City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: August 23, 2010

AGENDA DATE: September 2, 2010

PROJECT ADDRESS: 3626 San Remo Drive (MST2009-00325)
Madsen Subdivision

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner
Daniel Gullett, Associate Planner

I. PROJECT DESCRIPTION

Proposal to subdivide a 66,372 square foot property that is currently developed with a 3,137 s.f. historic house, studio apartment and several accessory buildings into four lots ranging in size between 14,166 square feet and 16,453 square feet. The project includes development envelopes for each lot, and demolition of the garage, studio apartment, a portion of the existing residence, shed, lath house, and driveway. The project also includes construction of a new driveway, drainage improvements, implementation of a creek restoration plan, and approximately 150 cubic yards of total grading. In addition, the project includes a view easement and preservation of the façade of the existing house and documentation of the building to the City standards prior to demolition.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. Three Public Street Waivers to allow Parcels 1, 2, and 3 to be created with no public street frontage (SBMC §22.60.300);
2. Three Street Frontage Modifications to allow Parcels 1, 2, and 3 to be created with less than the required 60 feet of public street frontage (SBMC §28.15.080 and §28.92.110); and
3. Tentative Subdivision Map to allow the division of two parcels into four lots (SBMC Chapter 27.07).

III. RECOMMENDATION

As conditioned, the project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VI of this report, and subject to the conditions of approval in Exhibit A.

Figure 1: Project Vicinity

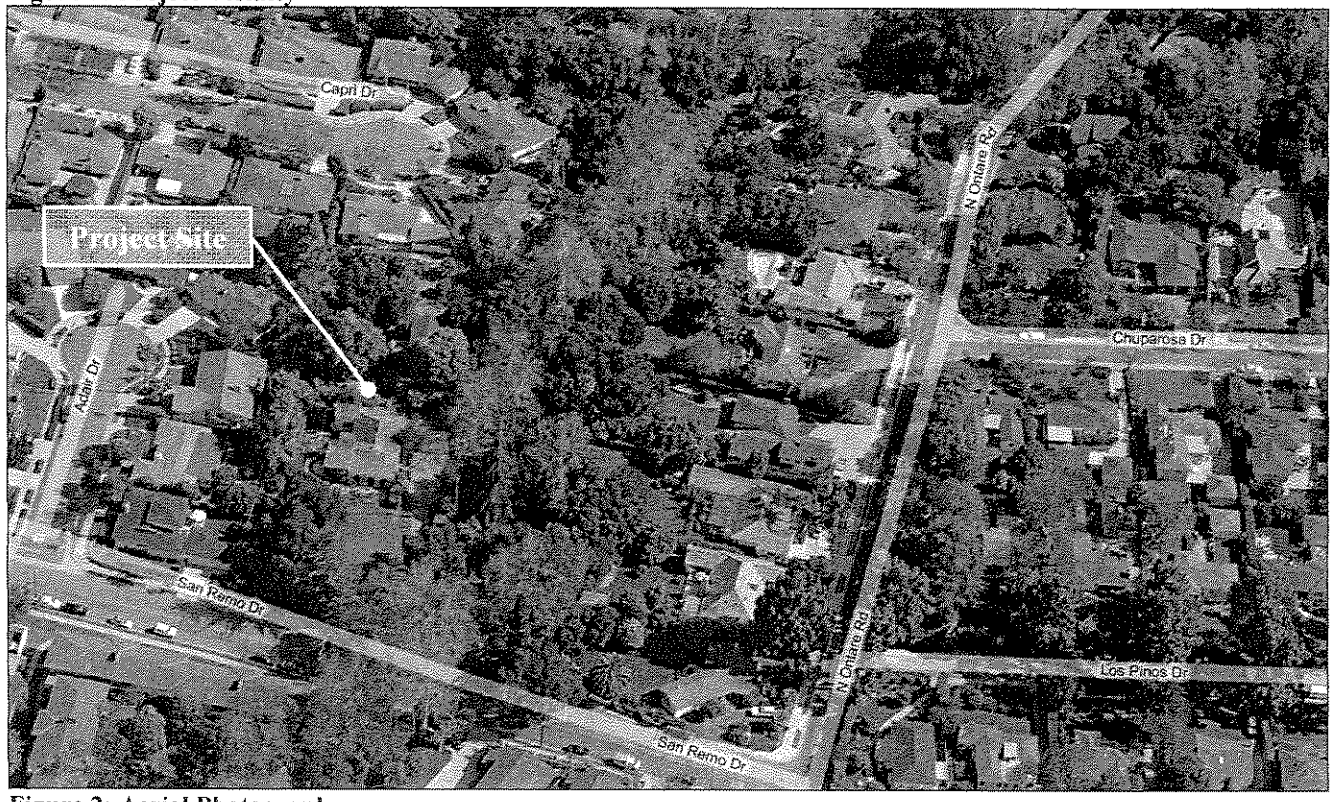


Figure 2: Aerial Photograph

APPLICATION DEEMED COMPLETE: July 1, 2010
DATE ACTION REQUIRED PER MAP ACT: September 17, 2010

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant	Lisa Plowman, Peikert Group Architects
Property Owner	Madsen Family Trust
Site Information	
Parcel Numbers: 053-231-010 & -011	**Lot Area:** 66,372 sf
General Plan: Residential, 5 units per acre	**Zoning:** E-3 (One Family Residence Zone) SD-2 (Upper State Street Area)
Existing Use: Residential	**Topography:** 11% avg. slope
Adjacent Land Uses	
North – Single Family Residential South – Multiple Family Residential	East – Single Family Residential West – Single Family Residential

B. PROJECT STATISTICS/ZONING CONSISTENCY

	Slope	Net Area Required	Gross Area Provided	Net Area Provided	Development Envelope	St. Frontage Required	St. Frontage Provided
Lot 1	9%	7,500 sf	14,356 sf	14,356 sf	5,387 sf	60 ft	*0 ft**
Lot 2	8%	7,500 sf	14,166 sf	14,166 sf	4,198 sf	60 ft	*0 ft**
Lot 3	10%	11,250 sf	15,507 sf	15,507 sf	4,185 sf	60 ft	*0 ft**
Lot 4	9%	7,500 sf	22,338 sf	16,543 sf**	3,215 sf	60 ft	~180 ft

* Modifications requested
** Excludes the proposed San Remo Drive right-of-way

V. ISSUES

A. HISTORIC BUILDING

A Historic Structures Report was prepared for this project by Alexandra Cole and approved by the Historic Landmarks Commission (HLC) on March 30, 2010. The focus of the report is the main house. The report finds that a portion of the façade of the house is eligible as a City Structure of Merit due to its street presence and architecture. The project includes the retention of the historically significant portion of the house: the south façade, the curved staircase on the west elevation, and the gable and front entrance on the east elevation. The remaining three elevations include a hybrid of disparate architectural styles not considered historically significant. The project also provides a view corridor from San Remo Drive and documentation of the building to City standards prior to demolition. The report concludes that the proposed project conforms with the Secretary of Interior's Standards and thus would not result in a significant historic impact.

B. CREEK SETBACK

The eastern property boundary of the proposed subdivision roughly corresponds with the centerline of the San Roque Creek streambed for its entire length (approximately 400 feet). San Roque Creek is one of the two main tributaries to Arroyo Burro Creek, and constitutes approximately 48% of the overall Arroyo Burro watershed. Access to the existing development is provided by an approximately 240-foot long asphalt driveway, a portion of which is located on the top of the western creek bank. The existing historic residence is located approximately 35 feet from the top of bank, and the existing two-story apartment/garage building (proposed for demolition) is located approximately 27 feet from the top of bank.

The project geologist (Richard Cousineau) concluded that a 25-foot structural creek setback was sufficient to protect the proposed development from erosion. With the application, the applicant provided a Biological Assessment for the site prepared by John Storrer (attached as Exhibit D), and a Mitigation, Monitoring and Reporting Plan prepared by Althouse and Meade, Inc. (attached as Exhibit E) to guide oak tree replacement and riparian tree and shrub plantings in the area between the building envelopes and the creek. The HLC-accepted Historic Structures Report requires the in situ preservation of certain portions of the 3626 San Remo residence that are located approximately 35-feet from the top of bank. The current proposal sets the development envelopes 35 feet from the creek on each of the four parcels, and restricts the use and development of the area on the creek side of the development envelopes to a private four-foot-wide pedestrian path, stormwater facilities, creek restoration and an offer of easement for flood control purposes. The Single Family Design Board was comfortable with the 35-foot setback due to the existing site condition and the proposed creek restoration.

Considering future development of the property and the approvals required for the project, staff recommends a 50-foot setback from the top of bank for the development envelopes to the maximum extent feasible. Staff based this recommendation on the property's location within the relatively natural and undeveloped middle San Roque Creek watershed, General Plan consistency with regard to tree removals and new development adjacent to a creek (discussed below), the physical suitability of the site and appropriateness of the subdivision, and precedent of requiring increased creek setbacks with other discretionary projects.

The staff-recommended conditions include a restriction that the development envelopes be located no closer than 50 feet from the San Roque Creek top of bank except the development envelope on Parcel 3 may include the existing footprint of the historically significant building. Parcel 4, as currently proposed, has the smallest development envelope, since it is constrained by the front setback, the driveway, two large oaks and a redwood. Staff acknowledges that an increased creek buffer would further limit the development potential of Parcel 4, reducing the development envelope to approximately 2,350 square feet; however, since the historic building is located toward the north end of Parcel 3, the proposed lot line dividing Parcels 3 and 4 could be relocated northward to provide additional developable area for Parcel 4.

The following table shows the approximate development envelope areas for Parcels 1, 2, and 4 with a 50-foot setback. Parcel 3 is not included due to the presence of the historic building.

Staff notes that a minimum sized 7,500 square foot E-3 lot with a minimum 60-foot street frontage excluding setbacks and a 1,250 square foot open yard area (encroaching into interior setbacks) would result in a developable building area of approximately 3,950 square feet.

	Development Envelope Area with 35 foot setback	Development Envelope area with 50 foot setback (est.)
Parcel 1	5,387 sf	4,203 sf
Parcel 2	4,198 sf	3,133 sf
Parcel 4	3,215 sf	2,350 sf

According to the Creeks Division staff, a 50-foot setback from the top of the bank at this location would help achieve improved water quality, and provide better protection against flooding and debris flows. It would also expand riparian plant and wildlife habitat, better protect habitat by isolating the creek from urban influences of noise, lighting, and other human activity, and enhance the creek viewshed.

C. STREET FRONTAGE

As shown in the table in Section IV above, the E-3 Zone requires 60 feet of street frontage for each new lot and only one of the proposed lots (Parcel 4) meets this requirement. Street frontage modifications are needed for the three remaining lots as proposed Parcels 1, 2, and 3 would be served by a private driveway with no street frontage. In addition, approval of a Tentative Subdivision Map requires that newly created lots be served by a public street, unless the Planning Commission grants Public Street Waivers making specific findings provided in Municipal Code Section 22.60.300.

Due to the site constraints, including San Roque Creek, the historic building, and the presence of multiple mature trees, the provision of a City-standard cul-de-sac on the subject property is not feasible. Additionally, since there is no opportunity for a through street connection for vehicles or pedestrians, a public street is less desirable to the City on this property as it could only serve the proposed subdivision. According to Public Works and Fire Department staff, the proposed driveway would provide adequate vehicular access to the subject properties. The subdivision also includes path above the western bank of San Roque Creek that provides private pedestrian access to each of the four lots. The Staff-recommended conditions include a requirement for shared driveway maintenance. Staff's position is that the Street Frontage Modifications are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement, because of the site constraints described above, and the adequacy access for ingress, egress and fire suppression provided by the proposed driveway. Staff also recommends approval of the Public Street Waivers because the proposed private driveway would provide adequate access to the newly created lots and adequate provisions for driveway maintenance are included in the project conditions.

D. TREE REMOVALS

The applicant provided a tree inventory and mitigation plan (attached as Exhibit F) prepared by Bill Spiewak, a licensed arborist, that assessed the oaks and significant trees on the site. The tree inventory identified 29 oak trees on the site with six proposed to be removed. The six oaks

proposed for removal include two oaks on Parcel 1 (16" and 19" DBH) and four oaks on Parcel 4 (4", 9", 14", and 20"). In addition, an 18" palm on Lot 1; a 36" avocado and 36" pittosporum on Parcel 2; and three 24" palms on Parcel 3 are proposed for removal. The development envelopes were configured to avoid the 17" and 26" oaks on Parcel 4 and a 13" oak on Parcel 3. The project also includes a sidewalk realignment and new retaining wall to protect the 36" redwood at the property frontage. Replacement of Coast live oak trees would be at 3 to 1 ratio with 15-gallon trees, and replacement of other significant trees would be at a 1 to 1 ratio with 15-gallon trees, consistent with the recommendations of the project biologist. Tree removals are discussed further in the General Plan Compliance section below.

E. DESIGN REVIEW

The subdivision-grading plan is subject to review and approval by the Single Family Design Board. The proposed subdivision was reviewed by the Single Family Design Board (SFDB) on July 19, 2010 (meeting minutes are attached as Exhibit G). The SFDB unanimously forwarded the project to the Planning Commission with the following comments:

1) Verify that the Historic Landmark Commission will review the extent of the proposed demolition to occur on parcel three.

2) A review of the historic aspect of the non-native Orange trees along north property line is requested. The Board feels the trees should be retained.

3) Limit tree removal to areas for grading and drainage. Retain trees within the building envelope until building construction begins.

4) Provide information about landscape lighting on the pedestrian path and driveway.

5) Study the height of the proposed street lamp on San Remo Drive; a pedestrian height street lamp is preferred.

6) Study relocating the public utility easement at the west property line to not interfere with proposed landscaping.

7) The 35-foot setback from the Creek is appropriate due to the loss of the existing driveway along the creek bank and the proposed creek repair.

Partial demolition of the portion of the historically significant structure across the proposed property line and within the resultant setbacks, and design review approval of an addition to the historic façade must occur prior to map recordation. The City's Urban Historian will review the proposal for alterations to the historically significant structure and determine whether additional historic review will be required pursuant to Municipal Code Chapter 22.22.

The Historic Structures Report reviewed by the Historic Landmarks Commission did not address the small cluster of seven existing citrus trees, located at the rear of the site. The City's Urban Historian reviewed two aerial photographs of the property at 3626 San Remo to determine whether the citrus trees have historic significance.

An aerial photograph taken in 1940 clearly shows the organized rows of an orchard consisting of recently planted seedlings on and adjacent to the current parcel. The trees were planted at the rear of the site, directly behind the detached garage structure, and extended beyond the

current rear property line to the north of the site. A 1952 aerial photograph shows a mature citrus grove in the same location in relation to the house as was seen in the earlier photograph.

Based on a current aerial photograph, It appears that seven of the original citrus trees still exist today. It is not clear as to when the bulk of the citrus trees were removed from the site. However, it was likely that the trees were removed when the houses in the subdivisions to the north and west of the site were constructed in the early 1960's. Though the remaining citrus trees are just over seventy years old, they are not unique in any way to set them apart from other citrus trees in the area. Additionally, there are not enough trees remaining to convey their former setting as a commercial grove. There is no evidence that the former citrus grove was associated with significant individuals or events important to the history of the city. Therefore, it is the opinion of staff that the citrus trees remaining on the site are not historically significant.

The recommended conditions include a limitation on the timing of tree removals on the individual lots to follow future SFDB approvals of development and landscaping on those lots, with some exceptions (See Condition C.3).

The project includes a new streetlight near the proposed driveway apron. The Staff-recommended conditions require that a new City-standard residential dome-style light streetlight be installed in the San Remo Drive right-of-way.

The conditions also include the requirement to relocate the 4-foot public utilities easement (PUE) under the westerly edge of the new driveway (See Condition C.1).

F. COMPLIANCE WITH THE GENERAL PLAN

A finding of project consistency with the City's General Plan is required for approval of the Tentative Subdivision Map. A discussion of General Plan consistency follows.

Land Use Element

The General Plan's Land Use Element defines and discusses each of the City's neighborhoods. The project site is located in the San Roque Neighborhood, which is bounded on the north by Foothill Road; on the south by the commercial development above State Street; on the east by San Roque Road; and on the west by Arroyo Burro Creek. The Land Use Element states that that the San Roque Neighborhood is virtually fully developed, with single-family residences and some apartment complexes near Ontare Road. The description states that San Roque Creek runs through the neighborhood and opportunities may someday arise to acquire land along its banks as major creek open space that can provide additional park land in the San Roque area.

The Land Use Element also includes a Land Use Map that provides land use designations throughout the City. The Land Use Designation for the subject property is Residential, 5 units per acre and Buffer/Stream. With the four proposed lots on the 1.52-acre site, the resultant density would be 2.6 units per acre, which is within the allowable density. The Buffer/Stream designation along San Roque Creek signifies the need for transition between the residential use and the creek. A 50-foot setback from San Roque Creek (35 feet for a portion of Parcel 3) would provide a transition consistent with this designation.

Open Space Element

The purpose of the Open Space Element is to protect the character of Santa Barbara by conserving and providing significant open space and natural landforms through and around the community. The Open Space Element is concerned primarily with conserving, providing, and improving, as appropriate, land and water spaces significant in the Santa Barbara landscape. Creeks are identified in the text as a category of open space.

The following is an excerpt from the Open Space Element:

> *The major drainage channels which pass through the City are San Roque, Arroyo Burro, Mission Canyon, and Sycamore Creeks. These drainage channels should remain in their natural state, providing recreation facilities as proposed in the Parks and Recreation section as well as open space corridors through the community.*
>
> *Implementation of the creek open space category involves the City's establishment of firm policies to preserve these channels in their natural state. These policies must be enforced by the City, the County Flood Control District, and the Army Corps of Engineers. The acquisition of rights-of-way for trails, while important to the recreation system, is not essential to the protection of these corridors for open space purposes. Special regulations for development adjacent to the major creeks should be enacted to prevent construction in creek open space areas and to protect development from known flood hazards. While much of the land adjacent to these creeks is already developed, most will be redeveloped. New construction should respect the creeks as important community open spaces.*

Discussion: A variable 50 foot setback from San Roque Creek (35 feet for a portion of Parcel 3) would be consistent with the goal of the Open Space Element to respect the creek as an important community open space.

Conservation Element

The Conservation Element of the General Plan is "intended to serve as the City's official guide in public and private development matters related to the preservation and enhancement of natural resources including cultural and historic resources, visual resources, air quality, biological resources, drainage and flood control, and water resources." The Conservation Element includes the following goals, policies and implementation strategies related to Cultural and Historic and Visual Resources.

Cultural and Historic Resources Goals: *Sites of significant archaeological, historic, or architectural resources will be preserved and protected wherever feasible in order that historic and prehistoric resources will be preserved.*

Selected structures which are representative of architectural styles of fifty or more years ago (pre-1925) will be preserved wherever feasible.

Cultural and Historic Resources Policy 1.0: *Activities and development which could damage or destroy archaeological, historic, or architectural resources are to be avoided.*

Discussion: The historically significant elements of the residence would be preserved with this proposal and a view corridor from San Remo Drive to the structure would be maintained in perpetuity with the project. The project is, therefore, consistent with these goals and this policy.

Visual Resources Goal: *Restore where feasible, maintain, enhance, and manage creekside environments within the City as visual amenities, where consistent with sound flood control management and soil conservation techniques.*

Visual Resources Policy 1.0: *Development adjacent to creeks shall not degrade the creeks or their riparian environments.*

Discussion: With the creek restoration area, preservation of the conservation easement, and 50-foot creek setback (35 feet for a portion of Parcel 3), this project would enhance the creekside environment consistent with this policy.

Visual Resources Policy 4.0: *Trees enhance the general appearance of the City's landscape and should be preserved and protected.*

Visual Resources Implementation Strategy 4.1: *Mature trees should be integrated into project design rather than removed.*

Visual Resources Implementation Strategy 4.2: *All feasible options should be exhausted prior to the removal of trees.*

Visual Resources Implementation Strategy 4.3: *Major trees removed as a result of development or other property improvement shall be replaced by specimen trees on a minimum one-for-one basis.*

Discussion: The project anticipates removal of 12 oaks and six additional other major trees, as described in Section V.D above. The conditions include a requirement for replacement of removed Coast live oaks at a 3 to 1 ratio with 15-gallon Coast live oaks from local stock and replacement of other significant trees at a 1 to 1 ratio with 15-gallon trees. The implementation of the Mitigation Monitoring and Reporting Plan provided by the applicant would ensure that significant riparian tree and shrub planting would adequately replace trees proposed for removal within the creek buffer restoration area. The project, as conditioned, is consistent with this goal and these implementation strategies.

Housing Element

The Housing Element provides goals, policies, and strategies aimed at managing growth consistent with State requirements and the City's commitment to neighborhoods, quality design, historic preservation, environmental quality, affordable housing, and socio-economic diversity.

Specific Housing Element goals and policies relevant to the proposed subdivision include:

Policy 2.4: *Every effort shall be made to preserve those structures which are either architecturally significant, historically important or both. These buildings contribute to the atmosphere of historic Santa Barbara giving the neighborhoods a sense of history, character and variety.*

Goal 3: *Protect existing neighborhood character while encouraging compatible infill development.*

Policy 3.2: *The character and quality of life of single-family zoned neighborhoods should be protected and preserved.*

Policy 3.3: *New development in or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood.*

Discussion: As seen in Figures 1 and 2, and the Tentative Map sheets (Exhibit B), the proposed subdivision would provide lots and development areas of comparable size to those in adjacent single-family residential subdivisions. The project conditions require that each proposed residence in the subdivision be reviewed and approved by the Single Family Design Board to ensure neighborhood compatibility of future development. The historically significant elements of the existing building and a view corridor will be preserved on site. Pursuant to the City's Inclusionary Housing Ordinance, an inclusionary housing in-lieu fee for the subdivision is required and shall be payable prior to recordation of the Parcel Map. As conditioned, the proposed project is consistent with this goal and these policies.

G. ENVIRONMENTAL REVIEW

The Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) identify classes of projects that are generally exempt from CEQA review. Section 15315 provides for the division of property into up to four parcels when certain conditions are met. The project meets these conditions because: it is located within an urbanized area; it conforms with General Plan and zoning with the requested modifications and waivers; all services and access to the proposed parcels are available to City standards; the parcel was not involved in a division of a larger parcel within the previous 2 years; and the parcel does not have an average slope greater than 20%. The City Environmental Analyst therefore determined that this project qualifies for a categorical exemption pursuant CEQA Guidelines Section 15315 (Minor Land Divisions).

VI. FINDINGS

The Planning Commission finds the following:

A. PUBLIC STREET WAIVERS FOR PARCELS 1, 2 AND 3 (SBMC §22.60.300)

1. The private driveway will provide adequate access to the new parcels. The proposed driveway is acceptable to the Fire Department and Public Works Department.

2. The proposed driveway will provide adequate access for fire suppression vehicles, as required by applicable fire regulations. Said driveway will meet Fire Department requirements in terms of width, length, materials and weight capacity.

3. The project conditions require that the owner(s) of the proposed lots maintain the private driveway pursuant to a shared maintenance agreement that will run with the properties. The shared maintenance agreement would be recorded concurrent with recordation of the Parcel Map.

4. The waiver is in the best interests of the City and will improve the quality and reduce impacts of the proposed development. Development with a private driveway rather than a public street allows for an increased creek buffer. In addition, the subdivision includes a pedestrian pathway for access to the future residences. The driveway minimizes impacts to existing adjacent residences and does not require expenditure of public money for maintenance.

B. STREET FRONTAGE MODIFICATIONS FOR PARCELS 1, 2 AND 3 (SBMC §28.15.080 & 28.92.110)

As discussed in Section V.C. of this staff report, these modifications are consistent with the purposes and intent of the zoning ordinance and necessary to secure an appropriate improvement because the resulting lots would have frontage on a private driveway rather than a public street, which is preferable because of the site constraints of the creek, historic building and mature trees.

C. THE TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the Subdivision Map Act, and the General Plan and Zoning Ordinance of the City of Santa Barbara as discussed in Sections IV and V of this staff report. The site is physically suitable for the proposed development due to the creek buffer, the relatively flat topography above the creek bank, and the soil composition. The project is consistent with the density provisions of the Municipal Code and the General Plan as demonstrated in Sections IV and V of the staff report, and the proposed use is consistent with the vision for this neighborhood because it provides single-family in-fill housing that is compatible in size and scale with surrounding development. The design of the project will not cause substantial environmental damage with the conservation area in the creek buffer, the preservation of the historic resource and the view corridor, and associated improvements will not cause serious public health problems as discussed in Section V of this staff report.

Exhibits:

A. Conditions of Approval
B. Tentative Map
C. Applicant's letter, dated May 27, 2010
D. Biological Assessment prepared by John Storrer, dated November 13, 2009
E. Mitigation Monitoring and Reporting Plan prepared by Althouse and Meade, revised May 27, 2010
F. Oak Tree Inventory & Mitigation Plan, dated September 28, 2009
G. Single Family Design Board Minutes of July 19, 2010

PLANNING COMMISSION CONDITIONS OF APPROVAL

3626 SAN REMO DRIVE
PUBLIC STREET WAIVERS, STREET FRONTAGE MODIFICATIONS, TENTATIVE SUBDIVISION MAP
SEPTEMBER 2, 2010

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. **Design Review Approvals.** Obtain all required design review approvals for public and private improvements related to the subdivision including the partial demolition and addition to the existing residence and creek restoration landscaping. Refer to Section B "Design Review."

2. **LDT Recovery Fee.** Pay Land Development Team Recovery Fee.

3. **Demolition Permit.** Obtain a Building Permit (BLD) to demolish any structures / improvements that would conflict with the Parcel Map. A BLD may also be obtained to demolish non-conflicting structures/improvements and/or perform rough grading. Refer to Section E "Construction Implementation Requirements."

4. **Public Works and Building Permits for Private Improvements.** Obtain Public Works and Building Permits (PBW and BLD) for the following private and public improvements, which must be completed prior to approval of the Map. Refer to Section D "Requirements Prior to Permit Issuance," and Section E "Construction Implementation Requirements."

a. **Construct Private Water Line and Onsite Treatment of Runoff.** A private water line, a new private fire hydrant, and the required water treatment facilities on each proposed Parcel shall be constructed prior to constructing the finish course of the new shared on-site driveway access.

b. **Construct New Private Sewer Laterals.** Install new sewer wye and laterals from the existing sewer main to serve the new undeveloped parcels, and replace any existing private sewer laterals that are damaged and/or require replacement.

c. **Construct New Shared On-Site Driveway Access.** The new shared on-site access driveway shall be constructed with a hard surface material to meet minimum Fire Department access requirements of 60,000 pounds. Plans shall include cross sections for driveway construction and specifications using standardized construction methods to meet this condition.

d. **San Remo Drive Public Improvements.** All public improvements as identified in Condition D.7 of these Conditions of Approval, shall be either constructed prior to approval of the Parcel Map, or securities and a Land Development Agreement shall be submitted to the Public Works counter prior to approval of the Map.

EXHIBIT A

5. **City Council Approval.** Obtain City Council approval of the Parcel Map and Agreements and record said documents. Refer to Section C "Recorded Conditions Agreement" and Section F "Public Works Submittal for Parcel Map Approval."

6. **Construction.** During construction, including demolition and grading, all conditions identified in Section E "Construction Implementation Requirements" must be followed.

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

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

1. **Subdivision Design Review.** The subdivision grading plan, including, but not limited to, any landform alterations, public improvements, required street lighting, and landscaping, shall be subject to the review and approval of the Single-Family Design Board (SFDB) prior to recordation of the Map.

2. **San Roque Creek Setback.** The Conservation Easement referenced on TM1 shall be expanded to include the entire area within 50 feet of the top of the western bank of San Roque Creek, with the exception of the footprint of the existing historically-significant building on Parcel 3. The added conservation area shall be included in the Restoration Area described in the Mitigation Monitoring and Reporting Plan prepared by Althouse and Meade, Inc., revised May 27, 2010. The development envelopes shall be reconfigured to be located outside the Conservation Easement.

3. **Residence Alterations.** The Owner shall obtain approvals for the partial demolition and reconstruction of the historically significant main residence with parking as required by the Zoning Ordinance from the Single Family Design Board (or Historic Landmarks Commission, as appropriate). Demolition of the portion of the main residence encroaching into Parcel 2 and the interior setback of Parcel 3 is required prior to Parcel Map recordation.

4. **Tree Removal and Replacement.** All trees greater than four inches (4") in diameter at four feet (4') above grade that are removed, except oak trees, fruit trees, and front setback trees approved for removal without replacement by the Parks Department, shall be replaced on site on a one-for-one basis with minimum 15-gallon size trees of an appropriate species or like species, in order to maintain the site's visual appearance and reduce impacts resulting from the loss of trees.

5. **Tree Protection/Replacement Measures.** The landscape plan and grading plan shall include the following tree protection measures, intended to minimize impacts on trees:

   a. **Arborist's Report.** Include a note on the plans that recommendations/conditions contained in the arborist's report prepared by Bill Spiewak, dated September 28, 2009, shall be implemented.

b. **Landscaping Under Trees.** Landscaping provided under trees shall be compatible with preservation of the trees as determined by the Single Family Design Board (SFDB). No irrigation system shall be installed under the dripline of any oak tree.

c. **Oak Tree Replacement.** Oak trees greater than four inches (4") in diameter at four feet (4') above grade removed as a result of the project shall be replaced at a three to one (3:1) ratio, at a minimum fifteen (15) gallon size, from South Coastal Santa Barbara County stock, as recommended by Storrer Environmental Services in the Biological Assessment dated November 13, 2009.

6. **Pedestrian Pathway.** A separate decomposed stone pedestrian pathway shall be provided within the westerly ten feet of the Conservation Easement to access each of the four parcels from the San Remo Drive sidewalk.

7. **View Corridor.** Appropriate landscaping shall be provided in the view corridor as not to exceed 42 inches in height at maturity. Canopies of trees in the area adjacent to the view corridor may encroach into the view corridor provided that an adequate view of the building from San Remo Drive is retained at the time the vegetation reaches maturity.

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

9. **Permeable Paving.** Incorporate a permeable paving system for the project driveway that will allow a portion of the paved area runoff to percolate into the ground, except as necessary to meet Fire Department weight requirements. Materials in driveways and parking areas must be approved by the Public Works Director/Transportation Manager.

C. **Recorded Conditions Agreement.** The Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on September 2, 2010 is limited to the subdivision of a 66,372 square foot property into four lots ranging in size between 14,166 square feet and 16,453 square feet with development envelopes for each lot; demolition of the existing garage, studio apartment, a portion of the existing residence, shed, lath house, and driveway; construction of a new driveway, construction of parking for Lot 3, drainage improvements, implementation of a creek restoration plan, and approximately 150 cubic yards of total grading; documentation of the existing residence; a view easement; preservation of the façade of the existing residence; and the improvements shown on the Tentative Subdivision Map signed by the chair

of the Planning Commission on said date and on file at the City of Santa Barbara, with the following changes:

a. The development envelopes shown on the parcel map shall be located no closer than 50 feet from the San Roque Creek top of bank, except the development envelope on Parcel 3 shall include the existing footprint of the existing historically-significant building within 50 feet of the San Roque Creek top of bank.

b. The Conservation Easement shall be expanded to include the entire area between the eastern property line and eastern line along the reconfigured development envelopes. With the exceptions of the pedestrian pathway, utilities and the accommodation of stormwater management elements, no development including buildings, grading or other ground disturbance is permitted within the Conservation Easement.

c. The public utilities easement shall be relocated under the westerly edge of the new driveway.

2. **Design Review for Future Residences.** Any new residence proposed for construction on any of the lots created by the subdivision, shall be subject to the review and approval of the Single Family Design Board (SFDB).

3. **Tree Removal Timing.** No tree greater than four inches (4") in diameter at four feet (4') above grade shall be removed for the development of the individual lots until after the tree removal receives Final Approval by the Single Family Design Board in association with the subdivision grading plan or a landscape plan for the development of each of the individual lots. Tree removals may occur, however, if it is demonstrated that a tree is diseased, and the tree's condition is a source of present danger to healthy trees in the immediate vicinity, the tree is so weakened by age, disease, storm, fire, or any injury so as to cause imminent danger to persons or property, the tree is dead, or the Fire Department has ordered the tree removed in order to maintain required defensible space on the lot or to comply with the City's Wildland Fire Plan.

4. **Lighting.** All outdoor lighting shall conform with the City's Outdoor Lighting and Streetlight Design Guidelines and Chapter 22.75 of the Municipal Code (Outdoor Lighting).

5. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

6. **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).

7. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement. The following tree protection measures shall be incorporated:

   a. **Tree Protection.** The existing trees shown on the Oak Tree Inventory and Mitigation Plan prepared by Bill Spiewak dated September 28, 2009 shall be preserved, protected, and maintained in accordance with the recommendations contained in the accompanying arborist's report prepared by Bill Spiewak.

   b. **Irrigation.** No irrigation systems shall be installed within three feet of the drip line of any oak tree.

   c. **Herbicides and Fertilizer.** The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree except as provided by the Tree Protection Measures in the aforementioned Arborist's Report.

8. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state and in accordance with the Storm Water Management Plan BMP Guidance Manual). 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 applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building 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.

9. **Development Rights Restrictions.** The Owner(s) shall not make any use of the property contained in the Conservation Easement described in condition C.1 other than passive recreation, native plantings, creek restoration, stormwater facilities, and a pedestrian path.The restricted areas shall be shown on the Parcel Map. The Owner(s) shall continue to be responsible for (i) maintenance of the restricted area, and (ii) compliance with orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.

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

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

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

    c. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company.

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

11. **Pesticide or Fertilizer Usage Near Creeks.** The use of pesticides or fertilizer shall be prohibited within the Conservation Easement area described in Condition C.1 adjacent to San Roque Creek.

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

D. **Requirements Prior to Permit Issuance.** The Owner shall submit the following for review and approval by the departments 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. Please note that these conditions are in addition to the standard submittal requirements for each department.

Public Works Department

1. **San Remo Drive Public Improvements.** The Owner shall submit C-1 public improvement plans for construction of improvements along the property frontage on San Remo Drive. Public Works C-1 plans shall be submitted separately from plans submitted for a Building Permit. As determined by the Public Works Department, the improvements shall include the following to City Standards: *installation of a new City Standard residential dome-style street light, five-foot wide sidewalk, realignment of curb and construction of sidewalk around existing tree encroaching into the existing sidewalk area, driveway apron modified to meet Title 24 requirements, saw-cut and replace any existing damaged curb and gutters, crack seal to the centerline of the street along entire subject property frontage, slurry seal a minimum of 20 feet beyond the limits of all trenching, connection to City water and sewer mains, public drainage improvements with supporting hydrology report for installation of curb drain outlets, supply and install directional/regulatory traffic control signs, storm drain stenciling per the MUTCD during construction, and provide adequate positive drainage from site.* Any work in the public right-of-way requires a Public Works Permit.

2. **Land Development Agreement.** The Owner shall submit an Engineer's Estimate, signed, and stamped by a registered civil engineer, securities for construction of improvements, and an executed *Agreement for Land Development Improvements*, prepared by the Engineering if public improvements are not constructed prior to recordation of the Parcel Map.

3. **Encroachment Permits.** Any encroachment or other permits from the City or the County Flood Control and Water Conservation District for the construction of improvements (including any required appurtenances) within their rights of way or easements.

4. **Traffic Control Plan.** A traffic control plan shall be submitted, as specified in the City of Santa Barbara Traffic Control Guidelines. Traffic Control Plans are subject to approval by the Public Works Director/Transportation Manager. Construction and storage in the public right-of-way is prohibited during Fiesta in the affected areas (around McKenzie Park, Downtown and Waterfront) and during the Holiday Shopping Season (between Thanksgiving Day and New Years Day) in all commercial shopping areas, including but not limited to Upper State Street, the Mesa shopping area, Downtown and Coast Village Road.

Community Development Department

5. **Park and Recreation Commission Tree Removal Approval.** Submit to the Planning Division verification of approval from the Park and Recreation Commission for the removal of trees with a trunk diameter greater than four (4) inches at a point twenty-four (24) inches above the ground in the front yard setback.

6. **Drainage and Water Quality**. The project is required to comply with Tier 3 of the Stormwater Management Plan (treatment, rate and volume). The Owner shall submit final drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City's Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building & Safety Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant 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.

7. **Documentation and Archive.** The applicant shall provide documentation of the main house at 3626 San Remo Drive consistent with the City of Santa Barbara's "Required Documentation of Buildings Prior to Demolition." The photo-documentation and a copy of the Historic Structures/Sites Report shall be submitted to the Santa Barbara Historical Museum's Gledhill Library prior to permit issuance.

8. **Arborist's Monitoring.** Submit to the Planning Division an executed contract with a qualified arborist for monitoring of all work within the dripline of all trees identified for protection in the Oak Tree Inventory and Mitigation Plan during construction. The contract shall include a schedule for the arborist's presence during grading and construction activities, and is subject to the review and approval of the Planning Division.

9. **Mitigation Monitoring and Reporting.** Submit to the Planning Division an executed contract with a qualified expert to implement the Mitigation Monitoring and Reporting Plan for the subdivision restoration area. The contract shall include:

   a. The monitoring schedule.

   b. Performance criteria with target dates and success rates.

   c. A list of reporting procedures, including content of monitoring reports.

   d. Submittal of annual monitoring reports outlining compliance with performance standards and providing recommendations to achieve compliance until the performance criteria are met.

10. **Tenant Displacement Assistance Ordinance Compliance.** Submit evidence of compliance with the Tenant Displacement Assistance Ordinance (SBMC Chapter 28.89).

11. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Contractor(s), site rules and Conditions of Approval pertaining to construction activities and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.

12. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single Family Design Board, outlined in Section B above.

13. **Nesting Birds.** Construction and demolition activity shall occur outside the bird nesting season (February 1 – August 15), unless a clearance survey for nesting birds is provided to the satisfaction of the City Environmental Analyst and, if nesting bird species are identified, the affected area is avoided.

14. **Tree Protection.** All trees not indicated for removal on the site plan shall be preserved, protected, and maintained, in accordance with the Tree Protection Plan, if required, and any related Conditions of Approval, as follows:

    a. **Grading Plan Notes.** Notes on the grading plan that specify the following:

        (1) No grading shall occur within three feet of the driplines of the existing trees indicated on the plans to remain.

        (2) A qualified Arborist shall be present during any excavation adjacent to or beneath the dripline of the trees which are required to be protected.

        (3) All excavation within the dripline of the trees shall be done with hand tools.

        (4) Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.

        (5) No heavy equipment, storage of materials or parking shall take place under the dripline of the trees.

        (6) Any root pruning and trimming shall be done under the direction of a qualified Arborist.

(7) All trees within 25 feet of proposed construction activity shall be fenced three feet outside the dripline for protection.

b. **Oak Tree Protection Measures.** The following provisions shall apply to existing oak trees on site:

(1) During construction, fencing or protective barriers shall be placed around and three feet outside of the dripline of all oak trees located within 25 feet of development.

(2) No grading shall occur under any oak tree dripline, except as indicated on the drainage and grading plan for construction of the driveways and development plans for individual lots. Grading within the dripline during construction of this area shall be minimized and shall be done with light (one ton or less) rubber-tired equipment or by hand. If use of larger equipment is necessary within the dripline of any oak, it shall only be operated under the supervision and direction of a qualified Arborist.

(3) A qualified Arborist shall be present during any grading or excavation adjacent to or beneath the dripline of any oak tree. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound. Any thinning or root pruning and trimming shall be done under the direction of a qualified Arborist.

(4) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.

(5) Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.

(6) Landscaping provided under the oak trees shall be compatible with preservation of the trees. No irrigation system shall be installed under the dripline of any oak tree.

c. **Existing Tree Preservation.** The existing tree(s) shown on the approved Tentative Subdivision Map to be saved shall be preserved and protected and fenced three feet outside the dripline during construction.

15. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource

treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

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

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

16. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a draft copy of the notice to the Planning Division for review and approval.

17. **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.

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.

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.

2. **Sandstone Curb Recycling.** Any existing sandstone curb in the public right-of-way that is removed and not reused shall be salvaged and sent to the City Corporation Annex Yard.

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.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.

4. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Transportation Manager

5. **Haul Routes.** The haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more, entering or exiting the site, shall be approved by the Transportation Manager.

6. **Traffic Control Plan.** All elements of the approved Traffic Control Plan shall be carried out by the Contractor.

7. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31st*
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

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

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

8. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:

   a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.

   b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.

   c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.

9. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:

   a. Site grading and transportation of fill materials.

   b. Regular water sprinkling; during clearing, grading, earth moving or excavation.

   c. Sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site.

   d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

   e. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting

down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

10. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.

11. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.

12. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.

13. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.

14. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractors telephone numbers, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.

15. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

16. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.

17. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.

18. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

19. **Complete Public Improvements.** Complete public improvements, as shown in the improvement and building plans, including utility service undergrounding and installation of street trees, or provide securities to complete public improvements within six months.

20. **Cross-Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist if a backflow device is installed on a separate fire line.

21. **Manhole.** Raise new sewer manhole in San Remo Drive to final finished grade, if needed.

22. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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

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

F. **Public Works Submittal for Parcel Map Approval.** The Owner shall submit the following, or proof of completion of the following, to the Public Works and Community Development departments for review and approval:

1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey

Control Ordinance and shall comply with the Tentative Subdivision Map signed by the chair of the Planning Commission on September 2, 2010 and on file at the City of Santa Barbara and subject to any revisions made by the Planning Commission approval.

2. **Dedications.** Dedication of Easements as shown on the approved Tentative Subdivision Map and described as follows, are subject to approval of the easement scope and location by the Public Works Department and/or the Building and Safety Division. The public easement dedications shall be offered on the Parcel Map (Map), the private easement documents shall be recorded as separate instruments prior to recordation of the Map, and the Recorded Instrument Numbers of the private easements shall be referenced on the title sheet of the Map:

   a. A variable width 35-50 foot private Conservation Easement for passive recreation, native plantings, and creek restoration.

   b. A variable width Right of Way for All Street Purposes along San Remo Drive.

   c. A public sewer easement on the northwest corner of the subject site.

   d. A 4-foot wide public utilities easement (PUE).

   e. A 15-foot wide easement for storm drainage for the Santa Barbara County Flood Control and Water Conservation District for emergency access and creek maintenance purposes.

   f. A view corridor between San Remo Drive and the historic structure to be maintained in perpetuity limiting development to landscaping, walls, patios or decks 42 inches or less in height.

   g. A 4-foot wide reciprocal private access easement for pedestrians on Parcels 2, 3, and 4, in favor of Parcels 1, 2, 3, and 4.

   h. A variable width reciprocal private access, drainage, and utility easement for on Parcels 2, 3, and 4, in favor of Parcels 1, 2, 3 and 4.

3. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.

4. **Required Conditions and Private Covenants.** The Owner shall submit a copy of the draft private covenants, reciprocal easement agreement, or similar private agreements required for the project.

5. **Inclusionary Housing Fee.** Evidence shall be submitted that the Owner has paid the required inclusionary housing fee to the Community Development Department.

G. **Requirements Following Map Recordation.** The Owner shall submit the following for review and approval by the departments listed below following Map Recordation. Some of these conditions may be waived for demolition or rough grading permits. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Recordation of Parcel Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Community Development Department.

2. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided to the Community Development Department that the private CC&Rs required in Section C have been recorded

H. **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.).

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 attached exhibits or as amended by the Planning Commission.

c. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

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

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification

within thirty (30) days of 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 MODIFICATION APPROVAL TIME LIMITS:

The Planning Commission's actions approving the Modifications shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued within and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
3. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the application, unless otherwise specified by state or federal law.

NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:

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

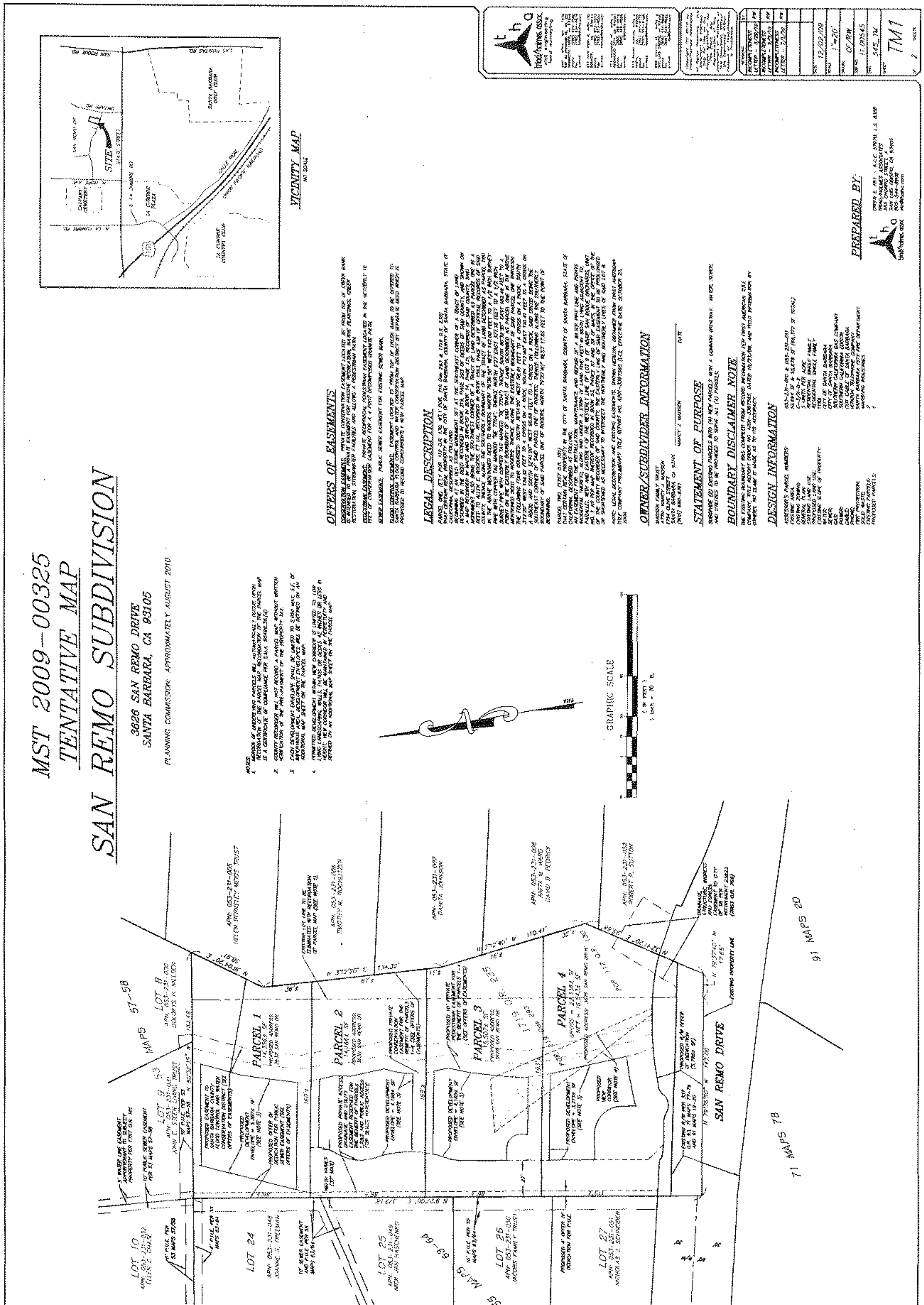
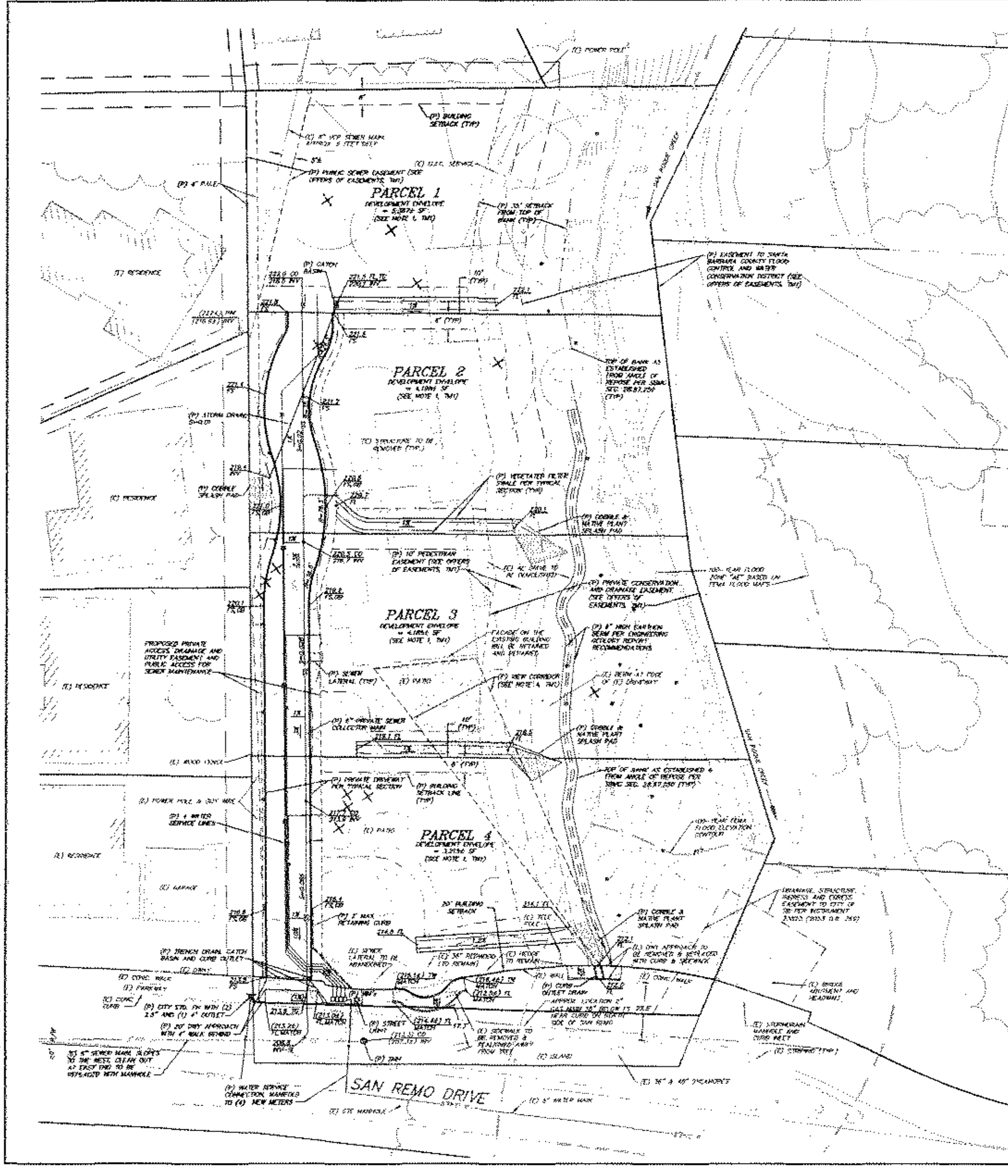

MST 2009-00325
TENTATIVE MAP
SAN REMO SUBDIVISION
3626 SAN REMO DRIVE
SANTA BARBARA, CA 93105
PLANNING COMMISSION: APPROXIMATELY AUGUST 2010
GRAPHIC SCALE
OFFERS OF EASEMENTS
LEGAL DESCRIPTION
OWNER/SUBDIVIDER INFORMATION
STATEMENT OF PURPOSE
BOUNDARY DISCLAIMER NOTE
DESIGN INFORMATION
VICINITY MAP
PREPARED BY:
PARCEL 1
PARCEL 2
PARCEL 3
PARCEL 4
SAN REMO DRIVE
TM1

EXHIBIT B

SITE SPECIFIC NOTES:

1. FUTURE IMPERVIOUS IMPROVEMENTS FOR EACH PARCEL DEVELOPMENT AREA IS LIMITED TO 2,500 SQUARE FEET.
2. DETERMINING THE APPROPRIATE SIZE OF THE PROPOSED WATER METER WILL BE BASED ON THE NUMBER OF FIXTURE UNITS IN EACH NEW HOME, AND THAT IF THE HOMES ARE SO LARGE THAT THEY REQUIRE A 1" WATER METER (VS THE STANDARD 5/8" WATER METER), THE INSTALLATION AND BUY-IN COSTS ARE SIGNIFICANTLY HIGHER.
3. 5/8" WATER METER PROVIDES A MAXIMUM OF 20 GPM AND 1" WATER METER PROVIDES A MAXIMUM OF 50 GPM.
4. NEW WATER METERS MUST BE SET UP IN SEQUENTIAL ORDER CORRELATING TO THE ADDRESSES PER SBMC §22.80.090 AND CITY STANDARD DETAIL NO. 6-005.2
5. STORM WATER MANAGEMENT FILTRATION AND CAPTURE AS REQUIRED BY THE STORM WATER MANAGEMENT PROGRAM CAN BE INCLUDED IN THE CREEK SETBACK AREA BUT MUST CONSIDER GEOLOGY/SLOPE STABILITY.
6. DUE TO THE ASSUMED WELL DRAINED NATURE OF THE INSITU SOILS AND ASSUMED DEPTH TO GROUNDWATER, UNDERDRAINS WERE NOT SPECIFIED FOR THE SWALES OR FOR THE PERVIOUS PAVERS. SHOULD SUBSEQUENT SOIL TESTING REVEAL INFILTRATION RATES LESS THAN WHAT IS TYPICAL FOR SANDY SOILS OR IF GROUNDWATER DEPTHS ARE LESS THAN 10 FEET, UNDERDRAINS SHOULD BE INCORPORATED INTO THE FINAL GRADING AND DRAINAGE DESIGN.
7. ALL EXISTING STRUCTURES TO BE DEMOLISHED. 4,520 S.F. TOTAL.
8. TREE PROTECTION FENCING PER TREE ASSESSMENT AND PROTECTION PLAN.
9. CONSTRUCTION SHALL OCCUR OUTSIDE THE BIRD NESTING SEASON (FEBRUARY 1 – AUGUST 15), OR A CLEARANCE SURVEY FOR NESTING BIRDS IS REQUIRED AND AVOIDANCE OF THE AREA IF NESTING BIRD SPECIES ARE IDENTIFIED IN THE PROJECT AREA IS REQUIRED.
10. THE PROPOSED PROJECT, TO THE MAXIMUM EXTENT FEASIBLE, PRESERVES AND PROTECTS HEALTHY, NON-INVASIVE TREES WITH A TRUNK DIAMETER OF FOUR INCHES (4") OR MORE MEASURED FOUR FEET (4') ABOVE NATURAL GRADE. IF THE PROJECT INCLUDES THE REMOVAL OF ANY HEALTHY, NON-INVASIVE TREE WITH A DIAMETER OF FOUR INCHES (4") OR MORE MEASURED FOUR FEET (4') ABOVE NATURAL GRADE, THE PROJECT INCLUDES A PLAN TO MITIGATE THE IMPACT OF SUCH REMOVAL BY PLANTING REPLACEMENT TREES IN ACCORDANCE WITH APPLICABLE TREE REPLACEMENT RATIOS.



ABBREVIATIONS

AC	ASPHALT CONCRETE
CO	CLEANOUT
(E)	EXISTING
EG	EXISTING GROUND
FH	FIRE HYDRANT
FL	FLOWLINE
FS	FINISHED SURFACE
G	GAS
GB	GRADE BREAK
INV	INVERT
(P)	PROPOSED
R	RADIUS
S	SLOPE
SD	STORM DRAIN
SS	SANITARY SEWER
TG	TOP OF GRATE
TW	TOP OF WALL
W	WATER
WM	WATER METER
(TYP)	TYPICAL

LEGEND OF SYMBOLS

TREE TO REMAIN OR PROPOSED REPLACEMENT TREE PER TREE ASSESSMENT PLAN

TREE TO BE REMOVED

CUT SLOPE

FILL SLOPE

(P) WATER LINE

(P) SEWER LINE

ENGINEERING GEOLOGY REPORT:

THE ENGINEERING GEOLOGY REPORT FOR THE PROJECT PREPARED BY RICHARD PAUL COUSINEAU, PROJECT No. 20506, DATED 7/31/08 AND THE UPDATE REPORT DATED 05/20/09 SHALL BE A PART OF THESE PLANS AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR FOLLOWING ALL RECOMMENDATIONS THEREIN.

EARTHWORK ESTIMATES

DISTURBED AREA FOR FULL BUILD OUT: LESS THAN 1 ACRE
CUT: 1208 C.Y.
FILL: 252 C.Y.

EARTHWORK ESTIMATES ARE APPROXIMATE AND DO NOT INCLUDE OVER-EXCAVATION

EROSION AND SEDIMENTATION CONTROL

SHALL BE IN COMPLIANCE WITH CALIFORNIA STORM WATER BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES

TOPOGRAPHY DISCLAIMER NOTE

THE EXISTING TOPOGRAPHY INFORMATION SHOWN HEREON, WAS PROVIDED BY J.B. DIXON ENGINEERING AND SURVEYING, INC. AND UPDATED ON 03/11/10 AND NO CLAIM IS MADE AS TO ITS ACCURACY.
THE BENCHMARK USED FOR THIS SURVEY IS A PK NAIL @ TOP OF CATCH BASIN LOCATED AT THE NE CORNER OF LOS POSITAS AND STATE STREET, CITY OF SANTA BARBARA BENCH MARK NO. 9038
ELEVATION = 229.17 FEET, DATUM: NAVD 88
THE BASIS OF BEARINGS FOR THIS TOPOGRAPHIC SURVEY MAP IS N 9°27' E FOR THE EASTERLY LINE OF SUBDIVISION PER 50 MAPS 93.

SLOPE CALCULATION/DENSITY

(SITE AREA ABOVE 25-YEAR FLOOD ZONE WAS USED FOR CALCULATION PER SBMC 28.87.280)

AVERAGE SLOPE FOR OVERALL SITE = [illegible]
AVERAGE SLOPE FOR PARCEL 1 = [illegible]
AVERAGE SLOPE FOR PARCEL 2 = [illegible]
AVERAGE SLOPE FOR PARCEL 3 = 10%
AVERAGE SLOPE FOR PARCEL 4 = [illegible]

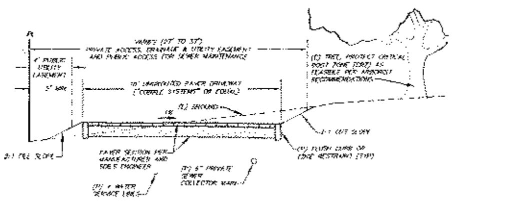
AVERAGE SLOPE OF PARCELS 1,2 & 4 IS UNDER 10%, THEREFORE MINIMUM AREA FOR THOSE PARCELS = 7,500 S.F.
AVERAGE SLOPE OF PARCEL 3 IS 10% AND UNDER 20%, THEREFORE MINIMUM AREA FOR PARCEL 3 = 7,500 S.F. X 1.5 = 11,250 S.F.

BFE DETERMINATION

BASE FLOOD ELEVATION (BFE) = 218.5 FEET (NAVD 1988 DATUM)

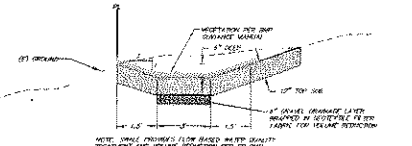
(BASED ON INFORMATION PROVIDED BY CITY OF SANTA BARBARA COMMUNITY DEVELOPMENT DEPARTMENT)

IRRIGATION NOTE:
EXISTING WATER METER TO BE USED AS LANDSCAPE METER FOR RESTORATION AREA



TYPICAL PRIVATE DRIVEWAY SECTION

SCALE: 1" = 5'



NOTE: SWALE PROVIDES FLOW BASED WATER QUALITY TREATMENT AND VOLUME REDUCTION PER SB BMP TECHNICAL GUIDANCE MANUAL SECTION 6.6.2 REQUIREMENTS

TYPICAL VEGETATED SWALE FILTER SECTION

NOT TO SCALE

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

PRELIMINARY GRADING AND UTILITY PLAN
TENTATIVE MAP
3626 SAN REMO DRIVE

thad/holmes assoc.

INCOMPLETENESS LETTER - 3/29/10	RW
INCOMPLETENESS LETTER - 5/3/10	RW
INCOMPLETENESS LETTER - 7/1/10	RW

DATE	12/02/09
SCALE	1"=20'
DRAWN	CF/RW
JOB NO.	11.00545
FILE	545_TM
SHEET	TM2
OF	2 SHEETS

PEIKERT GROUP ARCHITECTS, LLP

May 27, 2010

Paul Casey
Community Development Department
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

SUBJECT: 3626 SAN REMO DRIVE– MST #2009-00325

Dear Mr. Casey

On behalf of Nancy Madsen, Peikert Group Architects (PGA) is pleased to submit this application package for a residential subdivision creating four lots at 3626 San Remo Drive. This application also includes a request to demolish one existing unit, a four-car garage with a studio apartment on the second floor, and provide creek restoration.

The site is comprised of assessor parcels 053-231-011 and -010, and the size of the combined parcels is approximately 1.53 acres (66,372 square feet).

In July of 2009 a preliminary application was submitted to the City for review. Staff prepared a letter dated August 4, 2009 responding to the application and later met with the applicant to review the city's comments on the project on August 11, 2009. A response to the City's comments on the preliminary application is included in this application as Attachment A.

Project Description

Existing Zoning & Development

This site and the neighboring parcels to the north, east and west are zoned E-3/S-D-2, Single-Family Residence with a 7,500 square foot minimum lot size. The site is bounded by San Remo Drive to the south, San Roque Creek to the east, a home on Capri Drive to the north, and homes on Adair Drive to the west. The neighboring sites to the south are zoned R-2/S-D-2, Two-Family Residence and have a land use designation of Residential, 5 units per acre. Given that the site is 1.53 acres the current zoning allows for up to eight dwelling units.

The site is adjacent to San Roque Creek on the east. In general, the site currently drains toward the south, in the direction of San Remo Drive. There is a small earthen berm along the top of the

10 EAST FIGUEROA STREET, SUITE 1 ■ SANTA BARBARA, ■ CALIFORNIA ■ 93101 ■ T 805 963 8283 ■ F 805 963 8184

WWW.PEIKERTGROUP.COM

bank at the southern portion of the site which prevents drainage from flowing over the bank. Only the northern most portion of the site drains over the bank and directly into the creek.

There are currently three buildings on the project site which include a house, a garage with an attached studio, and a shed. Existing on-site development totals approximately 5,000 square feet. There is a 3,137 square foot house, a 720 square foot garage and a 792 square foot studio above the garage. A small tool shed comprises the remaining 351 the square feet. The applicant's tenant has been made aware of the Tenant Displacement Ordinance and the plans for the property. The tenant has prepared a letter indicating that he is aware of the ordinance and he waives the right to a 60 day advance notice of application submittal. This letter was included in the preliminary review submittal package.

The paved driveway serving the existing units is directly adjacent to San Roque Creek. There are a variety of tree species, including Coast Live Oaks, on site that have been surveyed and documented (See Arborist Report). Much of the site is undeveloped or is landscaped. The site generally slopes to the south at an average of 5%.

The existing Spanish-style house was remodeled in 1926 by Architect Joseph Plunkett and appears to subsequently been further added to and remodeled. The neighboring homes are a range of styles.

Proposed Project

As previously noted the project site is approximately 1.53 acres (66,372 square feet) and is located in the 3600 block of San Remo Drive between Ontare Road and Hope Avenue. The project includes demolition of all onsite structures and the division of the site into 4 lots.

The proposed lots are configured in a manner that allows for each future house to have views of the creek. The existing driveway adjacent to San Roque Creek will be relocated along the western property boundary. By locating the driveway along the western property boundary three things are achieved: 1) the restoration of the area adjacent to the creek (as discussed below), 2) the creation of a privacy buffer between the homes to the west and the future homes on the project site, and 3) ample solar access is provided to the neighbors to the west. The Tentative Parcel Map and Grading and Utility Plan illustrate the building envelopes and setbacks. The proposed lot sizes are as follows:

LOT NUMBER	LOT SIZE
1	14,356 SF
2	14,166 SF
3	15,507 SF
4	22,338 Gross SF/16,543 Net SF

In addition, the attached conceptual site plan demonstrates how each lot accommodates the required 1,250 square foot open yard area.

Grading and Drainage

As indicated on the Grading and Utility Plan (Attachment D), the average slope of the site is 5%. The site currently drains to the south to San Remo Drive and over the bank into San Roque Creek. The proposed grading will be limited to 150 cubic yards of cut and fill and will be balanced on site.

The attached Drainage Analysis/Hydrology Report (Attachment E) prepared by Triad Holmes Associates demonstrates that the pre and post construction conditions do not change with respect to the amount of impervious area. This is accomplished by replacing the existing asphalt driveway with permeable pavers and limiting the impervious area on each lot to 2,950 square feet. As such, the project would not result in an increase in stormwater leaving the site.

Regarding stormwater treatment, the project does include a series of bioswales to treat the stormwater prior to entering the existing storm drain system along San Remo.

Geotechnical Report

A Geology report was prepared by Richard Paul Cousineau in 2000 and updated in 2004 and 2009 for the site and it states that the top of bank appears to be stable and recommends a setback of twenty-five feet (25') from the top of the creek bank. This report and the associated updates are attached for the City's review (Attachment F). The recommendations contained in the geological reports have been incorporated into the project design including: a minimum of a 25 foot development setback from the top of bank and 2) the use of a berm to prevent drainage from flowing over the bank into the creek.

Arborist Assessment

An arborist report has been prepared for the site by Bill Spiewak (Attachment G). As indicated in the report, there are 44 trees on the site including 27 native oak trees. The proposed parcel map and ultimate construction of residences will result in the removal of six native oak trees and seven non-native trees. The oak trees that are proposed to be removed will be replanted on a 3:1 basis with 15 gallon trees and will be planted in the creek restoration area. Please refer to Mr. Spiewak's report for more detailed information regarding the existing on-site trees.

As discussed in the PRT meeting with staff, the applicant is interested in preserving the mature redwood tree that is directly adjacent to the existing sidewalk along the southern property boundary. Currently, the tree roots have broken through the retaining wall and are exposed at the

sidewalk level. The arborist indicated that in order to save the tree the area around the roots would need to be expanded by two to three feet. This would require the relocation of the existing retaining wall and adjacent sidewalk three feet to the south. This improvement is shown on the grading and drainage plan. This proposed improvement would result in the loss of one on-street parking space and the narrowing of the single westbound travel lane to 17 ½ feet. It should be noted that each of the proposed lots will include a guest parking space which would help to mitigate any impact created by the loss of the on-street parking space. In addition, the reduction in the travel lane from approximately 20 feet down 17 ½ feet more than meets the recommended lane width for residential streets in the ITE Residential Streets Manual. Lastly, during the PRT meeting city staff indicated that Pedestrian Master Plan standards could be modified if that would assist in saving the redwood tree. The current design excludes the typical parkway in order to minimize the encroachment into the travel lane and thus would not conform to the Pedestrian Master Plan's recommended design.

Biology Report and Creek Restoration Plan

As noted above, the site includes an approximately 400 foot extent of San Roque Creek along the eastern property boundary. The site also includes 27 native oak trees. Given the extent of biologically resources on-site the applicant had a biological assessment. The biological report was prepared by Storrer Environmental Services, June 26, 2009 (Attachment H)

The biological report includes a general description of the on-site resources, an evaluation of the project's potential biological impact, and recommendations to reduce potential impacts. The report concludes that with tree replacement, the creation of the 25 foot setback, and the restoration of the riparian area, as described below, the project would not have a biological impact. The recommendations of the biological report have been incorporated into the project description and have been coordinated with the arborist report and the Mitigation Monitoring and Reporting Plan described below. In addition, the applicant has increased the development setback from the recommended 25 feet to 35 feet.

The proposed project includes a restoration plan for the 35 foot development setback and the west bank of the extent of San Roque Creek that is within the project site boundaries. This restoration opportunity was created by the removal of the existing structures on-site and the driveway which is directly adjacent to the creek bank. The restoration plan or Mitigation Monitoring and Reporting Plan was prepared by Althouse and Mead, Inc., (Attachment I). The Plan includes a description restoration/open space area, the goals of the plan, an implementation/planting plan, and a monitoring plan. The plan calls for the removal of non-native and/or invasive species and the planting of native species within the restoration area. The plant palette includes but is not limited to coast live oaks, sycamores, blackberry, and toyon. The monitoring component calls for maintenance of the area for five years following implementation. The area of restoration would be protected in perpetuity through a conservation easement.

Staff requested an increase in the proposed creek setback from 25 to 50 feet citing the "undeveloped" nature of the watershed as a basis for the request. To determine the proposed creek setback three factors were considered: 1) the project and proposed setback were reviewed by a qualified biologist to determine if the proposed setback was adequate to avoid any impacts to the riparian habitat; 2) the surrounding neighborhood, pattern of development and existing creek setbacks were studied, and 3) the need to preserve the façade of the existing home pursuant to the Historic Resources Study (see discussion below).

As noted above, the project biologist, John Storrer, found that a 25 foot setback along with the proposed restoration effort was sufficient to avoid impacts to the riparian habitat. As shown in Attachment J, the creek setbacks in the neighborhood vary significantly. While the development directly east of the project site maintains a 50 foot or greater setback, the existing house on the project site and the majority of the homes along the creek provide a setback between 10 feet to 25 feet. Lastly, the preservation of the façade of the existing home is critical to ensure that the project would not result in a significant historic impact. The existing facade is setback 35 feet from the top of bank. Based on the finding of the biological report, the study of the existing development pattern in the neighborhood, the urban nature of the neighborhood, and the need to maintain the façade of the existing home, the applicant is proposing to provide a 35 foot setback.

Historic & Cultural Resources

The historic report prepared by Alex Cole of Preservation Planning Associates makes the finding that the front façade of the existing main could be considered a structure of merit under the City's Standards. The remaining portions of the house do not meet the Structure of Merit criteria. As such, the applicant is proposing to retain and restore the front façade including the curved staircase on the west elevation, and the gable and front entrance on the east elevation. A view of the façade will be preserved from San Remo through the creation of a view corridor. This corridor will be recorded as part of the tentative map. In addition, the future home on Lot 4 will be screened by existing vegetation including a redwood tree, a jacaranda tree, and pittosporum. This vegetation screen will be preserved as noted on the tentative map. However, if a future owner wishes to plant alternative species they may do so, but the plants must be sufficiently tall and dense to screen the home from view. The Historic Report found that the project would not result in a significant historic impact and was approved by the Historic Landmarks Commission on March 30, 2010.

The Archeological Resources Report prepared by Stone Archeological Consulting indicates no recorded prehistoric archeological sites are located within the subject property area and therefore the proposed development will not have an adverse effect, archeologically. This report has been approved by the Historic Landmarks Commission.

Required Modifications

The subdivision configuration would require a modification to Lot Frontage Requirements - Section 28.15.080. This section of the code requires that all lots within the E-3 zone district contain a minimum of 7,500 square feet and have a minimum of 60 feet of frontage on a public street. All of the proposed lots meet the lot size requirements, but only Lot 4 meets the requirement for 60 feet of frontage. A modification is required to address the lack of street frontage for Lots 1-3.

The proposed subdivision fits within and enhances the neighborhood by providing a unique single family subdivision that will include an abundantly landscaped common green space

Justification for Project

The proposed concept is consistent with the single family development pattern in the vicinity. The site is an ideal location for housing as it is within walking distance to a local park and shopping that includes most basic services.

In closing, we believe that this concept provides a needed housing opportunity in Santa Barbara. If you have any questions, please feel free to call me at your convenience.

Sincerely,

Lisa Plowman,
Planning Manager

CC: Ms. Nancy Madsen

Attachments:

A. Response to PRT letter
B. Proposed Tentative Parcel Map
C. Proposed Grading and Utility Plan
D. Conceptual Site Plan
E. Drainage Analysis/Hydrology Report, Triad Holmes Associates
F. Geotechnical Report and Updates, Richard Cousineau
G. Arborist Report, Bill Spiewak
H. Biological Assessment, Storrer Environmental Services
I. Mitigation Monitoring and Reporting Plan, Althouse and Meade
J. Existing Creek Setback Diagram
K. Site Photos
L. Title Report (2 Copies)

STORRER
ENVIRONMENTAL
SERVICES

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Santa Barbara, CA 93105
(805) 682-2065
storrer.john@verizon.net

April Palencia
Peikert Group Architects
10 E. Figueroa Street, Suite 1
Santa Barbara, CA 93101

November 13, 2009

Re: Biological Assessment – 3626 San Remo Drive, Santa Barbara, California

Dear Ms. Palencia:

The following is an assessment of biological resource values for a 1.52-acre parcel at 3626 San Remo Drive in the City of Santa Barbara, California (Figure 1). Background review and field reconnaissances were completed by John Storrer of Storrer Environmental Services, under contract to Peikert Group Architects. Information regarding the site's biological resources is to be used for planning and environmental review of a proposed four-lot subdivision of the property.

Objectives

There were four primary objectives to the biological resources investigation:

1. Provide a general description of the site's biological resources.
2. Evaluate impacts of proposed development on biological resources.
3. Offer planning recommendations to avoid or minimize significant impacts.
4. Discuss potential restoration for San Roque Creek and update existing restoration plan and tree inventory as necessary.

Three secondary objectives were identified by City of Santa Barbara Planning Department staff in their pre-application review of a previous development proposal for the property (City of Santa Barbara 2000):

- Define top of bank of San Roque Creek to determine if proposed development setback is adequate.
- Describe how the setback was derived.
- Discuss longevity of site conditions (e.g. streambank stability) in view of proposed setback and creek restoration.

Method

Relevant background information included a "Tree Mitigation and Riparian Restoration Mitigation and Monitoring Plan" (Althouse and Meade 2004a). An inventory and mapping of existing trees was completed as part of the mitigation, restoration, and monitoring plan (Althouse and Meade 2004b). A geotechnical report prepared for the property and subsequent correspondence speak to the issue of streambank stability and erosion potential (Cousineau 2000; 2004; 2009).

Field surveys were conducted on and 29 May and 8 June 2009. A "Concept Site Plan" (Peikert Group 2009) and "Topo Plan" (J.B. Dixon Engineering 2000) were used for reference. Notes on plant species observed, habitat character and extent, and potential effects of the propose subdivision were recorded. Accuracy of the previous tree inventory (Althouse and Meade 2000b) was verified during the reconnaissance.

Existing Conditions

The parcel is 1.52 acres in size. Existing development includes a primary residence, studio/garage, two small outbuildings, a patio, and landscaping (Figure 2). A 12-foot wide asphalt driveway extends for a distance of about 240 feet in a northerly direction from San Remo Drive, along the eastern property boundary.

San Roque Creek follows the eastern property line; a portion of the creek lies within the property boundaries. San Roque Creek is a southward-trending perennial stream with associated aquatic and riparian habitats. Although the stream was nearly dry at the time of the field reconnaissance, it likely sustains surface flow for several weeks or months during the fall and winter, depending on seasonal and annual rainfall patterns.

San Roque Creek supports oak-riparian woodland with an overstory dominated by western sycamore (*Platanus racemosa*) and coast live oak (*Quercus agrifolia*). Toyon (*Heteromeles arbutifolia*) was also observed. The understory vegetation has been largely replaced by non-native plant species along this segment of the creek. These include periwinkle (*Vinca major*), garden nasturtium (*Tropaeolum majus*) and Algerian ivy (*Hedera canariensis*). Non-native trees and shrubs, including western redwood (*Sequoia sempervirens*) and palm (*Washingtonia* sp.) have also become established within the riparian corridor.

Coast live oak trees were found throughout the property. These range in size from small seedlings to very large trees. The largest of these was measured at 30 inches in diameter at four feet above ground in the previous tree inventory (Althouse and Meade 2004b).

Most of the property was likely dominated by coast live oak woodland prior to development. This is supported by the presence of several seedlings and small saplings, which are particularly abundant in the northern portion of the property on proposed Lot 1. Much of the woodland and most of the associated understory has been replaced by landscaping and fruit trees. Non-native tree species include citrus, avocado, persimmon, western redwood, palm, island tree oak (*Quercus tomentella*) and pittosporum.

Project Description

The proposed project entails a subdivision of the 1.52- acre property into four, equal-sized lots (Figure 2). Individual lots would be sold to prospective buyers for residential development. Vehicle access would be provided by a new driveway following a six-foot setback from the western property line. The existing driveway paralleling the west bank of San Roque Creek would be removed. The area currently occupied by the driveway would be planted with native riparian vegetation and managed as open space.

Evaluation of Potential Impacts

The City of Santa Barbara requires mitigation for removal of oak trees greater than four inches (4") in diameter at four feet (4') above grade (City of Santa Barbara undated). For purposes of this evaluation, live oak trees meeting these criteria are referred to as "specimen trees", as defined in the "City of Santa Barbara Standard Conditions of Approval for Subdivisions".

There are nine (9) specimen coast live oak trees within the proposed development envelopes for the four lots (see Figure 2). Design plans for individual lots have not been prepared. Therefore, trees within proposed development envelopes are considered "at risk" or eligible for removal. Six (6) oak trees are anticipated to be removed. They are Numbers 1 and 2 on Lot 1 and Numbers 31, 32, 33, and 34 on Lot 4 (Spiewak 2009). The other three trees within development envelopes are planed be preserved in context with future building and landscape plans. They are Numbers 21 on Lot 3 and Numbers 35 and 36 on Lot 4.

Establishment of the 25-foot wide "riparian buffer" along the eastern property boundary as proposed will improve biological resource values onsite. Expansion of the riparian corridor will increase plant and wildlife habitat. The buffer will also help to isolate San Roque Creek from the urban influences of noise, lighting, and other human activity.

Top-of-bank is relatively easily defined for the segment of San Roque Creek bordering the subject property. The stream channel is deeply incised and the west bank is very steep along those segments bordering proposed Lots 1 and 2. Topographic detail is provided in a "Topo Plan" prepared for the site (J.B. Dixon Engineering 2000). Calculations of slope for the driveway and individual lots are provided in Cousineau (2004). Morphologic characteristics of San Roque Creek are described in Cousineau (2000 and 2004). The engineering geologist's report concluded that the stream's banks were relatively stable and that a 25-foot structural setback was sufficient to prevent

streambank instability as a result of development. There was little if any evidence of streambank erosion observed during the engineering geologist's subsequent inspections conducted four and nine years following the initial survey. Observations made during the biological survey are consistent with those of the engineering geologist.

Applicable Land Use Guidelines

Elements of the City of Santa Barbara Municipal Code would apply to trees within the front setback of any lot and to trees designated as "specimen trees" by resolution of the City Council (Downey 2009 personal communication). There are no specimen trees as defined by the Municipal Code on the property.

The following recommended measures are adapted from relevant Standard Conditions of Approval for Subdivisions (City of Santa Barbara undated):

Oak Tree Replacement

- Oak trees greater than four inches (4") in diameter at four feet (4') above grade removed as a result of the project shall be replaced at a three to one (3:1) ratio, at a minimum five (15) gallon size, from South Coastal Santa Barbara County Stock.

Oak Tree Protection Measures

- During construction, fencing or protective barriers shall be placed around and three feet outside of the dripline of all oak trees located within 25 feet of development.
- No grading shall occur under any oak tree dripline, except as indicated on the drainage and grading plan for construction of the driveway and development plans for individual lots. Grading within the dripline during construction of this area shall be minimized and shall be done with light (one ton or less) rubber-tired equipment or by hand. If use of larger equipment is necessary within the dripline of any oak, it shall only be operated under the supervision and direction of a qualified Arborist.
- A qualified Arborist shall be present during any grading or excavation adjacent to or beneath the dripline of any oak tree. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound. Any thinning or root pruning and trimming shall be done under the direction of a qualified Arborist.
- No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
- Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.

- Landscaping provided under the oak trees shall be compatible with preservation of the trees. No irrigation system shall be installed under the dripline of any oak tree.

Planning Recommendations

A Tree Mitigation and Riparian Restoration Plan has been prepared as part of the project (Althouse and Mead 2000). The following revisions to the plan are recommended, based on the most recent biological survey and review of relevant land use policies:

- Coast live oak trees removed for construction of the new driveway and development of individual lots should be replaced at a ratio of 3:1.
- The restoration effort should include removal of non-native trees and shrubs within the specified open space/riparian planting area.
- The planting area should include the 25-foot setback from top of bank (as proposed) and that portion of creek's western bank on proposed Lots 3 and 4 as shown on Figure 2. Restoration should consist of removal of non-native trees and shrubs and planting with native stock. This will improve riparian habitat value and will provide further buffering from new residences.
- Recruitment of sapling coast live oaks within the proposed restoration area should be encouraged by preserving existing trees when removing non-native tree and shrub species. Saplings that are already rooted have a significant competitive advantage to those planted from seed or nursery stock.

Conclusions

Replacement of coast live oak trees at a ratio of 3:1 for specimen trees and 1:1 for non-specimen trees will provide adequate compensation for specimen trees removed for driveway construction and development of individual lots.

The proposed restoration area is suitable and is sufficiently large to accommodate the mitigation requirements.

The proposed development setback from San Roque Creek is sufficient to provide long-term habitat value through restoration and management as open space.

References

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Personal Communications

Downey, Tim. City of Santa Barbara, Arborist. Telephone communication with J. Storrer on June 9, 2009.

Please call me if you have any questions concerning my recommendations or conclusions.

Sincerely,

John Storrer
Storrer Environmental Services

attachments: Figure 1: vicinity map
Figure 2: concept site plan showing location of restoration area

VICINITY MAP

PROPOSED TREE REMOVAL MITIGATION

1. COAST LIVE OAKS TO BE REPLACED AT A RATIO OF 3:1
2. REMOVE NON-NATIVE TREES & SHRUBS WITHIN SPECIFIED OPEN SPACE/RIPARIAN PLANTING AREA.
3. PLANTING AREA INCLUDES 25' SETBACK FROM TOP OF CREEK BANK AND THE PORTION OF CREEK'S WESTERN BANK AS SHOWN ON PROPOSED LOTS 3 & 4.
4. WHERE FEASIBLE, RELOCATE EXISTING SAPLING COAST LIVE OAKS TO THE PLANTING AREA, RATHER THAN PLANTING NEW TREES FROM SEED OR NURSERY STOCK.

LEGEND

RESTORATION AREA

SCALE: 1:20

NORTH

SAN REMO ENTITLEMENTS
3626 SAN REMO DRIVE SANTA BARBARA, CA

FIGURE 2

RECOMMENDED RESTORATION AREA
JULY 2, 2009 (REVISED NOVEMBER 13, 2009)

Peikert Group Architects, LLP

Mitigation Monitoring and Reporting Plan

Madsen Residence

MST 2009-00325 Tentative Parcel Map
San Remo Subdivision

3626 San Remo Drive
City of Santa Barbara, California

Prepared for

Peikert Group Architects
10 East Figueroa Street
Santa Barbara, CA 93101
805-963-8283

by

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES
1875 Wellsona Road
Paso Robles, CA 93446

(805) 467-1041

June 2004
Revised May 27, 2010

311.02

EXHIBIT E

Cover Photo: Restoration Area - View south of existing asphalt driveway to be removed. The existing riparian area is to the left and the existing residence is to the right.

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I. Introduction

The applicant, Nancy Madsen, proposes a four lot subdivision of an approximately 1.52 acre property located at 3626 San Remo Drive in Santa Barbara, California. Removal of an existing residence and paved driveway will facilitate creation of a riparian buffer between proposed building envelopes and San Roque Creek.

This Mitigation Monitoring and Reporting Plan (MMRP) guides required mitigation oak tree replacement and voluntary riparian tree and shrub plantings in the riparian planting area (Restoration Area) between the proposed building envelopes and the creek. The Restoration Area is approximately .33 acres in size.

Nancy Madsen worked with Peikert Group Architects, Althouse and Meade, Inc., Storrer Environmental Services, and Bill Spiewak (arborist), to design a riparian buffer that will serve to buffer the creek in perpetuity.

This revision provides updated information regarding site conditions, project plans, and oak tree mitigation, addresses comments on the 2004 draft report provided by the City of Santa Barbara and Storrer Environmental Services, and provides updated acreages of the proposed 35-foot wide riparian buffer zone.

A. Responsible Parties

TABLE 1. RESPONSIBLE PARTIES. The applicant, agent, engineer, arborist, consulting biologist and restoration ecologist are provided.

Applicant	***Agent***
Nancy Madsen 3626 San Remo Drive Santa Barbara, CA 93101	Peikert Group Architects, LLP 10 East Figueroa Santa Barbara, CA 93101 805-963-8283 Contact: Lisa Plowman, PGA
Civil Engineer	***Project Arborist***
Triad/Holmes Associates 555 Choro Street, Suite A San Luis Obispo, CA 93401 (805) 544-8908 Contact: Roy Worthen, P.E.	Bill Spiewak, Certified Arborist 3517 San Jose Lane Santa Barbara, CA 93105 (805) 331-4075
Consulting Biologist	***Restoration Ecologist***
Storrer Environmental Services 2565 Puesta del Sol Road, #3 Santa Barbara, CA 93105 (805) 682-2065 Contact: John Storrer	Althouse and Meade, Inc. 1875 Wellsona Road Paso Robles, CA 93446 (805) 467-1041 Contact: LynneDee Althouse

II. Description of the Project

A. Location and Name of Project

The project is located at 3626 San Remo Drive, one block north of State Street, just west of Ontare Road in the City of Santa Barbara. The property is situated west of San Roque Creek, on the north side of San Remo Drive, in the Santa Barbara United States Geologic Survey (USGS) 7.5 minute quadrangle.

The project is MST 2009-00325, Tentative Parcel Map, San Remo Subdivision, in the City of Santa Barbara.

B. Brief Summary of Overall Project

The project would subdivide a 1.52 acre property (two assessor's parcels) into four lots. Existing on-site buildings would be demolished. The riparian restoration plan involves removal of approximately 240 feet of asphalt driveway along the edge of the existing riparian zone. Removal of the driveway would facilitate creation of a 35-foot riparian buffer zone situated between the proposed building envelopes and the existing riparian habitat of San Roque Creek. Each of the four proposed lots would have a vegetated bio-swale. Lot 1 drains toward the driveway. The bioswales on Lots 2-4 drain to the east and eventually down to San Remo Drive (refer to Site Plans in Appendix A). A cobble and native plant splash pad would be situated at the terminus of each bio-swale, within the Restoration Area.

C. Restoration Area to be Managed

The Restoration Area (refer to maps in Appendix A) shall be placed under a permanent conservation easement. The open space easement shall include approximately 5,000 square feet (0.11 acres) of newly planted native riparian trees and shrubs in an area that is currently occupied by asphalt and non-native plant species. Each lot will have a minimum of 2,928 to 3,119 square feet of riparian buffer between the top of bank and the back of the building envelopes.

III. Goals of the MMRP

The primary goal of the Mitigation Monitoring and Reporting Plan is restoration and enhancement of riparian habitat functions and values to an area that is currently an asphalt driveway with non-native landscape plants.

Creation of the proposed riparian buffer would provide a location for oak tree mitigation plantings. Mitigation trees planted in a natural area setting would increase their potential to positively influence the functions and values of the created habitat.

A. Habitat Areas to be Established and Enhanced

The Restoration Area consists of approximately 0.28 acres of created riparian buffer habitat between the proposed building envelopes and San Roque Creek. In addition, the project would include enhancement of approximately 0.14 acres of San Roque Creek riparian habitat (Table 2). Site plans indicating the location of the Restoration Area are provided in Appendix A.

TABLE 2. HABITAT RESTORATION DATA. Approximate acres of habitat proposed for restoration activities.

Type of Habitat	Acres
Establish riparian buffer zone	0.28
Enhance San Roque Creek riparian zone	0.14
Total Riparian Habitat	0.42

B. Functions and Values of Habitats to be Established and Enhanced

Existing riparian vegetation in San Roque Creek on and adjacent to the project site has a variety of intrinsic functions and values. The vegetation functions as wildlife habitat, for erosion control, for reduction of flow velocity, and as a physical buffer from adjacent urban influences that degrade habitat quality. The existing riparian habitat at the site has ecological and societal values. Ecologically, the greater the aerial extent and vegetative diversity of the riparian habitat, the higher value the habitat will have for wildlife. Natural habitat areas with wildlife viewing opportunities are considered valuable assets in urban settings.

C. Time Lapse Between Start of Project and Restoration Success

The riparian buffer habitat is expected to require five years to successfully reach the performance criteria outlined in the Implementation Plan (Section VI).

D. Reference Site

Prior to monitoring, a reference site shall be established for the riparian restoration area. The reference site shall be similar to the revegetation site in elevation, slope, aspect, size and soil type. Photo documentation will be made at the time of baseline data collection. The reference site shall be sampled in the same manner as for the restoration site.

Data collected from the reference site will be compared to performance criteria developed for the restoration site. This will ensure that the performance criteria are appropriate and reasonable. Performance targets may be modified by the project restoration ecologist based on data collected at the reference site.

IV. Implementation Plan

A. Rationale for Expecting Implementation Success

The site is contiguous with a mature riparian zone dominated by coast live oak trees with scattered sycamores. The plant palette proposed at the restoration site is composed of species native to the area, most of which are found growing along the banks of San Roque Creek. Proposed irrigation and maintenance would be sufficient to promote successful establishment and growth of native plantings.

B. Responsible Parties for Implementation

Project Owner: Nancy Madsen

Project Supervisor: Peikert Group Architects (Lisa Plowman)

Project Engineer: Jim Dixon

Project Landscape Contractor: not determined

Project Restoration Ecologist: Althouse and Meade, Inc. (LynneDee Althouse)

Project Biologist: Storrer Environmental Services (John Storrer)

Project Arborist: Bill Spiewak

Lead Agency: City of Santa Barbara

C. Schedule

Initial site preparation would begin in 2010 after approval of the subdivision. Restoration and site enhancement would begin in Winter 2010. Installation would be complete by 2012.

D. Site Preparation

- All native vegetation, including oak tree seedlings, shall be protected to the maximum extent possible during demolition activities. Tree protection measures specified by the project arborist shall be implemented prior to or during construction, as applicable. Oak tree seedlings and small trees less than four inches in diameter at breast height (dbh) shall be protected from construction activities by fencing. Removal of oak trees less than four inches dbh shall be mitigated at a one to one ratio (one gallon container size), or transplanted under the direction of the project arborist or restoration ecologist.
- After demolition of the existing residence and asphalt driveway, the riparian buffer area shall be prepared in accordance with the approved project grading and drainage plans.
- The project landscape contractor shall determine if the soil that was beneath the asphalt requires amendments, such as organic mulch or mycorrhizal inoculum.
- All non-native trees and shrubs within the riparian buffer planting areas shall be removed prior to installation of hydroseed and native container stock. Removal of

native species shall be coordinated by the project arborist and/or restoration ecologist. Some vines and rhizomatous species such as periwinkle (*Vinca major*), garden nasturtium (*Tropaeolum majus*), and Algerian ivy (*Hedera canariensis*) may require herbicide applications for removal. Herbicides must be used by a licensed applicator, and must be approved for use in riparian habitats.

- All disturbed soils within the Restoration Area shall be hydroseeded with the native seed mix in Table 3. Hydromulch should be applied at a rate of 1500 to 2500 pounds per acre. Heavier application should be applied to steeper slopes. Additional erosion control measures may be specified by the project engineer. Hydromulch should be applied after installation of container stock to avoid trampling.
- All bio-swales draining into the Restoration Area shall be hydroseeded with the native seed mix in Table 4. Hydromulch should be applied to bio-swales at a rate of 1000-2000 pounds per acre. Refer to Site Plans in Appendix A for location of bio-swales.

TABLE 3. RESTORATION AREA HYDROSEED MIX. A native seed mix consisting of grasses, forbs, and shrubs shall be applied to all disturbed soils after demolition of the driveway and removal of non-native plant species.

Common Name	Scientific Name	Lbs/Acre	Plant Type
California Brome	*Bromus carinatus*	5	Perennial Grass
Blue Wildrye	*Elymus glaucus*	2	Perennial Grass
Creeping Wildrye	*Leymus triticoides*	2	Perennial Grass
Annual Fescue	*Vulpia microstachys*	3	Annual Grass
California Poppy	*Eschscholzia californica*	2	Annual Wildflower
Sky Lupine	*Lupinus nanus*	4	Annual Wildflower
Yarrow	*Achillea millefolium*	3	Perennial Herb
California Buckwheat	*Eriogonum fasciculatum*	8	Shrub

TABLE 4. BIO-SWALE HYDROSEED MIX. A native seed mix consisting of grasses, sedges, rushes, and forbs shall be applied to all disturbed soils after demolition of the driveway and removal of non-native species from the riparian planting area.

Common Name	Scientific Name	Lbs/Acre	Plant Type
Creeping wildrye	*Leymus triticoides*	2	Perennial Grass
Blue Wildrye	*Elymus glaucus*	2	Perennial Grass
Meadow barley	*Hordeum brachyantherum*	6	Perennial Grass
Bentgrass	*Agrostis pallens*	5	Perennial Grass
Stream monkeyflower	*Mimulus guttatus*	2	Annual Wildflower
Sedge	*Carex praegracilis*	1	Sedge
Toad rush	*Juncus bufonius*	1	Rush

E. Planting Plan

A planting plan is not included in this document; the placement of each species within the Restoration Area shall be determined by a landscape contractor. Approximate quantity and recommended plant spacing is specified for each species in Table 5. Native plant container stock used in this restoration project shall be from local South Coastal Santa Barbara County genetic stock where available. At the discretion of the restoration ecologist, some plant material may be propagated from on-site vegetation. The plant palette includes three native tree species and seven native shrub species (Table 5), in addition to the seven species included in the native hydroseed mix indicated in Table 3. The number and container size of coast live oak trees to be planted were determined by the project arborist as mitigation for anticipated impacts and removals during development of the proposed lots. Additional oak trees may be added to the plant palette pending results of the final project impact analysis.

Container stock shall be planted in a clumped formation to mimic natural conditions. Each lot will be planted with a proportion of the plant palette, depending on the size of the area available for planting.

Bio-swales entering the Restoration Area are designed with a cobble and native plant velocity reducing splash pad that will allow stormwater to spread out and infiltrate. Pacific rush shall be planted at 3 feet on center within the splash pads prior to placement of the cobble.

Native trees shall be planted at least 25 feet on center. Shrubs shall be planted 3 to 15 feet on center, depending on species. Plants shall be protected from rodents and browsers, as necessary, immediately after installation. All trees shall be provided with a tree stake, and a minimum of three inches of mulch four feet in diameter around each tree or shrub. Mulch shall not touch the trunk of any tree or shrub.

TABLE 5. PLANT PALETTE. The plant palette for the Restoration Area will include mitigation oak trees, other native trees, and appropriate understory shrubs, in addition to the hydroseed mix indicated in Table 3.

Common Name	Scientific Name	Approx. Quantity	Minimum Container Size	Plant Spacing
		Trees - 3 species		
Coast Live Oak	*Quercus agrifolia*	18	15 gallon (shrub form)	25 feet
Island Oak	*Quercus tomentella*	2	1 gallon	25 feet
Western Sycamore	*Platanus racemosa*	2	1 gallon	25 feet
		Shrubs - 7 species		
Toyon	*Heteromeles arbutifolia*	10	1 gallon	15 feet
Blackberry	*Rubus ursinus*	30	4" pot or 1 gallon	3 feet
Blue Elderberry	*Sambucus mexicanus*	5	1 gallon	10 feet
Creeping Snowberry	*Symphoricarpos mollis*	20	1 gallon	6 feet
Coffeeberry	*Rhamnus californicus*	10	1 gallon	10 feet
Mugwort	*Artemisia douglasii*	30	4" pot or 1 gallon	3 feet
Bush Monkeyflower	*Mimulus aurantiacus*	10	1 gallon	6 feet
		Rushes - 1 species		
Pacific Rush	*Juncus effusus*	20	1 gallon	3 feet

F. Irrigation Plan

The irrigation plan shall be prepared with the final landscape plans for the approved project, and will provide irrigation water appropriate for plant establishment. Trees and shrubs will be irrigated with micro-sprinklers (two per tree, and one per shrub), or as recommended by the project landscape contractor. Deep, infrequent irrigation will be provided to mimic above-average rainfall years. Trees and shrubs should be weaned off of supplemental irrigation during years three and four so no irrigation is required by the fifth year.

V. Maintenance activities during the monitoring period

A. Maintenance Activities

The applicant shall be responsible for replacing dead container stock, unless the landscape contractor provides a survival guarantee in the installation contract.

The applicant shall be responsible for annual maintenance until the restoration project meets the Year 5 success criteria.

The Restoration Area shall be maintained in perpetuity after project completion by the lot owners. Maintenance activities will be consistent with Performance Criteria described in this plan, Section VI (A).

- The restoration site shall be inspected quarterly to evaluate the condition of the plantings and provide weed abatement and plant replacement, as needed.
- Weeding shall be accomplished by a landscape contractor experienced with native plants and habitats. Non-native annual grasses should be cut or removed in the spring prior to seed set. Care should be taken to allow natural establishment of native herbs and forbs.
- Where invasive vines or shrubs become problematic, herbicide approved for use in riparian habitat may be utilized by a licensed applicator.
- Irrigation systems must be maintained during the dry season to ensure adequate water is provided during the plant establishment period. Damaged or faulty irrigation parts shall be replaced immediately.

B. Schedule

The applicant shall maintain the initial installation for five years following implementation.

The Restoration Area shall be routinely maintained in late May and September each year. In addition, trees and shrubs shall be weeded and fertilized (as needed) three times per year (Winter, Spring, and Fall). Mulch and browse protection shall be checked and maintained as needed. Dead or severely damaged material shall be replaced immediately.

The irrigation system shall be checked and maintained twice a month (minimum) during summer months.

VI. Monitoring Plan

The goal of the habitat restoration project to provide functional habitat value for native plants and animals. Performance criteria are provided to measure progress toward the goal. Performance criteria and yearly targets are presented in Table 6. Success rates that are below the stated minimum target for each criterion indicate the need for additional revegetation, plant protection, weed eradication, and/or erosion control efforts.

A. Performance Criteria for Target Dates and Success Rates

TABLE 6. PERFORMANCE CRITERIA. Success rates are provided for each of the five monitoring years within seven performance criteria categories.

Riparian Restoration Area						
Feature	**Performance Criteria**	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Trees	Survival	90%	80%	75%	75%	75%
Trees	Height	2 ft.	3 ft.	4 ft.	4.5 ft.	5 ft.
Trees	Canopy diameter	< 6 in.	6 in.	1 ft.	2 ft.	3 ft.
Shrubs	Survival	90%	80%	75%	75%	75%
Shrubs	Height	1 ft.	1.5 ft.	2 ft.	2.5 ft.	3 ft.
Shrubs	Canopy diameter	0.5 ft	1 ft.	1.5 ft.	2 ft.	2.5 ft.
Blackberries	Canopy diameter (total area)	200 sq. ft.	350 sq. ft.	550 sq. ft.	800 sq. ft.	1000 sq. ft.

B. Monitoring Methods

The restoration ecologist who prepares the annual report shall use the following methods to measure parameters on the site (Table 7). The monitor shall indicate on a site map where any problem areas are located. In Year 1, the actual area of each habitat type will be measured and reported. If the size of each area is consistent with Section III A, no additional measurement of site dimensions will be necessary in subsequent years. During all years, the following information will be monitored for the features listed.

TABLE 7. MONITORING METHODS. Methods are provided for obtaining performance criteria data during annual monitoring site visits.

Feature	Performance Criteria	Monitoring Method
Trees	Survival of trees planted	Number each tree with permanent tag on tree stake. Use Forester's blue anodized aluminum tags. Individual trees shall be monitored for 5 years. Calculate percent survival each year.
Trees	Height	Measure all trees. Report average and range of heights.
Trees	Canopy diameter	Estimate canopy diameter. Report average and range of canopy diameters.
Shrubs	Survival of shrubs planted	Count shrubs. Calculate survival percentage each year.
Shrubs	Height	Estimate height of all shrubs. Report average and range of heights.
Shrubs	Canopy diameter	Estimate canopy diameter. Report average and range of canopy diameters.
Blackberries	Canopy diameter (total area)	Estimate canopy diameters of each patch. Report total area of all patches.
Other	Trash	Inspect visually and report.
Other	Erosion	Inspect visually and report.
Other	Human intrusion/disturbance	Inspect visually and report.
Other	Pest damage	Inspect visually and report.
Weeds	% cover	Inspect visually and report

C. Monitoring Schedule

The restoration site shall be monitored during the spring (April or May) for five (5) years. If the project meets the success criteria by year 5, monitoring will be finished. If the project does not meet the success criteria by year 5, remediation will be continued and the project monitored until success is met (refer to Section VII).

D. Annual Monitoring Reports

Annual monitoring reports will be submitted to the City of Santa Barbara by July 1 of each year. The report will include a site map where any problem areas are located. A summary table and discussion shall compare performance standards and success criteria with the annual monitoring data.

The following information will be included in the monitoring reports for the project. Submit reports unbound for inclusion into the official case file. Electronic copies of the reports can be submitted in lieu of written reports.

Pages 1-2

A. Project Information
    1. Project Name
    2. Applicant name, address, and phone number
    3. Consultant name, address, and phone number
    4. Acres (or square feet) and type(s) of habitat
    5. Date project construction commenced
    6. Location of the project and directions to site (including latitude/longitude or UTM coordinates)

B. Brief Summary of Remedial Action(s) and Maintenance of the Open Space Habitat Areas

Page 2 or 3

A. Map of the open space habitat area (year 1)
    1. 8 ½ by 11 diagram of the site including:
        a. Habitat types (i.e., young riparian buffer zone, mature riparian zone, creek bed)
        b. Locations of photographic record stations
        c. Landmarks
        d. Inset defining location of the site

Page 3 or 4

A. List success criteria

B. Table of results from the monitoring visits versus performance standards for specified target dates

Page 5, 6 or 7:

A. Summary of field data taken to determine compliance with performance standards and success criteria (at least one page, no more than two pages)

Page 6, 7, or 8 (if needed):

A. Summary of any significant events that occurred on the site that may affect riparian functions and values.

VII. Adaptive Management

If Year 3 performance standards are not met, the annual monitoring report shall indicate the source(s) of problem(s) and recommend remediation. If percent survival of trees and shrubs is not met due to plant death, all dead plants shall be replaced immediately. The monitoring report shall indicate additional steps that would lead to better plant survival in the following year (e.g. additional water, weeding, mulch).

The Year 3 annual monitoring report shall indicate whether or not the restoration site is expected to meet the Year 5 final performance standards. If the performance standards are not expected to be met, the report shall provide details on problem areas and make recommendations for remediation. If additional plantings are required during Year 4 to meet the performance criteria, the monitoring period shall be extended for another three years to document survival of the new plants and continue to measure percent total cover.

Should the restoration project fail to meet the performance standards outlined in this document by Year 5, the restoration biologist shall prepare a remediation report outlining the work that would need to be implemented for project success, including replanting, irrigation, maintenance, and continued monitoring. The site shall be monitored annually until the performance criteria are met.

VIII. References

Althouse and Meade, Inc. 2004. Tree Inventory; Native and Landscape Trees at Madsen Residence. Prepared for Peikert Group Architects. Revised in June.

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Spiewak, Bill and Peikert Group Architects, LLP. September 28, 2009. Oak Tree Inventory and Mitigation Plan. Prepared for San Remo Entitlements, 3626 San Remo Drive, Santa Barbara, CA.

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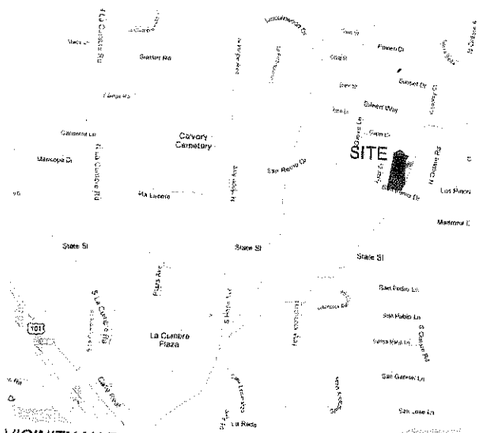
TREE INVENTORY

(B. SPIEWAK / SEPTEMBER 2009)

Tree # corresponds with the number on the site plan.
Type is either native or a large tree visible from adjacent properties.
DBH is diameter at breast height measured at 54" above ground.
CRZ is critical root zone.
Condition is either good, fair or poor, and considers health and structure.
Project Impact/Recommendations, if any, are identified in this column.
TPM is tree protection measures.

Tree #	Type	DBH	CRZ	Condition	Project Impact
Lot 1					
1	Oak	16	16	good	Remove for bldg.envelope & mitigate
2	Oak	19	19	poor broken top and tree is	Remove for envelope & mitigate
3	Oak	7	7	good	Protect & follow TPM
4	Palm	18		good-very tall	Remove for envelope
5	Oak	17	17	good	Hand demo asphalt drive; Protect & follow TPM
6	Oak	21	21	good	Hand demo asphalt drive; Protect & follow TPM
7	Oak	10	10	good	Hand demo asphalt drive; Protect & follow TPM
8	Oak	34	34	good	Hand demo asphalt drive; Protect & follow TPM
9	Sycamore	48 & 36		good but ivy covering trunks	Out of area
Lot 2					
10	Oak	12	12	Fair, ivy up trunk	Protect & follow TPM
11	Avocado	36		Fair, previously topped	Remove for envelope
12	Oak	4	4	Fair - Stump sprout, not great	Protect & follow TPM or remove & mitigate
13	Pittosporum	36		Poor, declining	Remove for envelope.
14	Oak	13	13	Good	Hand demo asphalt drive; Protect & follow TPM
15	Sycamore	25/26/27		Good	Out of area
16	Sycamore	36		Good	Out of area
17	Sycamore	24	24	Good	Hand demo asphalt drive; Protect & follow TPM
Lot 3					
18	Palm	24		Good	Remove or relocate for envelope.
19	Palm	24		Good	Remove or relocate for envelope.
20	Palm	24		Good	Remove or relocate for envelope.
21	Oak	13	13	Good	Protect & follow TPM
22	Oak	10	10	Good	Hand demo asphalt drive; Protect & follow TPM
23	Oak	5	5	Good	In designated planting zone. Protect and follow TPM
24	Oak	4	4	Good	In designated planting zone. Protect and follow TPM
25	Redwood	42		Good	In designated planting zone. Protect and follow TPM
26	Palm	14/14		Good	Remove to get out of oak zone.
27	Oak	8	8	Good	In designated planting zone. Protect and follow TPM
28	Oak	6	6	Good	In designated planting zone. Protect and follow TPM
29	Oak	6	6	Good	In designated planting zone. Protect and follow TPM
30	Oak	6/3	8	good	Carefully remove avocdo shoots conflicting with oak
Lot 4					
31	Oak	14	14	Good	Remove for envelope & mitigate
32	Oak	20	20	Good	Remove for envelope & mitigate
33	Oak	4	4	Good	Remove for envelope & mitigate
34	Oak	9	9	Fair- understory to #32	Remove for envelope & mitigate
35	Oak	17	17	Good	Protect & follow TPM
36	Oak	26	26	Good	Protect & follow TPM
37	Redwood	36		Good but breaking out wall by street	Need more space toward street to repair wall. Bulb out curb to obtain adequate sidewalk width. Do not cut into side of trunk.
38	Jacaranda	14/13/8		Good	Protect & follow TPM
39	Oak	5	5	Good	In designated planting zone. Protect and follow TPM.
40	Oak	11	11	Good	In designated planting zone. Protect and follow TPM.
41	Oak	24	24	Good	In designated planting zone. Protect and follow TPM.
42	Oak	9/9	12	Good	In designated planting zone. Protect and follow TPM.
43	Sycamore	36		Good	Out of area
44	Oak	30		Good	Out of area



VICINITY MAP

TREE PROTECTION MEASURES

1. Prior to any construction, proposed plans should be reviewed with the project arborist to be sure that excavation, grading, construction, and infrastructure do not cause significant impact into the CRZs (critical root zones) of protected oaks.
2. A pre-construction meeting should be held with contractors, prior to commencement of work, to discuss tree protection measures.
3. Install fencing, chain link, as designated on the site plan to establish tree protection zones (TPZ). These TPZs should be at the outside edge of work areas, around trees. Fences must be maintained in upright positions throughout the duration of the project.
4. The TPZs should be void of all activities, including parking vehicles, operation of equipment, storage of materials and dumping (including temporary spoils from excavation).
5. The existing asphalt driveway should be carefully demolished by manual labor within the critical root zones. After the driveway is removed, those oaks should be protected with chain link fence at the outside edge of their critical root zones. It would be beneficial to cover the newly exposed soil within the CRZs with a 2"-4" layer of coarse tree mulch (oak leaf litter is best if available).
6. All excavation and grading near trees should be monitored by the project arborist.
7. Any excavation within the CRZs but outside of the TPZs, should be done by hand where reasonable or under direction of the project arborist. Any roots encountered that are ½" and greater should be cleanly cut. This includes the trees along the proposed driveway, west side of the property.
8. Tree pruning, where limbs may conflict with equipment and proposed structures, should be done prior to excavation and grading.
9. Pruning should be performed or supervised by a qualified Certified Arborist. The project arborist should review the goals with workers prior to commencement of any tree pruning. Tree workers should be knowledgeable of *American National Standards Institute (ANSI) A-300 Pruning Standards* and *ISA Best Management Practices for Tree Pruning.*
10. Trees that are impacted from root damage (even minimally) should be sprayed in the early spring and late summer with permethrin *(Astro)* to help resist attack of oak bark beetles. The application of the chemical should be applied to the lower 6' of trunk. I recommend that treatments be repeated for at least two years after completion of the project or if drought prevails for longer periods.
11. It may be determined by the project arborist that supplemental irrigation is necessary to aid trees that incur root loss and/or during hot and dry periods.
12. Remove non-native vegetation from the planting area and install eighteen mitigation oaks as indicated on the plan.
13. The project arborist should monitor activities on the site throughout the duration of the project. This would be more frequent during fencing installation, excavation and grading, and less frequent as the project progresses, provided fences remain upright and TPZs are not violated.

LEGEND

FENCE 5' BEYOND DRIPLINE TYP., U.O.N.

M-# MITIGATION PLANTING, EXACT LOCATIONS SUBJECT TO CHANGE

Bill Spiewak
CONSULTING ARBORIST

SAN REMO ENTITLEMENTS
3626 SAN REMO DRIVE, SANTA BARBARA, CA

OAK TREE INVENTORY & MITIGATION PLAN
SEPTEMBER 28, 2009

Peikert Group Architects, LLP.
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EXHIBIT F

SINGLE FAMILY DESIGN BOARD MINUTES

July 19, 2010 – Concept Review

3626 SAN REMO DR

Assessor's Parcel Number: 053-231-011
Application Number: MST2009-00325
Owner: Madsen Trust
Agent: Alexandra Cole
Applicant: Lisa Plowman

(Proposal to subdivide a 66,372 square foot property into four legal lots ranging in size from 14,166 square feet to16,453 square feet. The proposal includes a view easement and preservation of the facade of the existing 3,137 square foot main residence. Also included is demolition of the remainder of the existing residence, the detached garage, studio apartment, shed, lath house, and driveway. The four proposed lots include development envelopes which provide a creek setback. The project also includes a new driveway to access the lots, drainage improvements, implementation of a creek restoration plan, and approximately 150 cubic yards total of cut and fill grading. Residential development of the lots is not a part of this application. The project requires Planning Commission approval of a Tentative Subdivision Map, and Modifications and Waivers for three lots to have no public street frontage.)

(Comments only; project requires environmental assessment and Planning Commission approval.)

Present: Detlev Peikert, Architect; Nancy Madsen, Owner.

John Steen, opposed to loss of remaining citrus orchard.
Molly Steen, neighbor to the north, opposed to potential impacts to the orange trees at the property line.
Dan Gullett, Case Planner, stated that the Historic Structures Report reviewed by the Historic Landmarks Commission did not address the citrus trees on the site. He stated that a 50 foot setback from top of San Roque Creek from top of bank is recommended which would limit developability of parcel four.
Two letters in opposition from Paula Westbury and Nicholas J. Schneider were acknowledged.

Motion: **Continued to the Planning Commission with the following comments:**

1) Verify that the Historic Landmark Commission will review the extent of the proposed demolition to occur on parcel three.
2) A review of the historic aspect of the non-native Orange trees along north property line is requested. The Board feels the trees should be retained.
3) Limit tree removal to areas for grading and drainage. Retain trees within the building envelope until building construction begins.
4) Provide information about landscape lighting on the pedestrian path and driveway.
5) Study the height of the proposed street lamp on San Remo Drive; a pedestrian height street lamp is preferred.
6) Study relocating the public utility easement at the west property line to not interfere with proposed landscaping.
7) The 35 foot setback from the Creek is appropriate due to the loss of the existing driveway along the creek bank and the proposed creek repair.

Action: Woolery/Zimmerman, 7/0/0. Motion carried.

EXHIBIT G