



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: March 31, 2008
AGENDA DATE: April 10, 2008
PROJECT ADDRESS: 3339 Cliff Drive (MST2007-00607, CDP2008-00007)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner *JH*
 Dan Gullett, Associate Planner *DG*

I. PROJECT DESCRIPTION

The proposed project involves replacement of approximately 859 square feet of an existing pool-level patio and 336 square feet of an existing upper-level patio with flagstone over concrete; replastering and coping of the existing swimming pool; and replacement of 423 square feet of gravel driveway with concrete. A Coastal Exemption was granted for replacement of a portion of the upper-level patio located at a distance greater than 50 feet from the bluff top and beyond the 75 year bluff retreat setback line (MST2007-00455). Both the pool-level patio and the upper-level patio were removed without the benefit of permits. Landscaping changes in the rear yard, including replacement of lawn with drought-tolerant plants, will be completed in accord with Planning Commission Resolution 005-02 and ABR-approved plans (MST2000-00612). The project site is located on a 1.3-acre lot in the Hillside Design District and Appealable Jurisdiction of the Coastal Zone. The site is currently developed with a 3,223 square foot single-family residence and 612 square foot attached garage.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is:

1. A Coastal Development Permit (CDP2008-00007) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

III. RECOMMENDATION

The proposed project is consistent with the policies of the California Coastal Act, the applicable policies of the City's Local Coastal Plan, all 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 making the findings outlined in Section VII of this report.

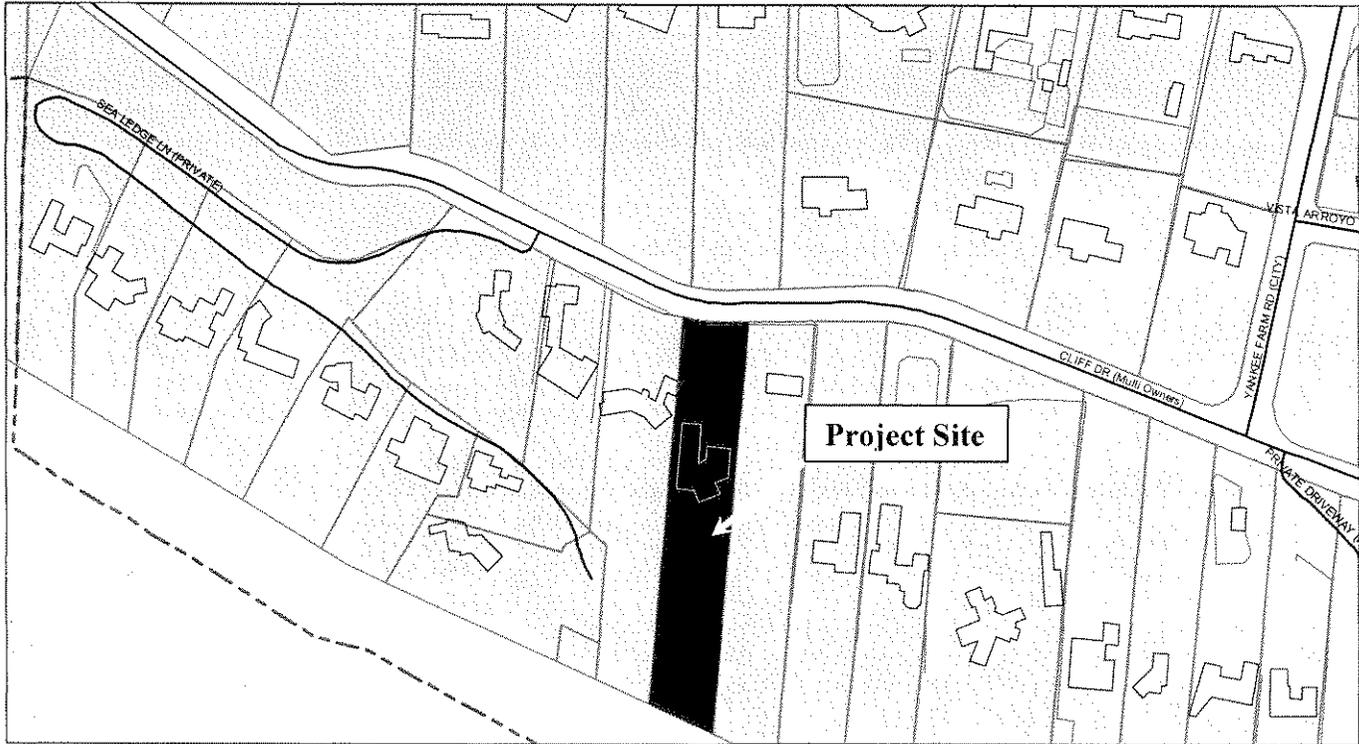


Figure 1: Vicinity Map for 3339 Cliff Drive

APPLICATION DEEMED COMPLETE:
DATE ACTION REQUIRED:

March 6, 2008
May 5, 2008

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Dawn Sherry	Property Owner: Santa Barbara VIP, LLC
Parcel Number: 047-082-015	Lot Area: 56,738 sq feet
General Plan: Residential 1 unit/acre	Zoning: A-1/SD-3 (Single-Family Residential/Coastal Overlay Zone)
Existing Use: Single-Family Residential	Topography: Relatively flat with steep bluff face
Adjacent Land Uses: North - Single-Family Residential East - Single-Family Residential South - Public Beach/Pacific Ocean West - Single-Family Residential	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	3,223 sq. feet	No change
Garage	612 sq. feet	No change
Accessory Space	none	No change

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	35 feet	186 feet	No change
-Interior	15 feet	15 feet	No change
-Rear	15 feet	315 feet	No change
Building Height	30 feet	14 feet	No change
Parking	2 spaces	2 covered spaces	No change
Open Yard	1,250 sq. feet	1,250+ sq. feet	No change
Lot Coverage			
-Building	N/A	4,009 sq. feet 7%	No change
-Paving/Driveway	N/A	10,115 sq. feet 18%	No change
-Landscaping	N/A	42,614 sq. feet 75%	No change

The proposed project would meet the requirements of the A-1 and SD-3 Zones.

VI. ISSUES

A. DESIGN REVIEW

Since the project site is located in the Hillside Design District and the average slope of the lot is greater than 20%, design review by the Single-Family Design Board is required pursuant to SBMC Subsection 22.69.020.B.2. The project, as proposed, was administratively granted

design review approval by staff March 13, 2008, in accordance with the adopted Single Family Design Board Guidelines and contingent upon Planning Commission approval.

B. COMPLIANCE WITH THE LOCAL COASTAL PROGRAM

Since the project site is located in the Coastal Zone, the proposed project must be found consistent with the Coastal Act and the City's certified Local Coastal Program for approval of a Coastal Development Permit. The project site is located in Component 1 of the City's Coastal Plan, an area extending from the City's western boundary, adjacent to Hope Ranch, eastward to Arroyo Burro Creek. The Coastal Plan recognizes Component 1 as a low density single-family residential area. Major coastal issues identified in Component 1 include hazards related to bluff retreat and maintenance of views along Cliff Drive.

The Seismic Safety/Safety Element limits new development on bluff tops, such that normal rates of erosion and cliff material loss will not seriously affect the structure during a period of 75 years. A letter and site plan submitted by Earth Systems (attached) establish the location of the 75-year bluff retreat setback line. Since the proposed pool repair work and patio replacement are considered repair and replacement of existing, permitted development rather than new development, the proposed work is not subject to the 75-year bluff retreat setback.

Coastal Plan Visual Resources Policy 9.1 requires that existing views from, to and along the coast be protected and preserved. Because the proposed project involves repair and replacement of at-grade flatwork, the completion of the project would not affect existing public views to, from, and along the coastal bluff or views along Cliff Drive.

As proposed, the development, subject to conditions in Exhibit A, is consistent with the Coastal Act and the City's Local Coastal Program.

C. ENVIRONMENTAL REVIEW

Planning Staff determined that the project is categorically exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301. Section 15301 exempts projects involving minor alterations to private structures and topographical features with negligible or no expansion of an existing use.

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; and
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.

Planning Commission Staff Report
3339 Cliff Drive (MST2007-00607)
March 31, 2008
Page 5

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated March 4, 2008
- D. Earth Systems Report, dated March 4, 2008

PLANNING COMMISSION CONDITIONS OF APPROVAL

3339 CLIFF DRIVE
COASTAL DEVELOPMENT PERMIT
APRIL 10, 2008

In consideration of the project approval granted by the Planning Commission and for the benefit of the owners and occupants 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 watercourses, conduits and any access road, as appropriate.
 2. **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 will prepare said agreement for the Owner's signature.
 3. **Cliff Drive Sewer Connection.** As a condition of approval of this project, Owner agrees to connect to the City sewer system when a sewer main is constructed in Cliff Drive at a point adjacent to Owner's Real Property, per Santa Barbara Municipal Code Chapter 14.44. Owner shall, at Owner's sole expense, connect to the City sewer system within one year of being advised in writing that the City sewer main is operable and available for such a connection. In the event Owner fails to comply with this condition of approval, City may enter the Real Property and make such a sewer connection with the cost of the connection becoming a lien on the real property to be paid in connection with property taxes and assessments imposed on Owner's Real Property.
 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. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers

EXHIBIT A

adequate for the landscaping or be hauled off site by the landscaping maintenance company.

B. Building Permit Plan Requirements. The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

- 1. Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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

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

- 1. Landscaping Installation.** Landscaping shall be installed as approved by the Architectural Board of Review (MST2000-00612) in accordance with Planning Commission Resolution No. 005-02.
- 2. Repair Damaged Public Improvements.** Repair any damaged public improvements caused by construction (e.g., curbs, gutters, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090.
- 3. Complete Public Improvements.** Public improvements, as shown in the building plans, including utility service undergrounding and installation of street trees.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission's action approving the Coastal Development Permit shall expire two 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 of the Coastal Development Permit.
2. Construction or use of the development has commenced.
3. A Building Permit for the work authorized by the Coastal Development Permit is issued prior to the expiration date of the approval, and such Building Permit remains valid.
4. A time extension is granted prior to Coastal Development Permit expiration. A one year time extension may be granted by the Community Development Director upon findings provided in Santa Barbara Municipal Code §28.44.230.B. Time extension applications must be submitted to the Community Development Director for consideration prior to Coastal Development Permit expiration. Not more than three time extensions may be granted.

RECEIVED

MAR 04 2008

CITY OF SANTA BARBARA
PLANNING DIVISION

SHERRY AND ASSOCIATES, ARCHITECTS

513 SANTA BARBARA STREET
SANTA BARBARA, CA 93101
(805) 963-0986

DATE: March 4, 2008

TO: City of Santa Barbara
Planning Department Attn: Dan Gullett

FROM: Dawn Sherry Sherry and Associates, Architects
PO Box 23634 Santa Barbara, CA 93101 805) 963-0986
dawn@dawnsherry.com

Dear Planning Commission,

We have submitted an application for hardscape replacement at the rear patio and pool area of an existing residence located at 3339 Cliff Drive in Santa Barbara, CA. The property is located within the area between the Pacific Ocean and Cliff Drive and therefore is required to obtain a Coastal Development Permit for the proposed work which consists of the following:

1. Replace existing rear patio slab at lower pool level and at upper patio level with new concrete and flagstone finish. Refer to Site Plan attached.
2. Repair existing pool walls (re-gunite) and replace existing integral concrete pool coping at pool perimeter.

Note: The patio replacement at the upper patio not within the 75 year or 50 foot bluff setback shall be constructed under a separate Coastal Exemption (MST2007-00455).

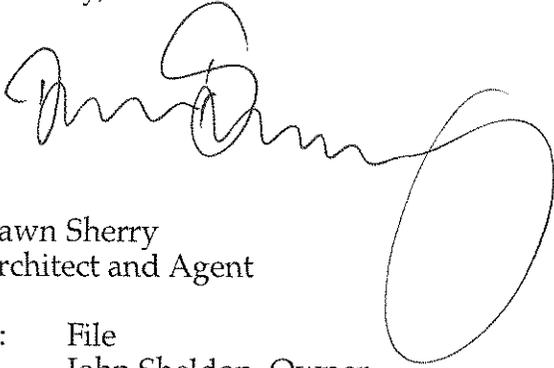
We are requesting to repair the pool and coping because of cracking that has occurred and has resulted in leaking of the pool water into the subsurface ground water. We are requesting to replace the existing slab work, both at the lower pool level perimeter and the upper patio level off of the living room because the existing slab is constructed with large wood control joints and a pebbled surface that is cracking and unsightly. This concrete paver design was popular during the 1960s, but now reflects a somewhat dated appearance. The Owners are interested in an updated classic design and the proposed flagstone suits this request as well as blends in nicely with the other flagstone patio finish at the front of the residence.

EXHIBIT C

We feel that this request secures an appropriate improvement to this property. We are not requesting either a reconfiguration or enlargement of the existing hardscape, but simply a replacement of existing slab construction. The only visual change will be the patio surface itself to reflect the new flagstone finish.

Thank you for your consideration of this proposal. Please feel free to call our office if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dawn Sherry', with a large, stylized flourish extending to the right.

Dawn Sherry
Architect and Agent

cc: File
John Sheldon, Owner



Earth Systems
Southern California

1731-A Walter Street
Ventura, CA 93003
(805) 642-6727
FAX (805) 642-1325

March 4, 2008

VT-23799-01
08-3-2

John Sheldon
4280 Via Esperanza
Santa Barbara, California 93110

Project: 3339 Cliff Drive
Santa Barbara, California
Subject: 75-Year Bluff Top Set Back
Reference: Report of Data, 3339 Cliff Drive, Santa Barbara, California. File VT-23799-01,
Report 07-11-7, November 1, 2007, Earth Systems Southern California

The attached Partial Site Plan by Sherry and Associates indicates a 75-year bluff top retreat setback line. This 75-year setback line is based on our on-site studies which included: 1) reviewing historical air photographs (1928 to the 2000's) to observe sea cliff erosion and determine retreat rates, and 2) observing excavated test pits exposing Monterey Formation bedrock on the subject site. Logs and locations of the test pits are in the referenced Report of Data.

An erosional retreat rate of 5.4 inches per year was determined along the top of the south-facing bluff which is underlain by relatively resistant units of the Monterey Formation bedrock. An erosional retreat rate of 11.5 inches per year was determined for along the top of the west facing bluff which lies above a historical landslide on the adjacent property. This landslide has a higher retreat rate, but once it transitions into the more resistant Monterey units mapped on the subject property the retreat rate reduces to the same rate determined on the east side of the property. Therefore, the 75-year setback line shown on the attached Partial Site Plan is appropriate for the proposed construction.

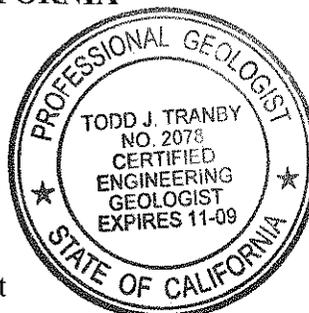
If you have any questions concerning this letter, please do not hesitate to contact the undersigned.

Respectfully submitted,

EARTH SYSTEMS SOUTHERN CALIFORNIA

Todd J. Tranby
Engineering Geologist

Copies: 1 - John Sheldon
4 - Dawn Sherry, Architect
1 - Ventura File



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MAR 04 2008

CITY OF SANTA BARBARA
PLANNING DIVISION

NO.	DESCRIPTION	DATE	BY	CHECKED
1	PROJECT STATISTICS FORM	01/10/08	J. SHERIDAN	
2	GENERAL REQUIREMENTS	01/10/08	J. SHERIDAN	
3	PROJECT STATISTICS FORM	01/10/08	J. SHERIDAN	
4	GENERAL REQUIREMENTS	01/10/08	J. SHERIDAN	
5	PROJECT STATISTICS FORM	01/10/08	J. SHERIDAN	
6	GENERAL REQUIREMENTS	01/10/08	J. SHERIDAN	
7	PROJECT STATISTICS FORM	01/10/08	J. SHERIDAN	
8	GENERAL REQUIREMENTS	01/10/08	J. SHERIDAN	
9	PROJECT STATISTICS FORM	01/10/08	J. SHERIDAN	
10	GENERAL REQUIREMENTS	01/10/08	J. SHERIDAN	

PROJECT STATISTICS FORM

N.T.S.

OWNER: JONAS SHERIDAN
 4200 VA LESTER AVENUE
 SANTA BARBARA, CA 93110
 (805) 969-6995

PROJECT ADDRESS: 3333 CLIFF DRIVE
 SANTA BARBARA, CA 93109

APL: 647-092-015

LAND USE ZONE: A-1 SDB-3

CONSTRUCTION TYPE: VN

FLOOD ZONE: N

SLOPE: 4+/- 34%

PARKING: (E) TWO-CAR GARAGE

SF BREAKDOWN:
 EXISTING SINGLE FAMILY RESIDENCE: 3225 SF
 (B) RESIDENCE (NET): 615 SF
 (B) ATTACHED TWO CAR GARAGE (NET): 3225 SF
 TOTAL (NET) SF: 3828 SF

(B) RESIDENCE (GROSS): 3300 SF
 (B) ATTACHED TWO CAR GARAGE (GROSS): 646 SF
 TOTAL (GROSS) SF: 4008 SF

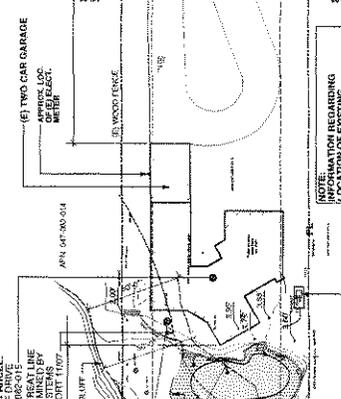
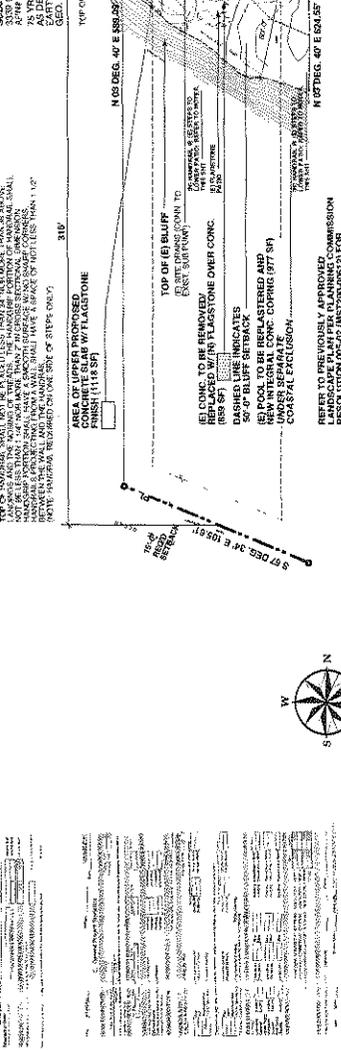
AREA OF REMOVAL:
 (E) HARBORSCAPE: 726 SF
 (B) POOL: 44' - 3017 SF
 44' - 360 SF

LOT SIZE: 4+/- 1.3 ACRES (17,578 SF)

GENERAL REQUIREMENTS

All work shall be performed in a professional workmanlike manner by a licensed contractor and shall comply with the following:

1. The contractor shall obtain all necessary permits and approvals from the appropriate agencies.
2. The contractor shall obtain all necessary permits and approvals from the appropriate agencies.
3. The contractor shall obtain all necessary permits and approvals from the appropriate agencies.
4. The contractor shall obtain all necessary permits and approvals from the appropriate agencies.
5. The contractor shall obtain all necessary permits and approvals from the appropriate agencies.



SEWER BACKWATER DEVICE

A SEWER BACKWATER DEVICE SETTING VALVE MAY BE REQUIRED. FINAL DETERMINATION TO BE MADE BY THE TRIFLE PROJECT.

ABBREVIATIONS	PROFESSIONALS
<p>Architect: SHERIDAN AND ASSOCIATES ARCHITECTS, 2015 SANTA BARBARA, CA 93101, (805) 963-0986, FAX: (805) 963-0178</p> <p>Engineer: REMAINS ENGINEERING ARCHITECTURE, (805) 566-9889</p> <p>Contractor: JET ASSOCIATION, ABLINGTON CONSTRUCTION, (805) 896-8725</p>	<p>Architect: SHERIDAN AND ASSOCIATES ARCHITECTS, 2015 SANTA BARBARA, CA 93101, (805) 963-0986, FAX: (805) 963-0178</p> <p>Engineer: REMAINS ENGINEERING ARCHITECTURE, (805) 566-9889</p> <p>Contractor: JET ASSOCIATION, ABLINGTON CONSTRUCTION, (805) 896-8725</p>

AGENCY CONTACT	PROJECT DESCRIPTION
CITY OF SANTA BARBARA: PLANNING & ZONING DEPT., 600 S. ANSELMO STREET, BUILDING DEPARTMENT, (805) 394-6885	SCOPE OF WORK LIMITED TO EXTERIOR SEWERWORK ONLY: 1. REPLACE EXISTING 18" DIA. 4" DEPTH (3" MIN. COVER) WITH NEW CONC. SLAB AND FLAGSTONE FINISH. NOTE: PERMITS AND INSURANCE COVERAGE FOR EXTERIOR SEWERWORK ARE THE RESPONSIBILITY OF THE CLIENT.

SPECIAL INSPECTIONS
SPECIAL INSPECTION RECORD FOR THE FOLLOWING: FIELD WELDING CONCRETE REINFORCING CONCRETE CURING ALL WALL CONSTRUCTION ALL HOLD-DOWNS SHALL BE SET IN PLACE BY TEMPLATE PRIOR TO POURING CONCRETE. ALL WALLS SHALL BE SET IN PLACE BY TEMPLATE PRIOR TO POURING CONCRETE. ALL WALLS SHALL BE SET IN PLACE BY TEMPLATE PRIOR TO POURING CONCRETE.

SHEET INDEX
T-1.1 TITLE SHEET/PROJECT BY STATISTICS TOTAL: 1 SHEET

PROJECT STATISTICS
OWNER: JONAS SHERIDAN, 4200 VA LESTER AVENUE, SANTA BARBARA, CA 93110, (805) 969-6995
PROJECT ADDRESS: 3333 CLIFF DRIVE, SANTA BARBARA, CA 93109
APL: 647-092-015
LAND USE ZONE: A-1 SDB-3
CONSTRUCTION TYPE: VN
FLOOD ZONE: N
SLOPE: 4+/- 34%
PARKING: (E) TWO-CAR GARAGE
SF BREAKDOWN: EXISTING SINGLE FAMILY RESIDENCE: 3225 SF (B) RESIDENCE (NET): 615 SF (B) ATTACHED TWO CAR GARAGE (NET): 3225 SF TOTAL (NET) SF: 3828 SF
(B) RESIDENCE (GROSS): 3300 SF (B) ATTACHED TWO CAR GARAGE (GROSS): 646 SF TOTAL (GROSS) SF: 4008 SF
AREA OF REMOVAL: (E) HARBORSCAPE: 726 SF (B) POOL: 44' - 3017 SF 44' - 360 SF
LOT SIZE: 4+/- 1.3 ACRES (17,578 SF)

SEWER CONNECTION
IF CITY OF SANTA BARBARA SEWER CONNECTION BECOMES AVAILABLE, SEWER CONNECTION AND BUY-IN FEES WILL BE REQUIRED AT THAT TIME.

DATE: 01/10/08
 SHEET INDEX: T-1.1