



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: March 9, 2006
AGENDA DATE: March 16, 2006
PROJECT ADDRESS: 2 Santa Cruz Boulevard (MST2004-00232)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner *JMH*
 Kathleen Kennedy, Assistant Planner *KK*

I. SUMMARY

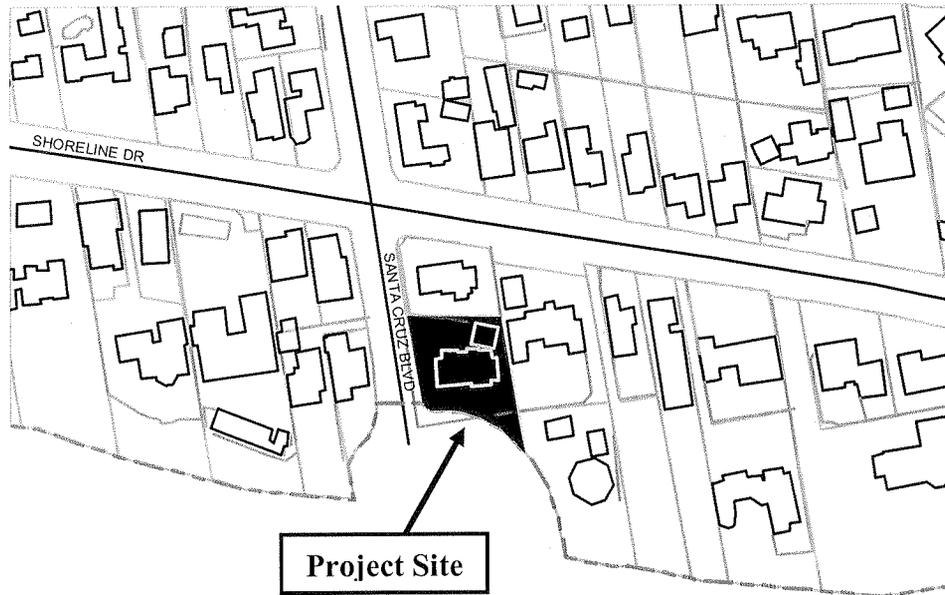
The proposal consists of a 761 square foot, second floor addition and a 30 square foot, first floor addition to an existing 1,660 square foot, single-family residence on a 10,871 square foot lot in the Coastal Zone. The existing 391 square foot garage would be replaced with a 500 square foot garage, with 95 feet of attached accessory space. The existing vegetation would be removed from the public right of way and a new sidewalk and parkway would be installed.

The discretionary applications required for this project are:

1. A Modification to allow a hedge and fence to be five feet high, instead of the maximum allowable height of three and one half feet, along the front property line (SBMC§28.87.170); and
2. A Coastal Development Permit to allow the proposed development in the Appealable jurisdiction of the Coastal Zone (SBMC§28.45.009).

II. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the Local Coastal Plan; 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 for 2 Santa Cruz Boulevard

APPLICATION DEEMED COMPLETE: January 23, 2006
DATE ACTION REQUIRED: April 19, 2006

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Christopher Dentzel, Architect	Property Owners:	Thomas and Sylvia Hoffman
Parcel Number:	045-185-009	Total Lot Area:	10,871 square feet
General Plan:	Residential, 5 units per acre	Zoning:	E-3/SD-3 : One Family Residence, Coastal Overlay Zones
Existing Use:	Single Family Residence	Topography:	approx. 9% average slope
Adjacent Land Uses:			
North: Single Family Residential		East: Single Family Residential	
South: Thousand Steps, Beach		West: Single Family Residential	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,660 square feet	2,451 square feet
Garage/ Accessory Space	391 square feet	500/ 95 square feet

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	20'	14'-6"	14'-6"
-Interior/ Rear	6'	6'	6'
Building Height	30'	14'	23'
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	1921.0 sq. ft. 18 %	2149.0 sq. ft. 19.8 %
-Paving/Driveway	N/A	2384.6 sq. ft. 22 %	2384.6 sq. ft. 22.0 %
-Landscaping	N/A	6565.4 sq. ft. 60 %	6337.4 sq. ft. 60.0 %

The proposed project would meet the requirements of the E-3 Zone, with the exception of the proposed five foot high fence and hedge along the front property line.

V. PROJECT DESCRIPTION

The project site is a 10,871 square foot lot in the E-3/SD-3, One Family Residence, Coastal Overlay Zones and Hillside Design District. It is located at the end of Santa Cruz Boulevard adjacent to the Thousand Steps coastal access stairway. The site is currently developed with a 1,660 square foot one-story single family residence and an undersized garage.

The proposal consists of a 30 square foot, first floor addition and a 761 square foot, second floor addition to the existing residence. The first floor addition consists of a two and one half foot extension of the existing bedroom. The second floor addition consists of two bedrooms, two bathrooms and a balcony. The existing 391 square foot garage would be replaced with a 500 square foot garage with attached accessory storage space. A 500 square foot garage and 500 square feet of additional accessory space are allowed in residential zones. The existing hedge located within the public right of way on Santa Cruz Boulevard would be removed and a new five foot wide sidewalk and four foot wide parkway would be installed. A new five foot high fence and five foot hedge are proposed along the front property line to maintain privacy.

VI. ISSUES

A. DESIGN REVIEW

This project is exempt from review by the ABR because the addition does not exceed 50% of the total existing square footage of all structures on the site.

B. DRAINAGE

All surface drainage on the site is currently captured in drop inlets that tie into four and six inch pipes that direct the water to a concrete swale along the edge of the Thousand Steps. The drainage then proceeds to an existing sixteen inch City storm drain located south of the property. It was determined that, with the proposed project, there would be no increase in the amount of drainage from the site; therefore, no changes to the current drainage system are recommended. The Parks and Recreation Department has reviewed the proposal and recommends conditions of approval that state that there shall be no increase in runoff or drainage to Thousand Steps, that the new sidewalk shall not drain to Thousand Steps, and although there are no landscape changes proposed, that continued stabilization of the rear descending slope be required. These requests have been incorporated into the Conditions of Approval in Attachment A.

C. FENCE AND HEDGE HEIGHT MODIFICATION

There is an existing hedge within the public right of way on Santa Cruz Boulevard that provides privacy to the backyard area. The hedge would be required to be removed in order to install the new sidewalk and parkway. The applicant would prefer to have a new five foot high fence and hedge instead of the allowed three and one half foot high fence and hedge so that their privacy can be maintained; therefore, a Modification is required. Staff is in support of the Modification given that the project site is located adjacent to a popular coastal access way and the back yard would be in view of the public. In addition, the installation of a sidewalk adjacent to the property would encourage the public to be closer to the property and hence, provide even less privacy. Transportation staff has reviewed the request and determined that it will not result in sight distance issues, given the fact the street is a cul-de-sac.

D. COMPLIANCE WITH THE LOCAL COASTAL PLAN

The project site is located within the Coastal Zone and therefore must be found consistent with the City's Local Coastal Plan (LCP) which implements the California Coastal Act. The project site is located within "Component Two" of the LCP. This area is identified as primarily a fully developed single family neighborhood with very limited additional development potential. The primary coastal issues related to this project are provision and maintenance of coastal access, maintenance of public views of the coast and open space, and protection of archaeological resources.

Coastal Access

LCP Policy 2.1 states that "Public access in the coastal bluff areas of the City shall be maximized consistent with the protection of natural resources, public safety and private

property rights.” The project site is located at the end of Santa Cruz Boulevard adjacent to the Thousand Steps coastal access stairway. Currently no sidewalks exist along the project site; however, a recently approved project located just north of the site, at 6 Santa Cruz Boulevard, was required to install a sidewalk. A new sidewalk and parkway is recommended for the proposed project as well. The installation of these sidewalk segments would enhance coastal access and reduce potential safety hazards for pedestrians accessing the coast at Thousand Steps, thus ensuring consistency with LCP Policy 2.1.

Public Views

LCP Policy 9.1 requires the protection of existing views to, from, and along the ocean. Views of the ocean in the immediate vicinity of the project are obstructed by existing development. The proposed second story addition would not block existing public views of the ocean from neighboring streets, nor would it be visible from the public beach or public lookouts along the bluff top. The proposed addition would be consistent with LCP Policy 9.1.

Archaeological Resources

The project site is within the Prehistoric Sites and Watercourses area of cultural sensitivity. An Archaeological Letter Report was prepared for the adjacent property at 6 Santa Cruz Boulevard and it was determined that no archaeological resources were anticipated. Because this project is immediately adjacent, and because limited ground disturbance would be expected, an archaeological letter report was not required. The condition of approval addressing unanticipated archaeological resources has been included.

E. ENVIRONMENTAL REVIEW

Cultural Resources: As stated above, the project site is located within the Prehistoric Sites and Watercourses area of cultural sensitivity. Although no archaeological resources are anticipated, the condition of approval addressing unanticipated archaeological resources is included in Exhibit A.

Conclusion: Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Sections 15301 (Existing Facilities). This section allows for additions to private structures that do not exceed 50% of the existing floor area.

VII. FINDINGS

The Planning Commission finds the following:

A. FENCE AND HEDGE HEIGHT MODIFICATION (SBMC §28.15.080)

The modification to allow a five foot high fence and hedge instead of the maximum allowed height of three and one half feet is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

B. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

1. The project is consistent with the policies of the California Coastal Act.
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.
3. The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation.

Exhibits:

- A. Conditions of Approval
- B. Proposed Site Plan
- C. Applicant's letter dated January 20, 2006

PLANNING COMMISSION CONDITIONS OF APPROVAL

2 SANTA CRUZ BOULEVARD
MODIFICATION AND COASTAL DEVELOPMENT PERMIT
MARCH 16, 2006

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 a written instrument, 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 water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any 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.
 2. **Allowed Development.** The development of the Real Property approved by the Planning Commission on March 16, 2006 is limited to a 791 square foot addition and the replacement of the existing garage with a 500 square foot garage with 95 square feet of attached accessory space and the improvements shown on the Site Plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 3. **Drainage.** Owner shall not construct or install any development, as the term development is defined in the Coastal Act, on the Real Property that will result in an increase in the runoff or drainage from the Real Property to the bluff face.
 4. **Coastal Bluff Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and 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.
 5. **Appropriate Plants on Bluff.** All landscaping on the bluff shall be consistent with the Architectural Board of Review Landscape Guidelines and the Local Coastal Plan.
 6. **Irrigation System.** Any future irrigation system shall be designed and maintained with the most current technology to prevent a system failure, and watering of vegetation on

EXHIBIT A

the bluff edge shall be kept to the minimum necessary for plant survival. The drip system along the bluff edge shall be removed after one full season of plant growth.

- B. **Community Development Submittal Prior to Building Permit Issuance.** The Owner shall submit a landscape plan, which includes landscaping on the bluff, to the Community Development Department for review and approval prior to the issuance of a Building Permit for the project.
- C. **Public Works Submittal Prior to Building Permit Issuance.** The Owner shall submit the following or evidence of completion of the following to the Public Works Department prior to the issuance of a Building Permit for the project:
1. **Water Rights Assignment.** The Owner shall execute an Agreement Assigning Water Extraction Rights. Said assignment and any related agreements are subject to the review and approval of the City Attorney. Said agreement shall be recorded in the Office of the County Recorder.
 2. **Public Street Improvements.** The Owner shall submit building plans for construction of improvements along the subject property road frontage on Santa Cruz Boulevard. As determined by the Public Works Department, the improvements shall include new five foot wide City standard sidewalk, new four foot wide parkway at curb line, drought tolerant parkway landscaping not to exceed eighteen inches in height, curb transition at Thousand Steps entrance, curb drain outlet, preserve and/or reset contractor stamp and/or survey monuments, and provide adequate positive drainage from site. The new sidewalk shall not drain to Thousand Steps. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed by the City Engineer.
 3. **Storm Water Quality Control.** The Owner shall apply storm water quality control guidelines to the project per the Public Works Department Construction Project Best Management Practices.
- D. **Building Permit Plan Requirements.** The following requirements shall be incorporated into the construction plans submitted to the Building & Safety Division with applications for building permits. All of these construction requirements shall be carried out in the field and completed prior to the issuance of a Certificate of Occupancy:
1. **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 an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. 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.

2. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out and containers shall be provided on site for that purpose in order to minimize construction-generated waste conveyed to the landfill.
3. **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.) to help reduce truck traffic on adjacent streets and roadways.
4. **Haul Routes.** The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Operations Manager.
5. **Construction Hours.** Construction (including preparation for construction work) is prohibited before 8:00 a.m. and after 5:00 p.m., Monday through Friday, and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara as shown below:

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

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

6. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Streets, Parking, and Transportation Operations Manager.
 - b. On-site or off-site storage shall be provided for construction materials and equipment. Any off-site storage location for equipment or materials shall be approved by the Community Development Director.
 - c. Storage of construction materials within the public right-of-way is prohibited without an encroachment permit issued by the City.
7. **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, work hours and site rules to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
8. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
9. **Conditions on Plans/Signatures.** All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. 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:

<hr/>		
Property Owner		Date
<hr/>		
Contractor	Date	License No.
<hr/>		
Architect	Date	License No.
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Engineer	Date	License No.

- E. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

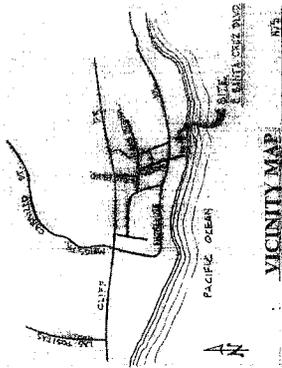
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified Arborist.
 2. **Complete Public Improvements.** Install public improvements as shown on C-1 public improvement plans.
 3. **Cross Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.
- F. **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:

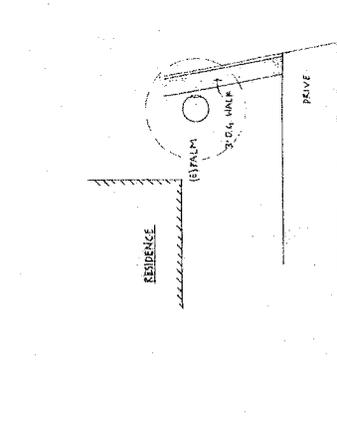
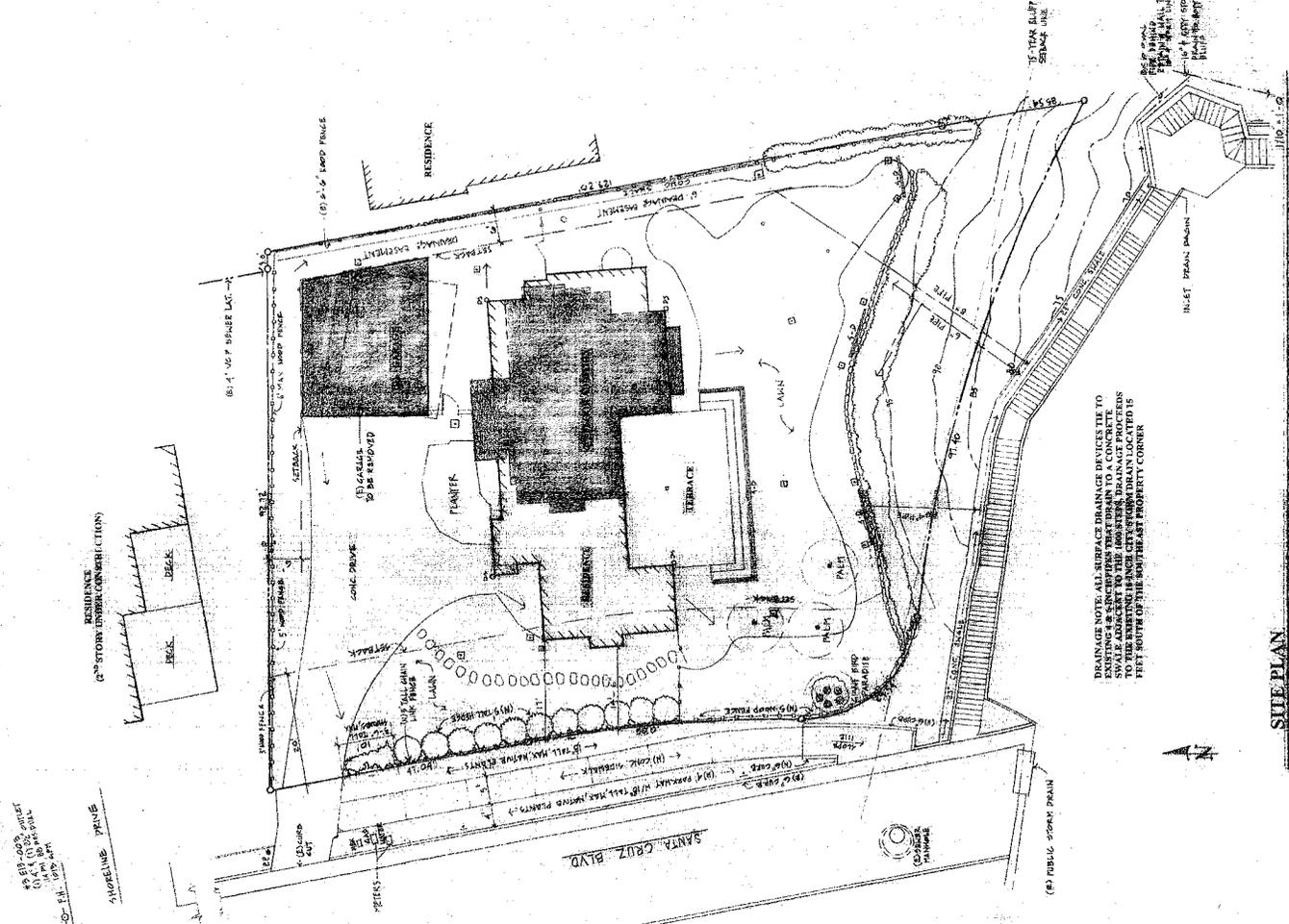
The Planning Commission's action approving the Coastal Development Permit shall expire two (2) years from the date of approval, per Santa Barbara Municipal Code §28.45.009.q, unless:

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.



PROJECT DATA

PROJECT CASE NO.:
 PROJECT ADDRESS:
 PROPERTY DESCRIPTION:
 PROPERTY OWNER:
 SCOPE OF WORK:
 PROJECT DESCRIPTION:
 PARKING: TWO COVERED
 SITE STATISTICS:
 PROJECT CONSULTANTS:
 SHEET INDEX



PROJECT NOTES

- ALL ROOF & NORTHERLY SURFACE WATER WILL FLOW INTO UNDERGROUND STORM SYSTEM TO PUBLIC STORM DRAIN
- SEE SHEET C1 FOR DRAINAGE PLAN
- ANY EXISTING SEWER LATERALS IDENTIFIED TO BE ABANDONED SHALL BE DISCONNECTED AT THE SEWER MAINLINE CONNECTION
- ANY DEFECTS IDENTIFIED SHALL BE REPAIRED BEFORE THE NEW CONSTRUCTION
- ALL EXISTING UTILITIES SHALL BE VERIFIED BY THE PROPERTY OWNER
- BACKWATER VALVE, IF AN EXISTING LATERAL ALREADY HAS A BACKWATER VALVE, THIS IT SHALL BE INSPECTED
- RESERVOIR SHALL BE CONSTRUCTED TO HOLD 100% OF THE PRESENTATION OF THE GARAGE (CAPTION) 10% OF THE SIZE OF EXISTING BUILDINGS
- ALL EXISTING UTILITIES ARE UNDERGROUND

MODIFICATION REQUEST

REQUEST TO ALLOW A NEW 58' ST GARAGE INSTEAD OF THE EXISTING 58' ST GARAGE INSTEAD OF THE 40' ST OF GARAGE ALLOWED

EXHIBIT B

RECEIVED

FEB 24 2006

**CITY OF SANTA BARBARA
PLANNING DIVISION**

January 20, 2006

Dear Planning Commissioners:

We are seeking a Coastal Development Permit, which requires Planning Commission approval. The project is a second-story addition to a single-family residence and a new detached garage located near One Thousand Steps Park.

This project is intended to enlarge a small family home in accordance with the needs of a growing family and the constraints of the natural assets of the site. The proposed development of the site will retain the original footprint of dwelling to reduce impact on sensitive surrounding area while increasing the family living area. The proposal includes a second-story addition of two bedrooms and two bathrooms and a new detached garage (existing noncomplying detached garage will be demolished).

Concerns surrounding this project are identified as follows:

- Public View Access: This project has minimal impact on view corridors,
- Use of site and structures will not change from a single-family residence.

A project description consists of the following: the project is located on a 10,871 S.F. lot with two existing structures, residence and detached garage. The existing residence is 1660 S.F. and garage 391 S.F. for a total existing square footage of 2,051. The proposed second-story addition is 761 S.F. and first-story addition 30 S.F. The proposed replacement garage is 595 S.F. When complete, the home will have four bedrooms and four bathrooms, with a total of 3,046 S.F. of built space (including new garage).

No grading, removal of trees or significant vegetation, or additional drainage is required for this project. Demolition of the noncomplying garage will occur.

Exterior lighting: Two small wall sconces will be added on the West facing exterior façade at the proposed second-story exterior door locations as required by code.

The project will not create the following:

- Smoke or odors;
- Noise sources; or
- Hazardous materials (including use or disposal.)

No resource or constraint studies have been performed for this site.

There are no existing or proposed recreational trails or easements traversing the project site.

This project will require a small residential crew of 3-5 trade people for the duration of construction. Standard equipment for small-scale residential construction projects will be used including hand operated electric tools. The driveway will be used for staging of tools and materials to minimize impact on the existing mature landscaping.

A five-foot concrete sidewalk and four-foot parkway is proposed. In keeping with the City of Santa Barbara's Master Plan, the walkway will provide off-street pedestrian access along the frontage of the property in the public right of way.

One modification is requested for this project:

1. We are requesting approval for a five-foot fence and hedge to be located at the property line. City Planning staff has reviewed and supports this request. In providing a new public sidewalk and parkway the family's current front and rear yard will be reduced, thus bringing the public and their dogs closer to the home. The family currently enjoys the privacy and safety of a City approved five-foot fence and hedge located on the public right of way. We request that this amenity be reinstated and be approved as part of the sidewalk and parkway improvement.

Your attention and consideration of these matters is much appreciated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Dentzel", with a long horizontal line extending to the right.

Christopher Dentzel