right-of-way. The project is Tier 1 project as outlined in section 1.4. This is a minor project.

The project will not involve use or disposal of hazardous materials. There is no known hazardous materials contamination on site from hazardous materials as verified with Department of Toxic Substance Control. There are no abandoned oil wells in the area. A signed copy of the Hazardous Waste and Substances statement.

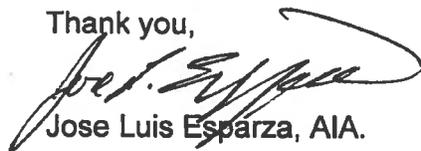
There have been no pre-application reviews which have taken place within the last 6 months. I have consulted with planning staff only at the Planning Counter where I was instructed to make the proper applications.

The project's goal is to provide 2 new bedrooms to the existing 2 bedroom residence to provide room for the growing family. With a son and a daughter they are in need of at least 3 bedrooms. The proposed 4 bedroom home allows them the flexibility of having a guest room for family visits.

Thank you for the consideration for a Coastal Permit for the proposed project. The projects impacts will be minimal while resulting in a 4-bedroom residence that will be better suited for the needs of the owners.

Please call if you have any questions, (805) 570-7056.

Thank you,



Jose Luis Esparza, AIA.

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