



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: October 29, 2015
AGENDA DATE: November 5, 2015
PROJECT ADDRESS: 2321 Edgewater Way (MST2014-00411)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4531
 Beatriz Gularte, Senior Planner *BEG*
 Kelly Brodison, Assistant Planner *KB*

I. PROJECT DESCRIPTION

The project consists of a proposal to construct a new 3,505 square-foot, two-story single-family residence and an attached 400 square-foot two-car garage on a 14,334 square-foot lot in the Hillside Design District and the Appealable Jurisdiction of the Coastal Zone. The existing 1,945 square-foot, two-story single-family residence, 300 square-foot, detached two-car carport and 350 square-foot accessory building are proposed to be demolished. The proposed total of 3,905 square feet on a 14,335 square-foot lot is 91% of the required maximum floor-to-lot area ratio (FAR).

II. REQUIRED APPLICATIONS

The discretionary application required for this project is:

- A. A Coastal Development Permit (CDP2015-00007) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);

APPLICATION DEEMED COMPLETE: October 10, 2015
DATE ACTION REQUIRED: December 9, 2015

III. RECOMMENDATION

If approved as proposed, the project would conform to the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal Plan. In addition, the Single Family Design Board has reviewed the proposal and found that the size and massing of the project will be consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VIII of this report, and subject to the conditions of approval in Exhibit A.

Local Coastal Plan: Residential 5 du/acre	
Existing Use: Residential	Topography: ~4%
Adjacent Land Uses	
North – Edgewater Way South – Single Family Residential and Pacific Ocean	East – Single Family Residential West – Single Family Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,945 sq. ft.	3,505 sq. ft.
Garage	300 sq. ft.	400 sq. ft.
Accessory Space	350 sq. ft.	N/A
Floor Area Ratio	2,595 sq. ft. = 61% of Maximum Required FAR	3,905 sq. ft. = 91% of Maximum Required FAR

V. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

The proposed project is consistent with the regulations of the E-3, single-family residence zone related to building height, setbacks, solar access, open yard requirements and parking.

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior	20' 6'	20'-45' 5'	20'-80' 6'
Building Height	30'	2 story	24'-2"
Parking	2 covered	2 covered	2 covered
Open Yard	1,250 sq. ft.	>1,250 sq. ft.	>1,250 sq. ft.
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	1,206 sq. ft. 9% 2,109 sq. ft. 15% 11,019 sq. ft. 76%	3,540 sq. ft. 24.7% 3,864 sq. ft. 27% 6,930 sq. ft. 48.3%

B. GENERAL PLAN CONSISTENCY

This project site has a General Plan Land Use Designation of Residential (5 du/acre) and is located in the West Mesa area of the City, bounded on the north by Cliff Drive and on the south by the Pacific Ocean; on the east by Meigs Road and on the west by Arroyo Beach Park. This neighborhood is mostly a single family neighborhood with a commercial center in the area of Cliff Drive and Meigs Road. There are some multi-family, duplex and condominium

developments in the vicinity of the commercial areas. The project involves the demolition of the existing two story home and construction of a new two-story home. This new two-story home would remain consistent with the pattern of single-family residential development in the area, which is a mixture of one-and two-story blufftop homes. General Plan Land Use Element policy LG12 speaks to maintaining and protecting the character and quality of single family zoned neighborhoods as a low density. There will be no change in residential density.

C. LOCAL COASTAL PLAN CONSISTENCY

The City's recently adopted General Plan land use map is not yet in effect in the Coastal Zone. Therefore, the previous General Plan Land Use Designation, Residential 5 dwelling units per acre, acts as the Local Coastal Plan Land Use Designation for this project.

A Coastal Development Permit is required for the project, which must be found consistent with both the City's Local Coastal Plan and the California Coastal Act. The project is located in Component 2 of the Local Coastal Plan (LCP), which is 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 2 include seacliff retreat and flooding hazards; maintaining and providing public access, both vertically and laterally 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 site was not found to be archaeologically sensitive. The site does not serve as a public facility, recreation area, or public coastal access point. There are no known issues with high groundwater, seismic safety, flooding or fire.

Although the site is located within the Appealable Jurisdiction of the Coastal Zone, only a small portion of the lot in the south west corner, is within the 75-year Sea Cliff Retreat Zone. Therefore, the proposed construction will be located outside of the potential hazard area, the site is not located on a coastal bluff or adjacent to the beach so there are no concerns with seacliff retreat and lateral access along the beach below the bluffs. Concerns with drainage are adequately addressed by the project, as discussed in the Hazards section of this staff report. Visual resources and neighborhood compatibility of the project are also further discussed below. As proposed, the project can be found consistent with the applicable policies of the California Coastal Act, the Local Coastal Plan, and all implementing guidelines.

1. HAZARDS

The General and Local Coastal Plans strive to eliminate or reduce the hazards created by loading and drainage related issues, which contribute to bluff erosion and undercutting of the slope.

Drainage

LCP Policy 8.1 requires all new bluff top development to have drainage systems that carry runoff away from the bluff to the nearest public street. A Storm Water Management Plan was prepared by Michael J. Gerenser, Civil Engineer, dated September 10, 2015, that demonstrates the existing drainage patterns on site. The proposed drainage control plan includes capturing surface water runoff from the impermeable surfaces and directing through downspouts and roof roof drains to infiltration trenches and landscaping and permeable paving. The infiltration

tests submitted demonstrate that the soil on site is considered amenable to infiltration and meet the required rates. The design demonstrates that the proposal is adequate to capture the runoff from a one inch-24 hour, and 25 and 100 year storm events. The proposed project can be found consistent with the applicable drainage policies of the California Coastal Act, the Local Coastal Plan, and all implementing guidelines.

2. 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 site is currently developed with a two-story residence. The new residence will be 22-24 feet in height and constructed further from the street than the existing residence providing an additional benefit to the surrounding neighbors. The proposal would remain consistent with the single-family residential development in the area which is development with a mix of one and two-story residences. The project is calculated to be at 91% of the maximum FAR for the 14,443 square-foot lot. It should be noted that some surrounding lots to the north and immediately adjacent are developed with smaller houses in proportion to the size of the lot which would allow for smaller FARs (FAR data attached as Exhibit D). The project has received favorable comments from the Single Family Design Board and will return for Project Design and Final approvals after Planning Commission review. In accordance with LCP Policy 5.3, the proposed residence is compatible in scale, size, and design with the surrounding neighborhood, which is comprised of one- and two-story structures.

3. VISUAL RESOURCES

LCP Policy 9.1 serves to protect existing views to, from, and along the ocean. One of the stated goals of the Coastal Act is that new development must be sited and designed to protect views along the scenic coastal area, minimize the alteration of natural land forms and be visually compatible with the character of the surrounding areas. The project site is currently developed with a two-story residence. The proposed new residence will be further away from the street and will not hinder public view points. The Single Family Design Board has reviewed the proposed project and found that public views of the ocean would not be blocked. The project would remain visually compatible with the character of the site and the surrounding neighborhood. Therefore, the new residence would not significantly impact existing views to and from the ocean, or obstruct scenic view corridors, consistent with applicable policies of the Coastal Act and LCP.

VI. ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (e), New Construction or Conversion of Small Structures. Section 15303 allows for new construction of a single-family residence in urbanized areas where it will not have a significant impact on the environment. All public services are available for the proposed residential

development along Edgewater Way and the new residence is set back an adequate distance from the top of bluff to not substantially affect an environmentally sensitive area.

VII. DESIGN REVIEW

This project was reviewed by the SFDB on two separate occasions (meeting minutes are attached as Exhibit D). Several neighbors spoke in support and opposition of the proposal. On September 22, 2014, the SFDB stated that they appreciated the overall architectural concept of the new project, however requested that the applicant study reducing size of the home by lowering the plate heights, minimizing the square-footage of the house and shifting the home further east on the lot. The ABR requested that the applicant remove a second story deck above the garage on the north side of the home and to provide a detailed landscape plan. Board Member Bernstein recused herself from reviewing the project and Board Members Zimmerman and Woolery were absent.

The project returned to SFDB on December 1, 2014. The applicant responded to the concerns of the ABR by reworking the west wing staircase, reducing the sizes of the rooms and reducing the plate heights. They also eliminated all of the previously proposed (three) second story decks. The size of the house was reduced by 145 square feet bring the FAR down from 95% to 91%.

The Board stated their appreciation for the reduction in the size of the house, in conjunction with the FAR, reducing the plate heights, the removal of the three second floor decks, and sensitivity to surrounding neighbors through landscape screening. Board Member Bernstein recused herself from reviewing the project and Board Members Pierce and Zimmerman were absent. The Board found that there would be minimal visual impacts and forwarded the project to the Planning Commission with a 4/0/0 vote. Subsequent to today's hearing, the project will return to the Full Board for further refinement of the overall architectural program.

VIII. FINDINGS

The project is consistent with the policies of the California Coastal Act, with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines and all applicable provisions of the Municipal Code. Therefore, Staff recommends that the Planning Commission approve the Coastal Development Permit, subject to the Conditions of Approval in Exhibit A and make the following findings for the project.

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 affects related to coastal resources, including public views and access and the proposed addition is located outside of the 75-year seacliff retreat line, as described in Section V.C. 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 new residence is compatible with the surrounding single-family neighborhood, addresses drainage, will not impact views from public view corridors or public access,

and is not an archaeologically sensitive site as described in Section V.C. of the Staff Report.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated June 29, 2015
- D. FAR Data
- E. SFDB Minutes
- F. Applicable Local Coastal Plan Policies

PLANNING COMMISSION DRAFT CONDITIONS OF APPROVAL

2321 EDGEWATER WAY
COASTAL DEVELOPMENT PERMIT
NOVEMBER 5, 2015

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. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee (30% of all planning fees, as calculated by staff) at time of building permit application.
3. Submit an application for and obtain a Building Permit (BLD) to demolish any structures / improvements and/or perform rough grading. Comply with condition E "Construction Implementation Requirements."
4. Record any required documents (see Recorded Conditions Agreement section).
5. 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 November 5, 2015 is limited to the demolition of the existing house on site and construction of a 3,505 square foot, two-story single-family residence, a 400 square foot attached two-car garage 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. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).
 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, including any tree protection measures. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.
 5. **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.
 6. **Future Threats to Development.** By acceptance of this permit, the Owner agrees, on behalf of him/herself and all successors and assigns, that the Owner shall remove the development authorized by this permit, including the residence, garage, and foundations if any government agency has ordered that the structure(s) is not to be occupied in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, liquefaction, flooding, sea level rise, or any other coastal hazards in the future. In the event that portions of the development fall to the beach before they are removed, the Owner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a Coastal Development Permit.
- C. **Design Review.** The project, including public improvements, is subject to the review and approval of the Single Family Design Board (SFDB). The SFDB shall not grant project

design approval until the following Planning Commission land use conditions have been satisfied.

1. **Screened Backflow Device.** The backflow devices for fire sprinklers, pools, spas and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the SFDB.
 2. **Location of Dry Utilities.** Dry utilities (e.g. above-ground cabinets) shall be placed on private property unless deemed infeasible for engineering reasons. If dry utilities must be placed in the public right-of-way, they shall be painted "Malaga Green," and if feasible, they shall be screened as approved by SFDB.
- D. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
 - a) **Public Improvements due to prior to occupancy.** The Owner shall submit Public Works plans for construction of public improvements. Plans shall be submitted separately from plans submitted for a Building Permit, and shall be prepared by a licensed civil engineer registered in the State of California. As determined by the Public Works Department, the improvements to City Standards shall include the following:

Remove and replace the existing 23-ft wide driveway apron per City standards, construct approx. 80 lf of landscaping in the frontage of the property; trench and pave on aggregate base or crack seal to the centerline of the street along entire subject property frontage and slurry seal a minimum of 20 feet beyond the limits of all trenching for the undergrounding of utilities and drainage improvements with supporting drainage calculations.
 - b) **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways.
 - c) **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.
 - c) **Minor Encroachment Permit.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within

their rights of way or easements shall be obtained by the Owner. A Minor Encroachment Permit (MEP) per SBMC 10.55 shall be required for the non-City standard construction along the project frontage, including: 6” sandstone curbing, the existing approx. 5 ft high wood fence and all the landscaping.

- d) The plantings along the frontage of the property shall not exceed the maximum height of 8” per SBMC §15.20.040 for at least 2 ft from the edge of paved way.
- e) The hedges shall comply with the site-triangle requirements of SBMC §28.90.050, which requires a maximum height of 3 ½ feet 10 ft back from the edge of the driveway and 20’.

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 3 of the Storm Water BMP Guidance Manual, pursuant to Santa Barbara Municipal Code Chapter 22.87 (treatment, rate and volume). The Owner shall submit comply with the Storm Water Management Plan prepared by Michael J. Gerenser, Civil Engineer, dated July 3, 2015 demonstrating that the new development will comply with the City’s Storm Water BMP Guidance Manual. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no unpermitted construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.
- c) **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section C “Design Review,” and all elements/specifications shall be implemented on-site.
- d) **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. 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 sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and

all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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

E. **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 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), 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
2. **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.
3. **Air Quality and Dust Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:
 - a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
 - b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- d. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
- g. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- h. Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- i. All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
- j. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- k. Diesel powered equipment should be replaced by electric equipment whenever feasible.

- l. If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
 - m. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
 - n. All construction equipment shall be maintained in tune per the manufacturer's specifications.
 - o. The engine size of construction equipment shall be the minimum practical size.
 - p. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
4. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.
- If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.
- If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

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

- F. **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 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.
 2. **Complete Public Improvements.** Public improvements, as shown in the public improvement plans or building plans, shall be completed.
 3. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11” board and submitted to the Planning Division.
- G. **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. **Site Maintenance.** The existing site/structure(s) shall be maintained and secured. Any landscaping shall be watered and maintained until demolition occurs.
 4. **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.

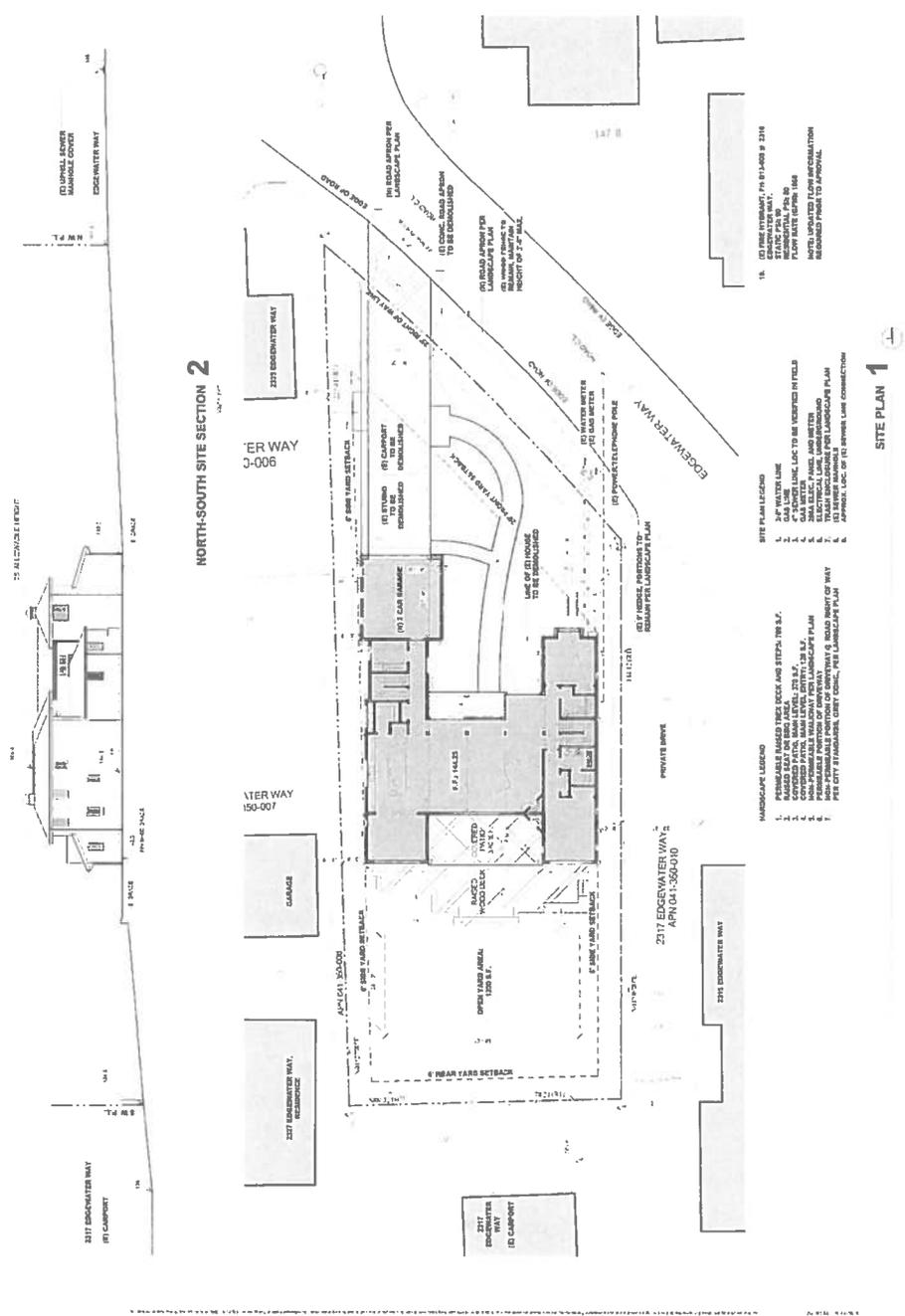


EXHIBIT B



TOM MEANEY ARCHITECT
 629 STATE STREET • SUITE 240 • SANTA BARBARA, CA • 83101 • TEL (CAR
 MEL) 831 824 4278 (SANTA BARBARA) 805 960 7668 • FAX 805 966 7698
 WWW.TOMMEANEY.COM

BARENS RESIDENCE
 2321 EDGEWATER WAY
 SANTA BARBARA, CA

SITE PLAN

Project number	Project Number
Date	2015-09-10
Scale 1/32" = 1'-0"	

2.0

June 29, 2015

Santa Barbara Planning Commission
735 Anacapa Street
Barbara, CA 93101

RE: DART Submittal - 2321 Edgewater Way

To the Planning Commission

We are seeking planning commission approval for our project at 2321 Edgewater Way.

The project consists of demolishing an existing two-story single family residence, detached carport/studio and small tool shed. A new two-story single family house with attached garage will be built. The project earned support at two SFDB review meetings and has been recommended to the Planning Commission for approval.

1. Existing use

The existing single family residence was built in 1952, in a rather eclectic style incorporating architectural elements better suited for a Danish-inspired house in Solvang rather than Santa Barbara. See attached photos. The detached carport sits just off of Edgewater Way and has an attached studio. This structure was built many years after the house and is of a differing, non-descript architectural style.

2. Existing square footage: 1,945

Lot size: 14,334

Current F.A.R.: 13.6%

The current house, at only 1945 S.F. is ill suited to the large lot it sits upon. The lot is one of the largest in the neighborhood at 14,334 S.F. (.33 acres). In addition to not fitting into the neighborhood in style, the house, unlike most, was used as a rental property to the scorn of adjacent neighbors. This house, detached carport with studio, and shed on the property will be demolished.

Proposed square footage: 3,905

Proposed F.A.R.: 27.2% (90.9% of allowable).

The proposed design for a replacement house with attached garage is smaller than allowed but still larger than most in the neighborhood. However it ranks as 5th largest in a survey of the 20 closest neighbors in terms of floor area ratio. One of the more vocal opponents to the design has a very prominent, unscreened house on a corner lot with an F.A.R. of 44%.

Despite heavy screening, a modest F.A.R. and the positive reception of most neighbors, we reduced the size, bulk and scale on the recommendations of the board after first presented to the Board on September 22nd. The revised design has earned praise for its style at the Single Family Design Board meeting on December 2nd. And since little vegetation or trees will be removed, the Board determined that "this project does not pose any significant visual impacts."

3. Number of residential units - to remain at one

4. Residential density dwelling units per acre - not applicable

5. Average unit size - not applicable

5. Lot size: 14,334

6. Demolition

Project includes the demolition of existing house, detached studio, carport and storage shed as noted above.

7. Lot size: 14,334

8. Tree and Vegetation Removal

This lot enjoys an abundance of large trees, most of which are at the property lines at the sides and rear (at Edgewater Way). Fred Sweeney, the Chairman of the SFDB has walked the street several times recently for this, as well as other projects and has stated that is nearly impossible to see through the lot currently to the ocean. All these large trees and shrubs will remain. The large trees running down both sides of the property lines at the existing 6' fences, were likely planted to create a hedge many years ago. However they have become full sized trees with trunks of 6" -12" and larger.

9. Drainage and Site Characteristics

The lot is nearly flat with a gentle 4% slope toward the ocean to the south. Tier 2 stormwater requirements will be met with a combination of best management practices per the Santa Barbara Storm Water BMP Guidance Manual, and a landscape plan designed to capture, retain and use as much precious rainwater as possible. Hardscape areas will largely be permeable, as

will the driveway. We have engaged civil engineer Michael Garensen to study the drainage and stormwater requirements. See attached Stormwater Management Plan.

10. Parking and Landscaping Statistics

The new attached 2-car garage will accommodate the family's 2 cars. Additional parking is not required.

Landscape

See attached landscape plan from Erin Carrol, landscape architect. A restrained but elegant, water wise landscape plan has been designed. As described earlier, almost all of the existing mature trees lining the property will remain. New trees will consist of mainly of small fruit trees, some ornamentals (Japanese Maples etc.), and 2-3 large palms to be relocated. Planting will generally be low water use plants per the City of Santa Barbara's Water Wise Landscaping plant list (and WUCOLS). Secondary hedges will be planted for additional screening towards the southern end of the property at a proposed bocce ball court. A small lawn of lower water use turf like St Augustine will be provided for children and dogs. Most paths will be simple decomposed granite on soil.

11. Proposed grading

See attached grading plans with cut and fill volume estimates provided by civil engineer Michael Garensen. Site has a gentle slope and will require only modest grading. Most excavated soil to remain onsite per plan. As with the current house, the proposed house will be of slab on grade construction with no basement or retaining walls. Finish floor heights will be 6-12" above average grade at the building pad.

12. Adjacent Land Use

All lots in this neighborhood are single family residences. Single family residences surround the house on all sides except at the north, which borders on Edgewater Way.

13. Lighting, noises, constraints etc.

Exterior Lighting

The new house will have shaded 120v exterior lights at all exterior doors as well as path lights for safety between the garage and house. Additional low voltage, low wattage landscape lights will be used to highlight walkways. No uplighting of trees or flood lights will be used.

Smoke or Odors

No exterior burning of wood or other materials will occur. A gas appliance type fire feature will be placed in the landscape for cold nights.

Noise

There will be no additional sources of noise

Geotechnical Studies

A geotechnical investigation has been completed. See attached soils investigation from Pacific Materials Laboratory. The results have been incorporated into the stormwater drainage plan from Michael J. Gerenser, Licensed Civil Engineer.

Constraint Studies

It does not appear that there are any historical resources on the site. A biological assessment does not seem necessary but will be undertaken if deemed necessary for approval. There are no seasonal streams, protected vegetation or animals and the proposed use will be same.

Streams or Watercourses

There are no creeks or water courses on or adjacent to the property.

Recreational Trails

There are no recreational trails on or adjacent to the property . The Douglas Preserve is about 5 blocks to the west.

Sewer Service

The house is connected to the city's public sewer system.

Water Service

The house is connected to the city's public water system.

14. Construction activities

Normal residential demolition and construction activity will occur on the site during regulated work hours. No heavy equipment beyond medium duty tractors and excavators will be used.

Estimated Duration, Workers And Equipment

Demolition Phase: 4 weeks, 10 workers, dump truck, front loader, water truck

Grading Phase: 3 weeks, crawler dozer, cat skid steer

Construction Phase: 9 - 12 months, 20 workers at maximum, flatbed delivery trucks, cement trucks, gravel trucks, front loaders

Staging Areas

The staging area for equipment and construction materials will mainly as shown on attached 'Construction Staging Plan'

In general this project will have a modest impact on the site, the neighborhood and the environment.

We appreciate your consideration of this project in light of the considerable effort that has been invested in its careful design, engagement of top professionals and positive review by the neighbors and the Single Family Design Board.

Thank you.

Sincerely,

Tom Meaney, Architect and Applicant

Attachments

- Cover sheet
- DART submittal checklist
- Master Application
- Copy of Coastal Development Permit
- 20 Closest Lots table
- Copy of Power Point presentation for City Council review
- DART Hazardous Waste Form
- DART SWMP Requirements Form
- Hydrology calculation and Stormwater Management Plan
- Site survey
- Proposed architectural plans (as reviewed by the single family review board)
 - Proposed site plan
 - Proposed floor plans
 - Proposed elevations
- Photographs of existing house, neighborhood

20 Closest Lots Data Ranked by FAR
2321 Edgewater Way

Christy and Jeff Barens

Address (Optional)	Data Source (Ex. Co. Assessor's Office)	APN	Lot Size in Lot Size in		Garage /Carport	Total	FAR	FAR Rank		
			acre	net sq. ft.						
2210 Edgewater WAY	Co. Assessor's Office	041-343-010	0.15	6,500	2,231	636	2,867	0.44	1	Largest
2310 EDGEWATER WAY	Co. Assessor's Office	041-342-011	0.18	7,841	2,728	660	3,388	0.43	2	
119 MOHAWK RD	Co. Assessor's Office	041-342-008	0.14	6,098	2,016	400	2,416	0.40	3	
2312 EDGEWATER WAY	Co. Assessor's Office	041-342-012	0.18	7,841	1,942	875	2,817	0.36	4	
2307 EDGEWATER WAY	Co. Assessor's Office	041-350-012	0.18	7,841	2,206	444	2,650	0.34	5	
2305 EDGEWATER WAY	Co. Assessor's Office	041-350-013	0.27	11,761	2,853	396	3,249	0.28	6	
2316 EDGEWATER WAY	Co. Assessor's Office	041-342-013	0.12	5,227	1,128	266	1,394	0.27	7	
2316 EDGEWATER WAY	Co. Assessor's Office	041-342-013	0.12	5,227	1,128	266	1,394	0.27	8	
2321 EDGEWATER WAY	Co. Assessor's Office	041-350-009	0.33	14,375	3,505	400	3,905	0.27	9	
2325 EDGEWATER WAY	Co. Assessor's Office	041-350-006	0.12	5,227	912	342	1,254	0.24	10	
2302 EDGEWATER WAY	Co. Assessor's Office	041-342-010	0.13	5,663	1,032	251	1,283	0.23	11	
108 Mesa Lane	Co. Assessor's Office	041-341-009	0.19	8,276	1,445	420	1,865	0.23	12	
121 MOHAWK RD	Co. Assessor's Office	041-342-007	0.19	8,276	1,375	360	1,735	0.21	13	
2320 EDGEWATER WAY	Co. Assessor's Office	041-341-007	0.17	7,405	912	420	1,332	0.18	14	
2315 EDGEWATER WAY	Co. Assessor's Office	041-350-024	0.52	22,651	3,043	525	3,568	0.16	15	
106 COOPER RD	Co. Assessor's Office	041-342-014	0.20	8,712	720	360	1,080	0.12	16	
2327 EDGEWATER WAY	Co. Assessor's Office	041-350-007	0.46	20,038	2,029	264	2,293	0.11	17	
2339 EDGEWATER WAY	Co. Assessor's Office	041-350-003	1.00	43,560	2,000	209	2,209	0.05	18	
2341 EDGEWATER WAY	Co. Assessor's Office	041-350-002	0.59	25,700	985	168	1,153	0.04	19	
2317 EDGEWATER WAY	Co. Assessor's Office	041-350-010	0.80	34,848	816	286	1,102	0.03	20	Smallest

Average/Mean Total of House + Garage Size (including project proposal):	2,053
Average/Mean FAR (including project proposal):	0.23

Single Family Design Board Minutes

September 22, 2014

Motion: Continued indefinitely to the Full Board with comments:

Public comment:

- 1) Sam Ryan, (submitted letter), adjacent neighbor at 2317 Edgewater Way; expressed support for the project.
- 2) Sally Witnov, (submitted letter), neighbor at 2312, expressed strong support for the project.
- 3) Bruce Venturelli, neighbor at 2210 Edgewater Way, opposes project, expressed concerns regarding the square footage of the house and neighborhood compatibility.
- 4) John Sharrett, 2305 Edgewater Way, expressed support for the project.
- 5) Carol Humble Hack, adjacent neighbor at 2327 and 2337 Edgewater, opposes project, expressed concern regarding the size, bulk, and scale of the house, as well as the 80 foot long H-Shape of the house and the balconies.

Letters of support from Francine and Michal Smulski, Sam Ryan, Steve and Ellen Downing, Edward Tomeo, Sally and Stan Witnov, John Sharrett, and Dominic Namnath were acknowledged. Letters of opposition from Pansy Rankin, and Kymberlee Ruff were acknowledged. A letter requesting story poles from Cathie McCammon was acknowledged.

- 1) Study reduction of the plate heights.
- 2) Study reduction of the square footage of the house.
- 3) Study moving the house location to the east.
- 4) Provide a landscape plan, including plant species.
- 5) Study removal of the balcony over the garage.

December 1, 2014

Motion: Continued indefinitely to Planning Commission for return to Full Board with comments:

Public comment:

- 1) Bruce Venturelli, a neighbor at 2210 Edgewater Way, expressed concerns regarding the large scale, proportion, and compatibility of the project in comparison to the neighboring homes.

- 2) Sam Ryan, a neighbor at 2317 Edgewater Way, spoke in favor of the project.
- 3) Kymberlee Ruff, a neighbor at 106 Cooper Road, expressed concerns regarding the excessive size of the project.

- 1) The Board appreciates the reduction in plate heights in conjunction with the FAR, the removal of the three upper level decks, and sensitivity to surrounding neighbors through screening.
- 2) In relation to the adjacent properties, the Board finds that this project does not pose any significant visual impacts.

LOCAL COASTAL PLAN POLICIES
2321 EDGEWATER WAY

GENERAL POLICIES

The general policies of the Land Use Plan for the City's coastal zone are as follows:

Policy 1.1

The City adopts the policies of the Coastal Act (Public Resources Code Sections 30210 through 30263) as the guiding policies of the land use plan.

Policy 1.2

Where policies within the land use plan overlap, the policy which is the most protective of resources, i.e. land, water, air, etc., shall take precedence.

Policy 1.3

Where there are conflicts between the policies set forth in the land use plan and those set forth in any other element of the City's existing General Plan or existing regulations, the policies of the land use plan take precedence.

HOUSING

Policy 5.3¹

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.

Action

- Projects in the coastal zone will be reviewed by the Architectural Board of Review or Historic Landmarks Commission in accordance with the established rules and procedures.

HAZARDS

Policy 8.1

All new development of bluff top land shall be required to have drainage systems carrying run-off away from the bluff to the nearest public street or, in areas where the landform makes landward conveyance of drainage impossible, and where additional fill or grading is inappropriate or cannot accomplish landward drainage, private bluff drainage systems are permitted if they are:

¹ See Clough Memo.

- (1) sized to accommodate run-off from all similarly drained parcels bordering the subject parcel's property lines;
- (2) the owner of the subject property allows for the permanent drainage of those parcels through his/her property;
- (3) the drainage system is designed to be minimally visible on the bluff face.

VISUAL QUALITY

Policy 9.1

The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following:

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

Actions

- Explore Federal, State, and local funding sources for park and open space acquisition.
- Delineate view corridor locations on new construction/ development plans by additional building limits, building orientation, and setback requirements.
- Establish standards of acceptable view protection to be utilized by developers, City staff, and discretionary bodies to ascertain a project's height, setback, and clustering of buildings.

Policy 9.3

All new development in the coastal zone shall provide underground utilities and the undergrounding of existing overhead utilities shall be considered high priority.

Action

- The City will work with the utility companies to hasten the undergrounding of utilities in the coastal zone.