



City of Santa Barbara
Planning Division

Memorandum

DATE: October 5, 2010
TO: Planning Commission
FROM: Danny Kato, Senior Planner *DJK*
 Daniel Gullett, Associate Planner *DG*
SUBJECT: Continuation of 3626 San Remo Dr. Subdivision (MST2009-00325)

Background

The Planning Commission continued the proposed four lot subdivision at 3626 San Remo Drive at its September 2, 2010 hearing. A majority of the Commissioners at that hearing indicated a preference for a revised project to include removal of Parcel 4, a broadened public view easement from San Remo Drive to the existing residence, and a 50 foot setback between the development envelopes and the San Roque Creek top of bank except at the location of the historic structure. The Commission encouraged the applicant to explore creative solutions, such as a Planned Residence Development (PRD), to provide a project meeting the needs of the applicant in line with the Commission's preferences.

Exhibit I is a copy of the HLC-accepted Historic Structures Report dated February 2009. At the September 2, 2010 hearing some Commissioners expressed interest in the possibility of relocating the historic main residence closer to San Remo Drive. The accepted Historic Structures Report did not consider this option, however, according to the City Urban Historian, the structure could be relocated as it qualifies as a Structure of Merit rather than a Landmark. Any proposed relocation would need to be analyzed by a qualified historian, reviewed by the City Urban Historian and Historic Landmarks Commission and found to be consistent with the Secretary of Interior's Standards for Rehabilitation.

Project Changes

As described in the applicant letter (Exhibit C), the proposal was revised in response to the Commission's comments to include a wider view corridor, a reconfigured Development Envelope on Parcel 4, and a 40 foot setback between the development envelopes and the San Roque Creek top of bank (the proposal continues to include a 35 foot setback between the creek and the Parcel 3 development envelope).

While the revised view corridor is wider, the view would be partially obscured by trees adjacent to and within the corridor. To increase the line-of-sight width of the view corridor, staff recommends that the three pittosporum trees located behind the jacaranda tree to the left side of the driveway be removed and the oak trees located within and adjacent to the view corridor be protected and trimmed to maintain the public view of the main residence. Please note that a wider view corridor would further limit planting options within its overlap with the conservation easement due to vegetation height restrictions associated with the view corridor (see Condition B.7 below). A photograph of the view corridor is provided as Exhibit E and a site plan with the view corridor and conceptual building footprints on each of the lots is provided as Exhibit G.

The proposed development envelope on Parcel 4, like the development envelopes on Parcels 1 and 2, was reconfigured to be located no closer than 40 feet from the creek top of bank. In addition, the Parcel 4 development envelope was altered to add development envelope area by shifting future development toward San Remo Drive. The new Parcel 4 development envelope would result in the loss of two large oak trees near San Remo (17 and 26 inch trunk diameters), and protection of four oak trees near the boundary of Parcels 3 and 4 (20, 14, 9 and 4 inch trunk diameters). The previous proposal included the preservation of the two oaks near San Remo and removal of the four oaks near the boundary of Parcels 3 and 4. Staff believes the impacts to oak trees with either development envelope location on Parcel 4 would be substantially similar.

Staff does not believe that the proposed 40 foot creek setback is adequate for this location, and continues to recommend a 50 foot creek setback for all four parcels except at the location of the footprint of the existing main residence. The recommended greater creek setback is reflected in Condition C.1 of the attached conditions of approval.

Condition of Approval Changes

Based on the proposed changes and the discussion at the September 2nd Planning Commission hearing, staff recommends the following changes to the conditions of approval. These changes are included in the staff-recommended Revised Planning Commission Conditions of Approval included as Exhibit B:

- A. **Order of Development.** *In order to accomplish the proposed development, the following steps shall occur in the order identified:*
 3. **Demolition Permit.** *Obtain a Building Permit (BLD) to demolish any structures / improvements that would conflict with the Parcel Map, not including the historically significant portions of the main residence. A BLD may also be obtained to demolish non-conflicting structures/improvements and/or perform rough grading. Refer to Section E "Construction Implementation Requirements."*
- 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*
 2. **San Roque Creek Setback.** *The Conservation Easement referenced on TMI 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 development envelopes shall be reconfigured to be located outside the reconfigured Conservation Easement. ~~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 dated May 27, 2010, shall be revised to include the expanded conservation area. The revised Mitigation Monitoring and Reporting Plan shall be subject to the review and approval of the City Creeks Division and the resultant landscape plan shall be subject to review by the SFDB. The development envelopes shall be reconfigured to be located outside the Conservation Easement.~~*
 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~~ The arborist's report prepared by Bill Spiewak, dated September 28, 2009, shall be implemented revised to reflect the removal of trees 35 and 36 and the protection of trees 31, 32, 33, and 34. The revised report shall be subject to the review and approval of the City Environmental Analyst. Include a note on the plans referencing the revised arborist's report and noting that the recommendations/conditions contained in the revised report shall be implemented.
7. **View Corridor.** Appropriate landscaping shall be provided in the view corridor as not to exceed 42 inches in height at maturity. The existing oak trees located within the view corridor exceeding 42 inches in height referenced in the Oak Tree Inventory & Mitigation Plan dated September 28, 2009 as Trees 40, 41 and 42 shall remain. The three pittosporum trees located on the left side of the existing driveway between the jacaranda tree and the main house shall be removed. Canopies of trees in the areas 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.
- 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:*
 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:*
 - f. A view corridor between San Remo Drive and the historic structure to be maintained in perpetuity limiting new development to landscaping, walls, patios or decks 42 inches or less in height. Existing trees within and adjacent to the view corridor shall be maintained to protect the trees and maintain the view of the historic structure through the view corridor.

Staff Recommendation

Staff recommends that the Planning Commission approve the project subject to the recommended conditions of approval, which include a 50 foot creek setback to the development envelopes except at the location of the historic structure, making the findings in the Staff Report dated August 23, 2010.

Exhibits:

- A: Staff Report dated August 23, 2010
- B: Revised Planning Commission Conditions of Approval
- C: Applicant Letter dated September 21, 2010
- D: Revised Tentative Map Sheets TM1 and TM2, dated September 13, 2010
- E: Photograph of the proposed view easement
- F: Site Plan with building footprints and tree canopies
- G: Site Plan with building footprints and view corridor
- H: Oak Tree Inventory and Mitigation Plan
- I: Historic Structures Report dated February 2009



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 *DJK*
Daniel Gullett, Associate Planner *DG*

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		East – Single Family Residential	
South – Multiple 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 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.

Planning Commission Staff Report
3626 San Remo Drive (MST2009-00325)
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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

REVISED PLANNING COMMISSION CONDITIONS OF APPROVAL

3626 SAN REMO DRIVE

PUBLIC STREET WAIVERS, STREET FRONTAGE MODIFICATIONS, TENTATIVE SUBDIVISION MAP

OCTOBER 14, 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, not including the historically significant portions of the main residence. 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.

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 TMI 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 Mitigation Monitoring and Reporting Plan prepared by Althouse and Meade, Inc., dated May 27, 2010, shall be revised to include the expanded conservation area. The revised Mitigation Monitoring and Reporting Plan shall be subject to the review and approval of the City Creeks Division and the resultant landscape plan shall be subject to review by the SFDB.
 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.** The arborist's report prepared by Bill Spiewak, dated September 28, 2009, shall be revised to reflect the removal of trees 35 and 36 and the protection of trees 31, 32, 33, and 34. The revised report shall be subject to the review and approval of the City Environmental Analyst. Include a note on the plans referencing the revised arborist's report and noting that the recommendations/conditions contained in the revised report 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. The existing oak trees located within the view corridor exceeding 42 inches in height referenced in the Oak Tree Inventory & Mitigation Plan dated September 28, 2009 as Trees 40, 41, and 42 shall remain. The three pittosporum trees located on the left side of the existing driveway between the jacaranda tree and the main house shall be removed. Canopies of trees in the areas 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 October 14, 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 31 st *
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 new development to landscaping, walls, patios or decks 42 inches or less in height. Existing trees within and adjacent to the view corridor shall be maintained to protect the trees and maintain the view of the historic structure through the view corridor.
 - 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.

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





PEIKERT GROUP ARCHITECTS, LLP

September 21, 2010

Mr. Dan Gullet
Community Development Department
630 Garden Street
Santa Barbara, CA 93101

SUBJECT: 3626 San Remo Drive; MST 2009-00325

Dear Mr. Gullet:

At the recent Planning Commission hearing on September 2, 2010 on the above referenced site some members of the Planning Commission expressed concerns about the proposed subdivision. The hearing was continued indefinitely to allow the property owner, Nancy Madsen, to consider the Commission's comments and determine if revisions to the plan were possible while still achieving Ms. Madsen's goals. In an effort to respond to some of the comments, the project has been revised. These proposed revisions are outlined below.

Planning Commission Comments

Members of the Planning Commission expressed concerns about elements of the proposed project as well as praised Ms. Madsen for volunteering to restore a portion of San Roque Creek. The Commission's comments included the following:

- There was some support for four Lots however, there was concern that a future home on Lot 4 could block the view of the historic façade. A larger view easement was suggested to address this concern.
- Some Commissioners suggested that the property owner seek a planned residential development with four homes rather than a parcel map.
- The Commission supported the staff recommended 50 foot setback from the top of bank with the exception of Lot 3 where a 35 foot setback was supported in order to accommodate the historic façade.
- Some Commissioners suggested that the property owner look at ways to save more of the existing oak trees on-site.

As noted above, the hearing was continued to allow the Ms. Madsen to consider the next steps.

Proposed Project Revisions

Ms. Madsen reviewed and weighed all of the Commission's comments and has made an effort to balance them with her objectives which include keeping and restoring the existing family home and restoring a portion of San Roque Creek. To that end, Ms. Madsen is proposing to revise the project in three following ways.

1. Ms. Madsen is willing to increase the creek setback from the proposed 35 feet on Lots 1, 2, and 4 to 40 feet. This comes closer to the staff recommendation, but still preserves a reasonably sized building envelope on these lots. As noted in the Planning Commission hearing, one of the benefits of having a slightly larger development envelope is that it creates design flexibility. For example, an envelope that allows for a larger footprint also allows the home designer to minimize the square footage on a second story. Smaller massing on the second story helps to preserve privacy for adjacent neighbors. The proposed 40 foot setback is consistent with or larger than many recent Commission approvals. Please note that the 35 foot setback would remain on Lot 3 to allow for the preservation of the historic facade.
2. It is important to Ms. Madsen to preserve four lots as this will allow her to fund the creek restoration as well as maintain and restore the historic façade of the family home. However, in an effort to address the Commission's concerns regarding future development on Lot 4 and how it impacts the view of the historic façade she is proposing to modify the building envelope and to enlarge the view easement corridor. With the changes in the easement, the building envelope on Lot 4, and removal non-native vegetation along the creek a significantly expanded view of the existing home would be provided. Please see schematic site plan and the map for a graphic depiction of the view corridor and the attached photograph showing the expanded view corridor.
3. The revisions to the building Lot 4 also includes a change in the tree preservation plan for this lot. Lot 4 contains six oak trees and under the previously proposed building envelope two of the oak trees would be preserved and four would be removed. Under the new development envelope four would be preserved and two would be removed.

Ms. Madsen considered the suggestion the project be redesigned to be planned residential development with attached units at the rear and the existing single family home in its current location. Despite the fact that the neighborhood has some multi-family housing, this site is primarily surrounded by single family homes. Ms. Madsen believes that the current lot layout, particularly with the proposed changes, can address many of the Commission's concerns while creating a development pattern that is consistent with the existing single family development to the east, north and west.

Mr. Dan Gullet
September 21, 2010
Page 3

The proposed revisions are depicted on the updated parcel map and grading and drainage plan. In addition, a schematic site plan and rendering are provided. The rendering depicts the future footprints of homes on each lot. We believe this graphic shows how four homes on the 1.53 acre parcel can be accommodated on-site while both historic and biological resources can be restored and enhanced. See Attachments C and D.

As we discussed, Ms. Madsen would like to return to the Planning Commission as soon as possible to determine if they will support the revised project. Based on our conversations we estimate that the revised project will be scheduled for the October 21, 2010 hearing. If this hearing date must change please let us know as soon as possible.

Feel free to contact me if you have any questions regarding this additional information.

Sincerely,



Lisa Plowman
Planning Manager

xc: Ms. Nancy Madsen

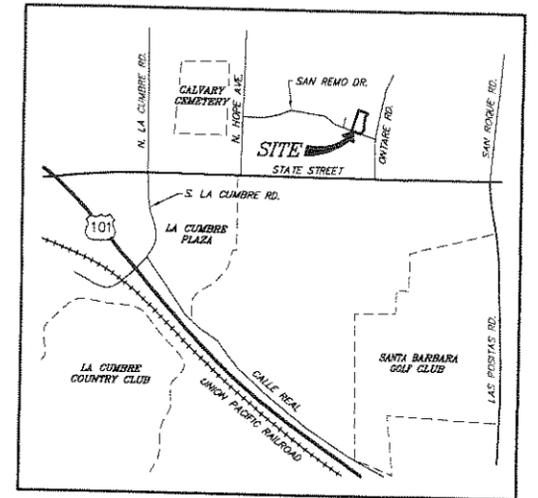
Attachments:

- A. Revised Civil Plans (Tentative Parcel Map, Grading and Drainage/Utility Plan)
- B. Photo Simulation
- C. Schematic Site Plan
- D. Site Plan Rendering

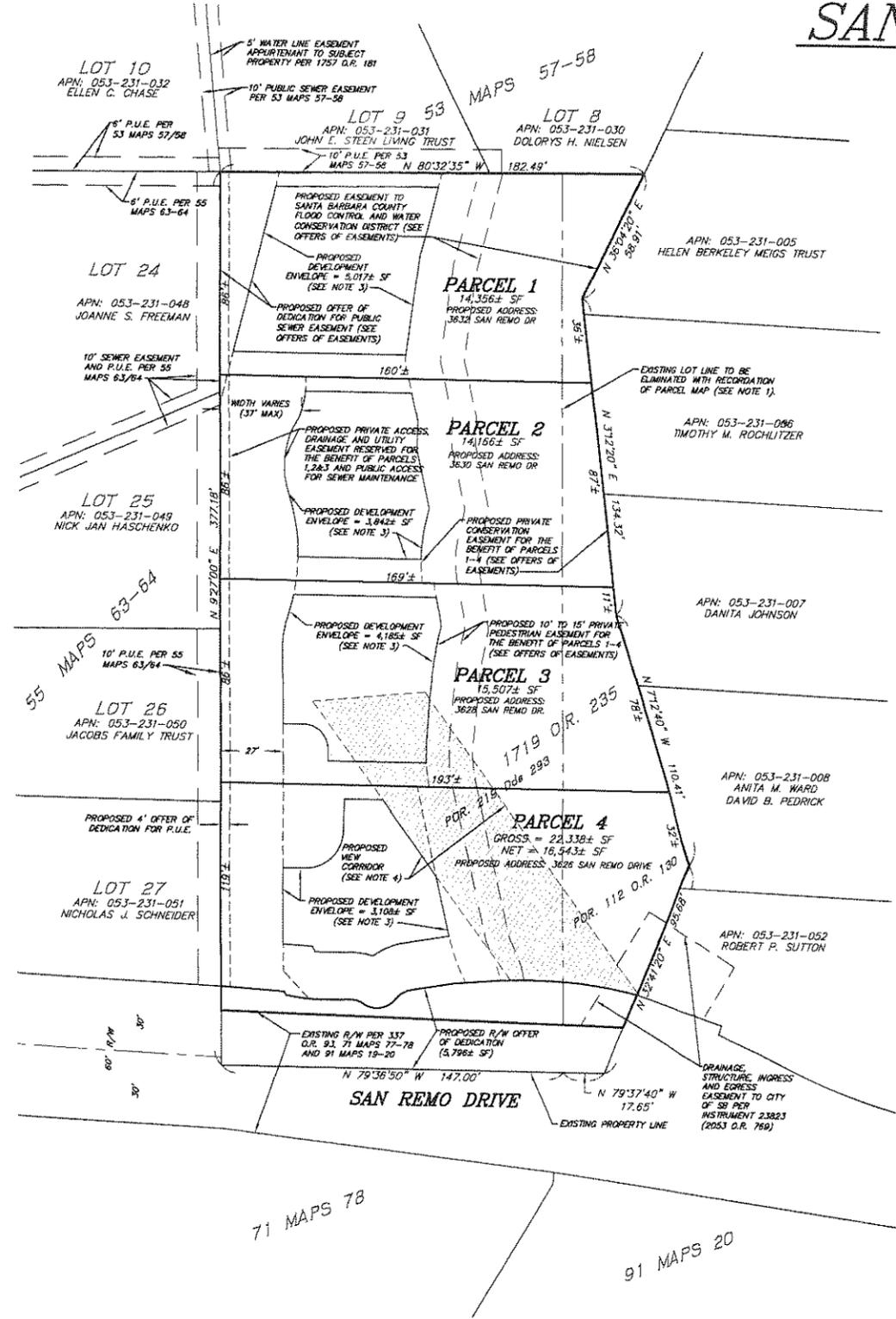
f:\data\current projects\san remo - entitlements & development plans\planning\application\submittal\revised application post pc.docx

MST 2009-00325 TENTATIVE MAP SAN REMO SUBDIVISION

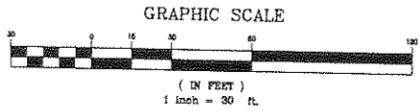
3626 SAN REMO DRIVE
SANTA BARBARA, CA 93105
PLANNING COMMISSION: APPROXIMATELY AUGUST 2010



VICINITY MAP
NO SCALE



- NOTES:
1. MERGER OF UNDERLYING PARCELS WILL AUTOMATICALLY OCCUR UPON RECORDATION OF THE PARCEL MAP. RECORDATION OF THE PARCEL MAP IS A CERTIFICATE OF COMPLIANCE PER S.M.A. 66409.35.(6)
 2. COUNTY RECORDER WILL NOT RECORD A PARCEL MAP WITHOUT WRITTEN VERIFICATION OF THE PRE-PAYMENT OF THE PROPERTY TAX.
 3. EACH DEVELOPMENT ENVELOPE SHALL BE LIMITED TO 2,950 MAX. S.F. OF IMPROVISED AREA. DEVELOPMENT ENVELOPES WILL BE DEFINED ON AN ADDITIONAL MAP SHEET ON THE PARCEL MAP.
 4. PERMITTED DEVELOPMENT WITHIN VIEW CORRIDOR IS LIMITED TO: LOW LYING LANDSCAPING, WALLS, PATIOS OR DECKS 42 INCHES OR LESS IN HEIGHT. VIEW CORRIDOR WILL BE MAINTAINED IN PERPETUITY AND DEFINED ON AN ADDITIONAL MAP SHEET ON THE PARCEL MAP.



OFFERS OF EASEMENTS

CONSERVATION EASEMENT: PRIVATE CONSERVATION EASEMENT LOCATED 40' (EXCEPT FOR PARCEL 3, 35') FROM TOP OF CREEK BANK IS INTENDED TO BE A PRIVATE EASEMENT FOR PASSIVE RECREATION, NATIVE PLANTINGS, CREEK RESTORATION, STORMWATER FACILITIES AND ALLOWS A PEDESTRIAN PATH.

PEDESTRIAN EASEMENT: PRIVATE RECIPROCAL PEDESTRIAN EASEMENT LOCATED IN THE WESTERLY TO 15 FEET OF CONSERVATION EASEMENT FOR A 4 FOOT DECOMPOSED GRANITE PATH.

SEWER EASEMENT: PUBLIC SEWER EASEMENT FOR EXISTING SEWER MAIN.

FLOOD CONTROL EASEMENT: EASEMENT LOCATED 15' FROM TOP OF CREEK BANK TO BE OFFERED TO SANTA BARBARA FLOOD CONTROL AND WATER CONSERVATION DISTRICT BY SEPARATE DEED WHICH IS PROPOSED TO RECORD CONCURRENTLY WITH PARCEL MAP.

LEGAL DESCRIPTION

PARCEL ONE: (ELY POR. 112 D.R. 130, WELY POR. 219 D.M. 293 & 1719 D.R. 235) THAT CERTAIN REAL PROPERTY IN THE CITY OF SANTA BARBARA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT AN OLD STONE MONUMENT SET AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN THE DEED RECORDED IN BOOK 219, PAGE 293 OF DEEDS OF SAID COUNTY, SAID MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS PARCEL ONE IN A DEED TO ALLEN E. ROGERS, ET AL., RECORDED IN BOOK 156, PAGE 438 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE SOUTHERLY BOUNDARY OF THE TRACT OF LAND DESCRIBED AS PARCEL TWO PIPE WITH COPPER TAG MARKED "7704"; THENCE NORTH 92°27' EAST 377.18 FEET TO A 1/2 INCH POINT ON THE EASTERLY BOUNDARY OF SAID TRACT OF LAND DESCRIBED AS PARCEL ONE IN THE ABOVE MENTIONED DEED TO ROGERS; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL ONE THROUGH THE FOLLOWING FOUR COURSES: SOUTH 30°14'20" WEST 58.91 FEET TO A CROSS ON A ROCK, SOUTH 31°20' WEST 134.32 FEET TO A CROSS ON A ROCK, SOUTH 71°40' EAST 110.41 FEET TO A CROSS ON A ROCK AND SOUTH 32°41'20" WEST 95.68 FEET TO A CROSS ON A ROCK, SAID CROSS BEING THE SOUTHWEST CORNER OF SAID PARCEL ONE OF ROGERS; THENCE FOLLOWING ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL ONE OF ROGERS; NORTH 75°37'40" WEST 17.65 FEET TO THE POINT OF BEGINNING.

PARCEL TWO: (1757 D.R. 181) THAT CERTAIN REAL PROPERTY IN THE CITY OF SANTA BARBARA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

AN EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF A WATER PIPE LINE AND RIGHTS INCIDENTAL THERETO, ALONG AND UNDER A STRIP OF LAND FIVE FEET IN WIDTH LYING ADJACENT TO, PARALLEL WITH AND EASTERLY OF THE WESTERLY LINE OF LOT 9 OF ADAM SAN ROQUE ORCHARDS, UNIT NO. 1 AS PER MAP THEREOF RECORDED IN BOOK 53, PAGES 57 AND 58 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THE EASTERLY LINE OF SAID EASEMENT TO BE PROLONGED OR SHORTENED AS NECESSARY TO INTERSECT THE NORTHERLY AND SOUTHERLY LINES OF SAID LOT 9.

NOTE: LEGAL DESCRIPTION AND EXISTING EASEMENTS, SHOWN HEREON, OBTAINED FROM FIRST AMERICAN TITLE COMPANY PRELIMINARY TITLE REPORT NO. 4201-3387565 (L.C.); EFFECTIVE DATE: OCTOBER 23, 2009

OWNER/SUBDIVIDER INFORMATION

MADSEN FAMILY TRUST
ATTN: NANCY J. MADSEN
1714 OLIVE STREET
SANTA BARBARA, CA 93101
(805) 680-9301
NANCY J. MADSEN DATE

STATEMENT OF PURPOSE

SUBDIVIDE (2) EXISTING PARCELS INTO (4) NEW PARCELS WITH A COMMON DRIVEWAY, WATER, SEWER, AND UTILITIES TO BE PROVIDED TO SERVE ALL (4) PARCELS.

BOUNDARY DISCLAIMER NOTE

THE EXISTING BOUNDARY WAS COMPILED FROM RECORD INFORMATION PER FIRST AMERICAN TITLE COMPANY, TITLE REPORT ORDER NO. 4201-3387565, DATED 10/23/09, AND FIELD INFORMATION BY OTHERS. NO CLAIM IS MADE AS TO ITS ACCURACY.

DESIGN INFORMATION

ASSESSOR'S PARCEL NUMBERS: 053-231-010 & 053-231-011
EXISTING AREA: 10,894 SF & 55,678 SF (66,572 SF TOTAL)
GENERAL PLAN: E-3.5-0-2
EXISTING LAND USE: 5 UNITS PER ACRE
PROPOSED LAND USE: RESIDENTIAL SINGLE FAMILY
EXISTING SLOPE OF PROPERTY: 11%
CITY OF SANTA BARBARA
CITY OF SANTA BARBARA
SOUTHERN CALIFORNIA GAS COMPANY
SOUTHERN CALIFORNIA EDISON
CITY OF SANTA BARBARA
VERIZON TELEPHONE COMPANY
SANTA BARBARA CITY FIRE DEPARTMENT
HARBORO INDUSTRIES
EXISTING PARCELS: 2
PROPOSED PARCELS: 4

PREPARED BY:
CRISTI E. FRY - R.C.E. 57970, L.S. 8356
TRIAD/HOMES ASSOCIATES
555 CHERRIO STREET, A
SAN LUIS OBISPO, CA 93405
805-544-8050
cto@thac.com

822 north main st. suite 100
MORRO, CA 93942
phone (760) 833-2373
fax (760) 833-2374
e-mail thac@thac.com

777 woodside rd. suite 2
MORRO, CA 93942
phone (805) 388-2314
fax (805) 388-2316
e-mail thac@thac.com

813 mission avenue, suite 4
MORRO, CA 93942
phone (760) 833-2373
fax (760) 833-2374
e-mail thac@thac.com

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consent of Triad/Homes
Associates.

REVISION	BY
INCOMPLETENESS LETTER - 3/29/10	RW
INCOMPLETENESS LETTER - 3/2/10	RW
INCOMPLETENESS LETTER - 2/1/10	RW
SETBACK & VIEW CORRIDOR - 9/13/10	RW

DATE: 12/02/09
SCALE: 1"=20'
DRAWN: CF/RW
JOB NO.: 11.00545
SHEET: 545-TM
TM1
2 SHEETS

DATE PLOTTED: 12/02/09 11:52 AM
C:\Users\jfrank\Documents\2009\11\00545\00545-TM1-545-TM.dwg
Sep 17, 2002, 3:43pm

- SITE SPECIFIC NOTES:**
- FUTURE IMPERVIOUS IMPROVEMENTS FOR EACH PARCEL DEVELOPMENT AREA IS LIMITED TO 2,650 SQUARE FEET.
 - 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.
 - 5/8" WATER METER PROVIDES A MAXIMUM OF 20 GPM AND 1" WATER METER PROVIDES A MAXIMUM OF 50 GPM.
 - NEW WATER METERS MUST BE SET UP IN SEQUENTIAL ORDER CORRELATING TO THE ADDRESSES PER SBMC §22.60.090 AND CITY STANDARD DETAIL NO. 6-005.2.
 - 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.
 - DUE TO THE ASSUMED WELL DRAINED NATURE OF THE INST'D SOILS AND ASSUMED DEPTH TO GROUNDWATER, UNDERDRAINS WERE NOT SPECIFIED 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.
 - ALL EXISTING STRUCTURES TO BE DEMOLISHED. 4,520 S.F. TOTAL.
 - TREE PROTECTION FENCING PER TREE ASSESSMENT AND PROTECTION PLAN.
 - 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.
 - 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.

ENGINEERING GEOLOGY REPORT:

THE ENGINEERING GEOLOGY REPORT FOR THE PROJECT PREPARED BY RICHARD PAUL COUSINEAU, PROJECT NO. 20506, DATED 7/31/00 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: 1258 C.Y.
 FILL: 258 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 03/17/10 AND NO CLAIM IS MADE AS TO ITS ACCURACY. THE BENCHMARK USED FOR THIS SURVEY IS A P.M. 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 = 226.17 FEET DATUM: NAVD 88. THE BACKSIGHT BEARING FOR THIS TOPOGRAPHIC SURVEY MAP IS N 92° 27' E FOR THE EASTERLY LINE OF SUBDIVISION PER 55 MAPS 6.3.

SLOPE CALCULATION/DENSITY

(SITE AREA ABOVE 25-YEAR FLOOD ZONE WAS USED FOR CALCULATION PER SBMC 28.87.250)
 AVERAGE SLOPE FOR OVERALL SITE = 9%
 AVERAGE SLOPE FOR PARCEL 1 = 8%
 AVERAGE SLOPE FOR PARCEL 2 = 8%
 AVERAGE SLOPE FOR PARCEL 3 = 10%
 AVERAGE SLOPE FOR PARCEL 4 = 8%
 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

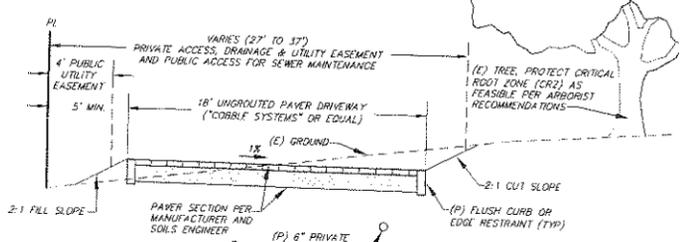
BASE FLOOD ELEVATION (BFE) = 219.5 FEET (NAVD 1988 DATUM)
 (BASED ON INFORMATION PROVIDED BY CITY OF SANTA BARBARA COMMUNITY DEVELOPMENT DEPARTMENT)

ABBREVIATIONS

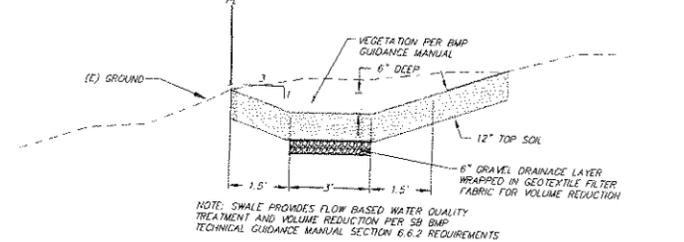
- AC ASPHALT CONCRETE
- CO CLEANOUT
- (E) EXISTING GROUND
- CH FIRE HYDRANT
- FL FLOWLINE
- FS FINISHED SURFACE
- G GAS
- GB GRADE BREAK
- INW INVERT
- (P) PROPOSED
- R RADIUS
- S SLOPE
- SD STORM DRAIN
- SS SANITARY SEWER
- TO TOP OF GRATE
- TW TOP OF WALL
- W WATER
- WM WATER METER
- (TYP) TYPICAL

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

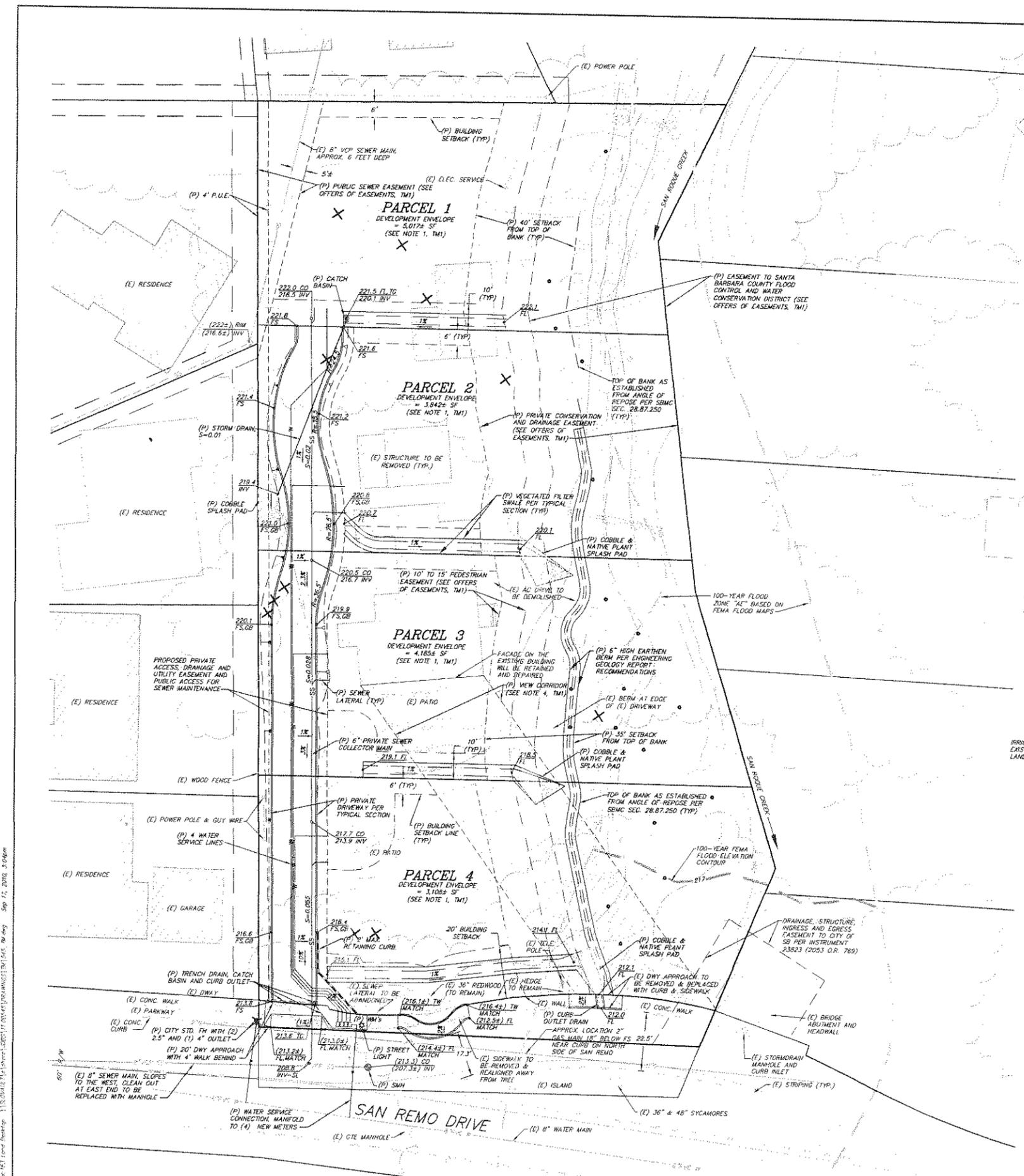
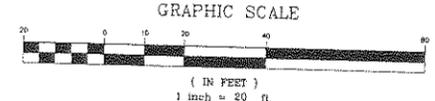
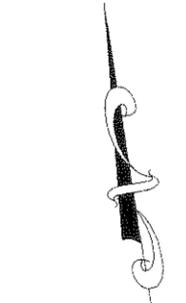


TYPICAL PRIVATE DRIVEWAY SECTION
 SCALE: 1" = 5'



TYPICAL VEGETATED SWALE FILTER SECTION
 NOTE: SWALE PROVIDES FLOW BASED WATER QUALITY TREATMENT AND VOLUME REDUCTION PER SB BMP TECHNICAL GUIDANCE MANUAL SECTION 6.6.2 REQUIREMENTS
 NOT TO SCALE

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



DATE: 01/11/10
 DRAWN: CF/RW
 CHECK: TM
 SHEET: 2 OF 2



845 1/2 Main St., Suite 150
 Santa Barbara, CA 93101
 Phone: (805) 964-1500
 Fax: (805) 964-1501
 Email: info@thassoc.com

877 Woodside Rd., Suite 200
 Woodside, CA 94095
 Phone: (800) 368-0214
 Fax: (415) 351-0108
 Email: info@thassoc.com

REVISIONS	BY
INCOMPLETENESS LETTER - 1/29/10	RW
INCOMPLETENESS LETTER - 5/25/10	RW
INCOMPLETENESS LETTER - 7/17/10	RW
SETBACK & NEW CONTOUR - 8/13/10	RW
DATE	12/02/09
SCALE	1" = 20'
DRAWN	CF/RW
JOB NO.	11.00545
DWG.	545_TM
SHEET	TM2
	2 OF 2 SHEETS

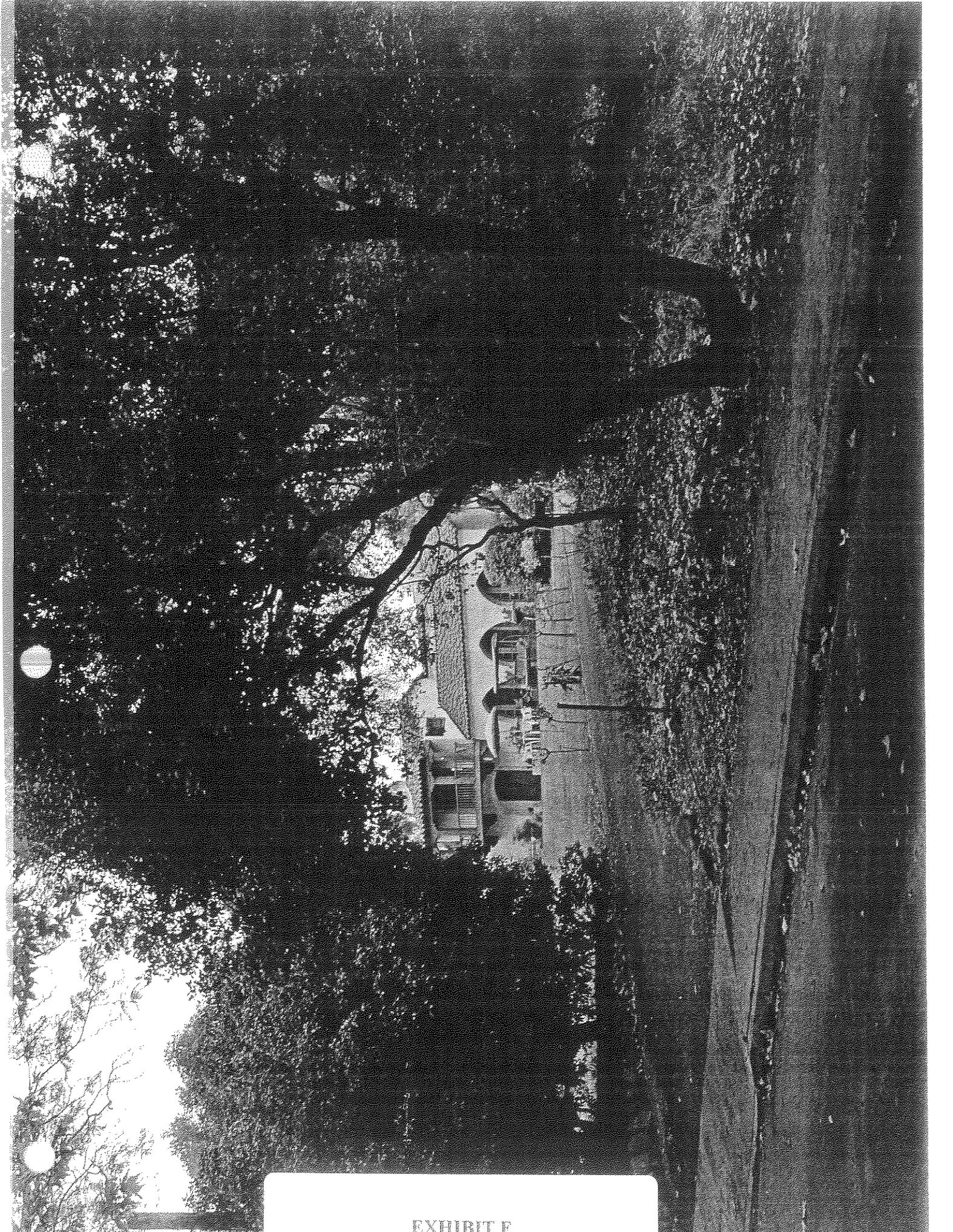


EXHIBIT E

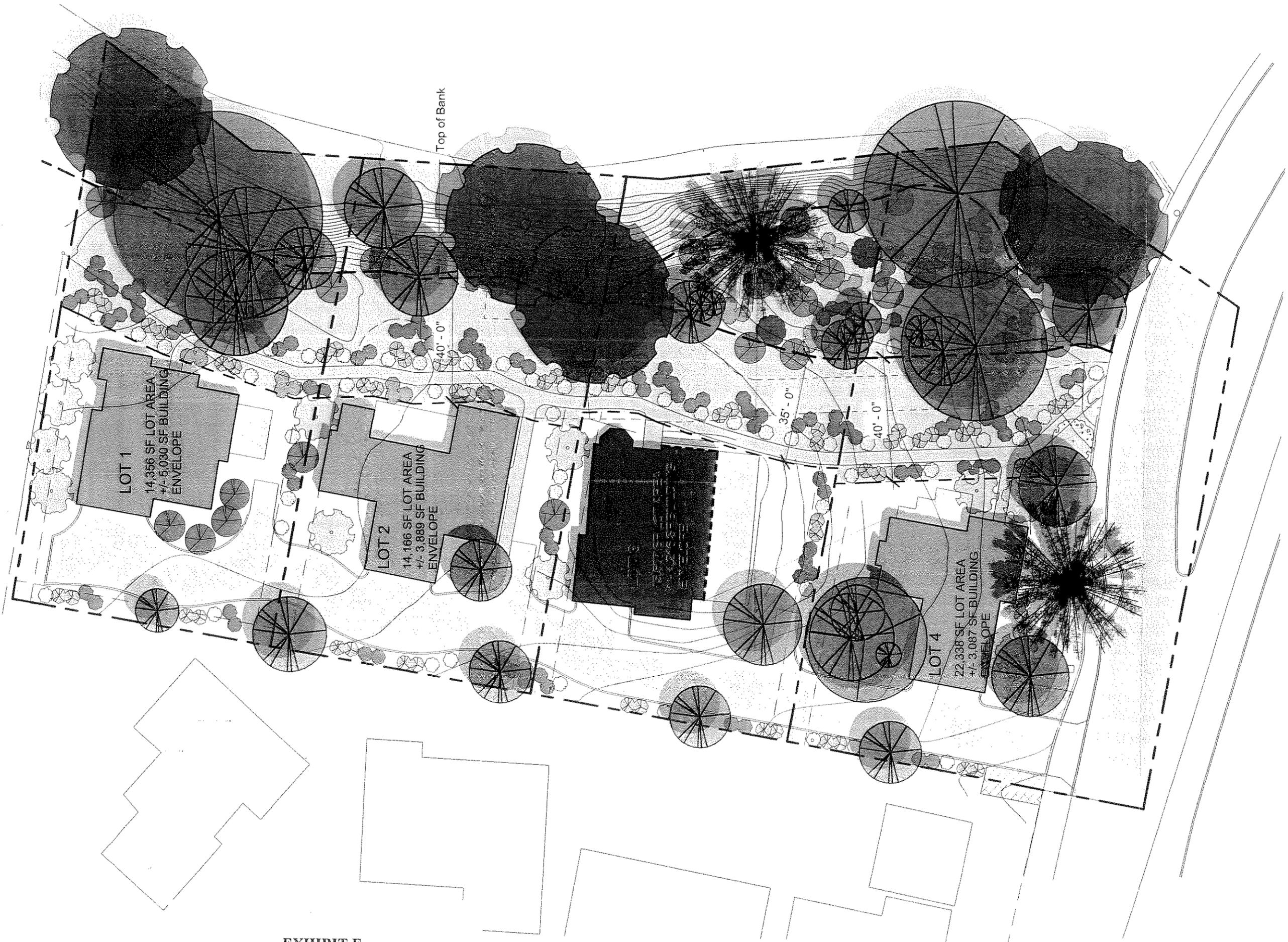


EXHIBIT F

Site Plan Rendering .jpg

1" = 30'-0"

A1

September 20, 2010

San Remo Subdivision

3626 San Remo Drive
Santa Barbara, CA

Peikert Group
Architects, LLP

10 E. FIGUEROA ST., SANTA BARBARA, CA 93101
PHONE: 805.963.8283 FAX: 805.963.8184

EXHIBIT G



1 Site Plan
1" = 30'-0"

A2

September 20, 2010

San Remo Subdivision

3626 San Remo Drive
Santa Barbara, CA

Peikert Group
Architects, LLP

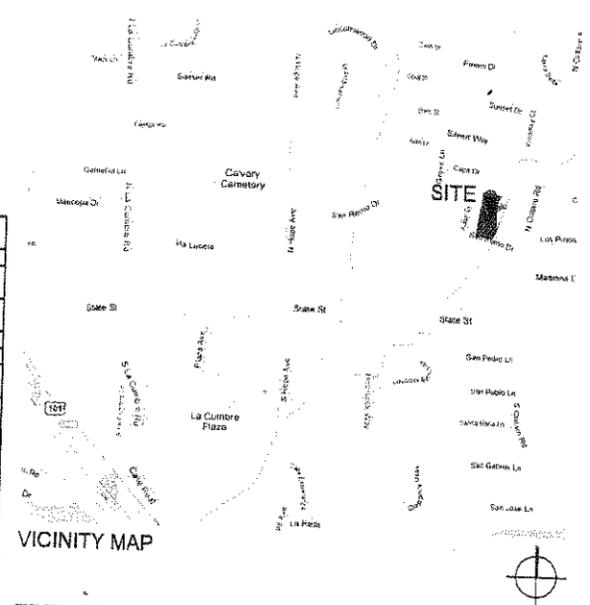
10 E. FIGUEROA ST., SANTA BARBARA, CA 93101
PHONE: 805.963.8283 FAX: 805.963.8184



TREE INVENTORY

(B. SPIEWAK / SEPTEMBER 2009)
 Tree # corresponds with the number on the site plan.
 Type is either native or a large tree viable from adjacent properties.
 DBH is diameter at breast height measured at 4' 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	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 avocado 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



TREE PROTECTION MEASURES

- Prior to any construction, proposed plans should be reviewed with the project architect to be sure that excavation, grading, construction, and infrastructure do not cause significant impact into the CRZs (critical root zones) of protected oaks.
- A pre-construction meeting should be held with contractors, prior to commencement of work, to discuss tree protection measures.
- 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.
- The TPZs should be void of all activities, including parking vehicles, operation of equipment, storage of materials and dumping (including temporary spoils from excavation).
- 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).
- All excavation and grading near trees should be monitored by the project arborist.
- 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 1/2" and greater should be cleanly cut. This includes the trees along the proposed driveway, west side of the property.
- Tree pruning, where limbs may conflict with equipment and proposed structures, should be done prior to excavation and grading.
- 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.
- Trees that are impacted from root damage (even minimally) should be sprayed in the early spring and late summer with permethrin (Astaro) 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.
- 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.
- Remove non-native vegetation from the planting area and install eighteen mitigation oaks as indicated on the plan.
- 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



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

OAK TREE INVENTORY & MITIGATION PLAN
 SEPTEMBER 28, 2009

PGA Peikert Group Architects, LLP
 10 East Figueroa Street, Santa Barbara CA 93103
 p. 805.963.8283 f. 805.963.8184
 www.peikertgroup.com

HISTORIC STRUCTURES REPORT
3626 SAN REMO DRIVE
SANTA BARBARA, CALIFORNIA
APN: 053-231-011

HLC FB March 30, 2010

Approved w/ Comments

FINAL

Prepared for
Peikert Group Architects
10 East Figueroa Street
Santa Barbara, CA
(805) 963-8283

Prepared by
Alexandra C. Cole
Preservation Planning Associates
519 Fig Avenue
Santa Barbara, California 93101
(805) 450-6658; Accole5@yahoo.com

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FEB 24 2010

CITY OF SANTA BARBARA
PLANNING DIVISION

February 2010

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**HISTORIC STRUCTURES REPORT
3626 SAN REMO DRIVE
SANTA BARBARA, CALIFORNIA
APN: 053-231-011**

1. INTRODUCTION

The following Historic Structures Report for 3626 San Remo Drive was requested by the City of Santa Barbara Planning staff because the building is over 50 years of age and was designed by a significant architectural firm, Edwards, Plunkett & Howell. This study was conducted to assess the significance of the building and to analyze the potential effects of the project upon it (see Figure 1 for vicinity map). The report meets the Master Environmental Assessment requirements for a Historic Structures Report. Alexandra C. Cole of Preservation Planning Associates prepared the report.

2. PROJECT DESCRIPTION

The proposed project is located in the San Roque neighborhood, to the north of State Street, which is designated residential. The proposed project would create four new equal parcels on the 1.27- acre site. This report focuses on lot three, where the existing house is located, and lot four adjacent to San Remo Drive below the existing house, where a new 2,340 square foot house with attached 440 square foot garage would be constructed. The significant part of the house - the south façade, the curved staircase on the west elevation, and the gable and front entrance on the east elevation (see Plates 2-5 and 12 for photographs of these elements)- would be retained, and the non-significant remainder of the existing 3,137 square foot house would be demolished after documentation with large-format black and white photographs and measured drawings per the City of Santa Barbara's "Required Documentation of Buildings Prior to Demolition". A new 2700 square foot addition with attached 450 square foot garage would be attached at the rear (north) (see Vicinity Map and "Site Plan. View from Street" in Appendix).

The proposed new house on lot 4 would be set back at an angle to the west to maintain the current view of the existing house from the street. The existing vegetation along San Remo Drive would hide this proposed house from the street (see "Site Plan. View from Street", "Existing View from Street", and "Photo Sim - View from Street" in Appendix).

The existing driveway would be removed and a new driveway established on the west side of the property. The creek setback would be restored with native oak and sycamore trees and shrubs such as toyon, black berry, blue elderberry, creeping snowberry, coffeeberry, mugwort, and bush monkey flower.

3. DOCUMENTS REVIEW

The following sources within the *City of Santa Barbara Master Environmental Assessment Guidelines for Archaeological Resources and Historic Structures and Sites* (January 2002) were consulted to see if the building had already been declared a historic resource: "Designated

Structures/Sites List" (Appendix C). The building is not a City Landmark or Structure of Merit nor is it on the City's Potential Historic Structures list.

4. SITE HISTORY

The land comprising present-day Santa Barbara originally was the home of the Barbareno Chumash, who settled along the coast from Carpinteria to Goleta. A Chumash village, Syuktun, was located along the present Cabrillo Boulevard and a second, Taynayan, inland near Pedregosa (Mission) Creek on the upper East side. When Spain began to colonize California with missions and pueblos, this land was claimed by King Carlos of Spain and then granted to the Franciscan fathers when the Presidio and Mission were founded in Santa Barbara between 1782-1786. The area became part of the Pueblo lands of Santa Barbara to be used by the Mission and the Presidio.

When Mexico became independent from Spain in 1822, it began to secularize the missions and sell off their lands in an attempt to break the Spanish hold in California. The Santa Barbara Mission was secularized in 1834 under Governor José Figueroa, its lands were confiscated, and the Franciscans were replaced with secular administrators, who oversaw the Indians living at the Mission as well as their land. The goal was to convert the Mission into a pueblo.

When California became a state in 1850, the City of Santa Barbara inherited a great deal of the land formerly belonging to Mexico, including the "Outside Pueblo Lands" east and west of the City. People wishing to own City land petitioned to the Common Council, who granted land up to forty acres, generally very cheaply. During the late nineteenth century, a number of Eastern and Midwestern farmers came to settle these lands.

In 1868, Miles Hinton Lane and his wife Elizabeth, transplants from Missouri, bought approximately 120 acres of Pueblo lot 48, from George C. and Marcia Case (City Deeds book F: 555-56). Nothing is known of their time at this property, but a great deal is known of their son Jasper who bought a part of La Goleta Rancho in 1891 along Hollister Avenue; planted walnuts, became a prominent member of the Santa Barbara County Walnut Growers' Association, and is credited with helping his fellow Goletan Fritz Maier develop a mechanical walnut huller (Pursell 1985: 5). His house is still standing in Goleta and his descendants still farm in the Goleta Valley.

Upon Miles H. Lane's death circa 1900, his approximately 120 acres was divided among the ten heirs. Lot 8, the subject property, was willed to the Lane daughter, Polly A. Loomis, who lived in Missouri (Deeds Book 69, page 290, January 17, 1900); "Map Showing Subdivision, M. H. Lane Estate, January 16, 1900"). In 1923, the east half of lot 8, 4.4. acres, was sold by A. G. Heimerl to Allen E. Rogers and his wife Florence (Deeds Book 219, page 293, April 9, 1923). Mr. Rogers was the owner of Rogers Furniture Store at 928 State Street (now the Apple store).

5. ARCHITECTURAL AND SOCIAL HISTORY

The 1924 City Directory gives the address for Allen Rogers as Ontare Road, which at the time was a rural area in the County of Santa Barbara which corresponds with the location of lot 8. It is not known exactly when Rogers built the Spanish Colonial Revival style house; the authors of

Santa Barbara Architecture date the house as being built in 1927. There already was a wood-frame cottage with two outbuildings on the property (the deed included "Appurtenances") where his family could have lived from 1924 until the new house was built. (As an interesting aside, the Rogers Furniture Store was damaged in the 1925 earthquake and remodeled in the Spanish Colonial Revival style by Soule Murphy and Hastings in 1926).

The new house was designed by architects Edwards, Plunkett & Howell in their Spanish Colonial Revival style with an overscale Monterey balcony on the front façade. An anomaly was the incorporation and remodeling of the small vernacular wood-frame cottage into the rear of the house. Segments of the cottage's architectural features were retained, such as the shingle roof on the west slope at the rear of the house, the open wood rafters on the north and west elevations, and the one-over-one light double-hung windows in flat wood surrounds and the bay window on the west elevation. At some unknown date, a flat-roof two-story wing was added at the rear, which truncated the bay window.

By 1938, Grove Lane was platted, and the address changed from rural delivery to 140 Grove Lane. At some time Rogers bought the west half of lot 8, and in 1959, split off 6.8 acres of his parcel, leaving the house lot with 1.5 acres. This lot split resulted in the creation of the adjacent Adair Drive and Capri Drive subdivisions (Map book 53, pages 57-58; Map book 55, pages 63-4). By 1962-3, the area had been annexed to the City and the new address became 3626 San Remo Drive.

After Mr. Rogers' death c. 1960, Mrs. Rogers continued living in the house until 1970 when Wesley M. Walters bought the property. In 1972, a second flat-roof wing was added, at the northwest corner, designed and built by contractor Jess McDonald (City building permit #42060, September 28). Most recently the house was owned by Laretta Madsen, whose heirs wish to subdivide the land.

6. FIELD INVENTORY

Setting

The house at 3626 San Remo Drive lies immediately to the west of San Roque Creek and high above it. This small segment of San Remo Drive, with its large sycamore trees and divided roadway retains a rural feel to it, in contrast to the subdivisions with single family modern homes and apartment buildings immediately to the west. The house is set far back on the property on a knoll, with expansive lawns and mature trees surrounding it (see Plate 1). A long macadam driveway leads from San Remo Drive along the east side of the house and ends at a large parking area in front of the two-story garage at the rear (see Plates 13-14). A small wood-frame building, whose beveled tongue-and-groove siding has been largely covered with concrete, lies immediately to the north, with a small lath house across a garden to the north (see Plates 15 and 16).

Description

The house is an irregular L-shape. The main façade, facing south, consists of a one-and two-story eaves front rectangular block running east/west (see Plate 2), which adjoins a one-story

eaves-front rectangular block running north/south (see Plates 5 and 6). The walls are rough-finished stucco and the roof, with the exception of a small section on the west elevation which is red asphalt shingle, and the two flat-roofed portions, is clad in red tiles. The dominant architectural details of the façade are the three pointed-arch openings in the one-story section balanced by the segmental-arch opening under a balcony supported on overscale corbels, and the curving brick staircase with broad stucco walls leading to the second floor (see Plates 2-4, 12). A shed-roof two-story wing and two flat-roof modern additions project from the west elevation. (see Plates 8, 10 and 11). Remnants of a vernacular wood-frame cottage have been incorporated into the building, as evidenced by the small one-story portion showing on the west elevation. The wood siding has been covered with rough-finish plaster to match the remaining building, yet the shingle roof, open rafters with corbelled beams, double-hung windows, and bay window remain from the original cottage (see Plate 9).

The south facade facing the street is the most dramatic side of the house, yet the main entrance, a simple wood-panel door with a four-pane glass insert, is located on the east elevation, in the gable-roofed portion, reached by a flight of brick steps (see Plate 5). Several fixed multi-paned windows with multi-paned casements, most hidden by foliage, are located on this east side. The northeast elevation has a small recessed porch and a gabled roof. This portion shows the juncture of the old wood rafter tails and overhanging eaves with the 1927 flush eaves line rising to the red-tile roof (see Plate 6).

The west elevation has a modern tall one-story flat-roof wing with multi-paned windows and a shouldered exterior brick chimney (see Plate 8) and a second modern two-story flat-roof wing with casement windows (see Plate 10). Sandwiched between these modern wings is the remnant of the original vernacular wood-frame cottage (see Plate 9).

Exterior Alterations

Several later incompatible alterations have compromised the Spanish Colonial Revival style of the building as well as truncating the bay window of the vernacular cottage.

Date unknown, but according to a proposed subdivision map, post-1959. Addition of a two-story flat-roof square wing on the west elevation in the crook of the L.

1972. Addition of a tall one-story rectangular wing at the northwest corner by Jess McDonald, contractor (City Permit # 42060, September 28).

7. DETERMINATION OF SIGNIFICANCE

Criteria of Significance

To judge whether a building is significant, the City's Master Environmental Assessment Guidelines uses criteria provided by CEQA and City Guidelines. Under CEQA Guideline §15064.5(a) historic resources include the following:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.)
- (2) A resource included in a local register of historical resources, as defined in §5020.1 (k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of §5024.1 (g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, providing the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on
 - (4) the California Register of Historic Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4852) including the following:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - (B) Is associated with the lives of persons important in our past;
 - (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history.
 - (5) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historic Resources, not included in a local register of historical resources (pursuant to section 5020.1 (k) of the Public Resources Code, or identified in an historical resources survey (meeting the criteria in §5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

Under City of Santa Barbara Guidance, a significant historic resource includes but is not limited to:

1. Any structure, site or object designated on the most current version of the following lists: National Historic Landmarks, National Register of Historic Places, California Registered Historical Landmark, California Register of Historical Resources, City of Santa Barbara Landmarks, City of Santa Barbara Structures of Merit.
2. Selected structures that are representative of particular styles including vernacular as well as high styles, architectural styles that were popular fifty or more years ago, or

structures that are embodiments of outstanding attention to architectural design, detail, materials, or craftsmanship.

3. Any structure, site or object meeting any or all criteria established for a City Landmark and a City Structure of Merit (Municipal Code, Chapter 22.22.040, Ord. 3900 ¶1, 1977), as follows:
 - A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
 - B. Its location as the site of a significant historic event;
 - C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State or the Nation;
 - D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
 - E. Its exemplification as the best remaining architectural type in its neighborhood;
 - F. Its identification as the creation, design, or work of a person or persons whose effort has significantly influenced the heritage of the City, the State or the Nation;
 - G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship;
 - H. Its relationship to any other landmark if its preservation is essential to the integrity of that landmark;
 - I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;
 - J. Its potential of yielding significant information of archaeological interest;
 - K. Its integrity as a natural environment that strongly contributes to the well-being of the people of the City, the State or the Nation.

4. Any structure, site or object meeting any or all of the criteria provided for the National Register of Historic Places and the California Historical Landmark list, as follows:

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and

 - A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
 - B. That are associated with the lives of persons significant in our past; or
 - C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - D. That have yielded, or may be likely to yield, information important in prehistory or history.

5. Any structure, site, or object associated with a traditional way of life important to an ethnic, national, racial, or social group, or to the community at large; or illustrates the broad patterns of cultural, social, political, economic, or industrial history.

6. Any structure, site or object that conveys an important sense of time and place, or contributes to the overall visual character of a neighborhood or district.
7. Any structure, site, or object able to yield information important to the community or is relevant to historical, historic archaeological, ethnographic, folkloric, or geographical research.
8. Any structure, site or object determined by the City to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the City's determination is based on substantial evidence in light of the whole record [Ref. State CEQA Guidelines §15064.5(a)(3)].

8. FINDING OF SIGNIFICANCE

Summary

The building is not designated on the most current version of the following lists: National Historic Landmark, National Register of Historic Places, California Registered Historical Landmark, California Register of Historical Resources, a City Landmark or Structure of Merit. It is not listed on the City's Potential Historic Structures list. It is my professional opinion that the house, designed by the noted architects Edwards, Plunkett & Howell is eligible as a City Structure of Merit under Criteria E, F, I and item 5, because of its architects and its street presence. The façade of the building is considered an historic resource according to CEQA standards.

Analysis

California Register of Historic Resources.

This building is not considered eligible for the California Register of Historic Resources (CRHR). Although its façade is an excellent example of the work of the notable Santa Barbara architectural firm of Edwards, Plunkett & Howell (Criterion C), the building in its entirety has had sufficient alterations that it no longer retains the requisite design integrity to be eligible for the CRHR.

City of Santa Barbara Guidance

Item 1. The building is not eligible under #1. It is not designated on the most current version of the following lists: National Historic Landmark, National Register of Historic Places, California Registered Historical Landmark, California Register of Historical Resources, a City Landmark or Structure of Merit. It is not listed on the City's Potential Historic Structures list.

Item 2. The building is not eligible under #2. Because of its incorporation of an earlier cottage and its later incompatible alterations, it is not representative of the Spanish Colonial Revival style.

Item 3. City of Santa Barbara Landmark or Structure of Merit Criteria

To be considered as a potential Landmark or Structure of Merit, a building must retain integrity of location, materials, design, and setting and meet one of the City's criteria, listed in Section 7. The building retains integrity of location, materials, and setting. It is in its original location, its original materials have been retained, and its residential setting has remained. Its façade and east elevation retain integrity of design, while the incompatible rear alterations, on the north and west elevations, do not.

Criterion A. The building is not eligible under Criterion A. Although the façade demonstrates outstanding attention to architectural design, detail, materials, and craftsmanship, the house in its entirety, because of its inappropriate alterations, including the post-1959 two-story flat-roof square wing and the 1972 tall addition by contractor Jess McDonald on the west elevation, no longer retains sufficient design integrity to be eligible under Criterion A.

Criterion B. A review of the relevant records indicates that the building was not the location of a significant event and is not eligible under Criterion B.

Criterion C. The building is not associated with a person important to the history of Santa Barbara, and is not eligible under Criterion C. Although it was built for Allen E. Rogers, owner of Rogers Furniture Store, a long-lasting business in Santa Barbara, the building most closely related to the business is the store at 928 State Street, which was home to the business from 1904 to 1968 and is on the City's list of Potential Historic Structures.

Criterion D. The building is Spanish Colonial Revival in style, a style important in the self-conscious transformation of Santa Barbara into a romantic Hispanic town, yet its anomalous incorporation of an earlier vernacular cottage plus its modern alterations have rendered it no longer a good example of the style. It is not eligible under Criterion D.

Criterion E. This building is the only remaining 1920s house in the neighborhood, which has been subdivided and built up with 1960s single family homes and apartment buildings. Although its alterations prevent its significance under Criterion D, because the façade facing the street retains its Spanish Colonial Revival elements, it is eligible under Criterion E

Criterion F. The building is the work of the well-known architectural firm of Edwards, Plunkett & Howell (1926-1929), and includes their trademark overscale Monterey balcony set on sizeable corbels. They used this balcony motif on a number of residences designed by the firm in the three short years they worked together, such as the Martin/Seymour house (1928) on Lilac Drive, the Andrews house, and the Thompson house (1928). As well they applied it to the residential-scale fire station designed on East Sola Street in 1929.

An unusual feature of the façade is the use of the pointed arch door openings, where traditionally the firm used rounded arches. One of their early post-earthquake designs was the commercial *Los Arcos* building which used these pointed arches, and possibly this building was the model for the arched openings on the Rogers house.

The Edwards, Plunkett & Howell firm in their three short years as partners were instrumental in helping transform Santa Barbara from a "visually chaotic typical small American city to a Spanish Colonial Revival city" (Gebhard in Staats 1990: x). William Edwards (1888-1976), the architect of the firm, was born in Santa Barbara, attended the University of California at Berkeley, and graduated with a degree in architecture from the University of Pennsylvania. In 1919 he began his architectural practice in Santa Barbara. Immediately after the earthquake in August 1925, he brought the artist and designer Joseph Plunkett into the firm, where they immediately were hired to help in the reconstruction of the damaged State Street commercial core. Joseph Plunkett (1900-1946), born in Rome, New York, came to California in 1923 where he worked with architect Winsor Soule in Santa Barbara until 1925, when he joined Plunkett. Within the partnership, Plunkett provided the quick sketches and renderings which Edwards turned into working drawings. In 1926 they added Henry Howell as a junior partner to help handle their commercial work (André 1980: 284, 286).

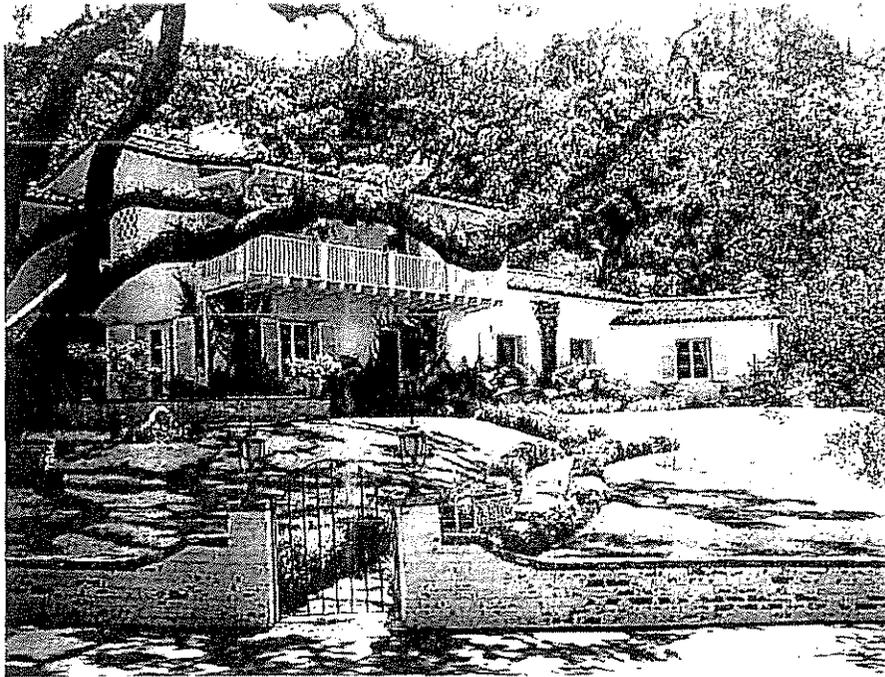
During the three years that Howell was part of the firm, from 1926 to 1929, the partners designed a number of major downtown buildings, including the Southern California Gas Company Building (with Marston and Van Pelt) at Anacapa and Figueroa Streets, an office building at 20 East Figueroa Street, a Standard Oil Service Station on Coast Village Road, the Medical Arts building at 1421 Chapala Street, the Santa Barbara Women's Club, and the remodel of the Copper Coffee Pot restaurant on State Street. All the above mentioned work received awards in the Annual Community Arts Association's Plans and Planting Committee Architectural Competition for Civic and Commercial Buildings ("General Civic and Commercial Architectural Competitions" folder). Additionally they designed a medical building at 500 State Street, an office building at 930 State Street a commercial building at 1025 Chapala Street, and a medical complex at 1512-1515 State Street.

As well the firm designed a number of houses during this period from 1926 to 1929, including the Lincoln residence at 3518 Chuparosa in Hope Ranch (1928), the Hornback residence at 2131 State Street (1928), the Linscott houses on Estrella Drive, Creciente Drive, and Nogal Drive in Hope Ranch (1928 and 1929), the Thompson residence (1928) and the Gamble house (1928) on Lago Drive in Hope Ranch, the MacKay house, the Oriss House, the Andrews house, the Post house and the Martin/Seymour house on Lilac Drive in Montecito (1928), and the Rogers house at 3626 San Remo Drive. The Lincoln and Hornbeck houses both won awards in the Fourth Annual Small House Competition of 1928, and the Linscott house on Nogal Drive received first prize for a 5-room house in the Small House Competition for houses constructed in 1929. These architectural competitions were sponsored by the Plans and Planting Committee of the Community Arts Association in connection with the national Better Homes of America organization to "educate public taste" by offering examples of well-designed moderately-priced homes in annual exhibits (Montecito History Committee Archives; Hope Ranch Park Homes Association archives; Staats 1990; "Fourth Annual Small House Competition" 1928; "Small House Competition for the Year 1929").

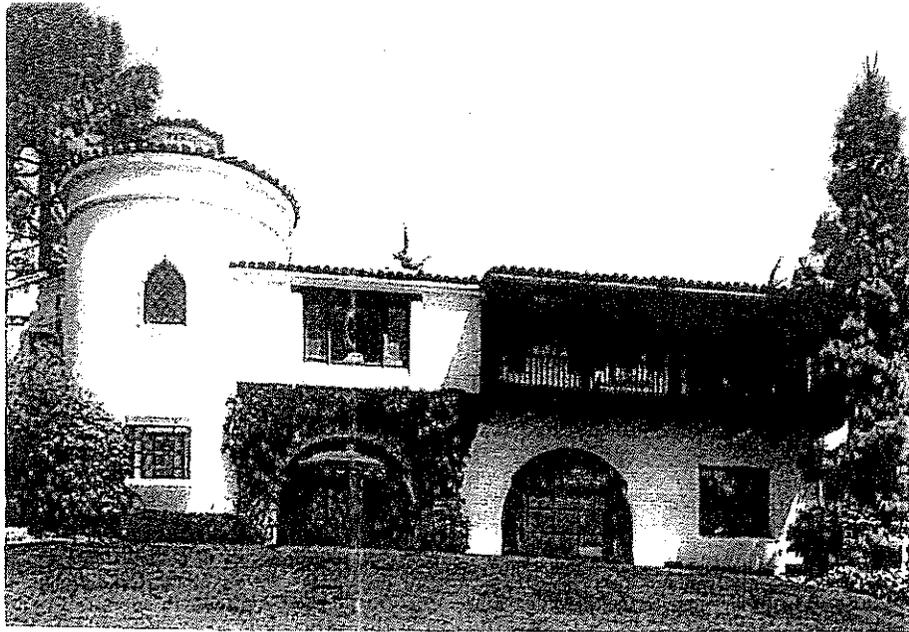
The majority of Edwards, Plunkett & Howell's work was in the Spanish Colonial Revival style. Unlike the more spare Andalusian farmhouse version of the style employed by J. O. Craig and G. W. Smith, or the more classical Mediterranean version used by Reginald Johnson, the work of Edwards, Plunkett & Howell contains more organic and picturesque elements of



Thompson house, Lago Drive, Hope Ranch. 1928. Facing southwest. A. C. Cole, June 2001



Gamble house. Lago Drive, Hope Ranch. 1928. Facing southwest. A. C. Cole, June 2001



Martin/Seymour house, Montecito. 1928
Courtesy Santa Barbara Architecture (2nd ed. 1980)

the style. The key architectural components which determine the significance of an Edwards, Plunkett & Howell residence are the presence of these picturesque architectural features, such as a Monterey balcony, a tower, exterior plaster staircase, overscale corbels supporting an overhanging second story, wrought iron balconies supported on large S-curved brackets, or oriel windows with wrought iron grilles. These Spanish Colonial Revival features were generally incorporated on all four sides of their residences - with the more subdued detailing reserved for the private non-public elevations - providing a coherent architectural statement.

The house at 3626 San Remo Drive includes several of these Edwards, Plunkett & Howell architectural details, such as the Monterey balcony and exterior plaster staircase, with the addition of the pointed-arch window openings. However, all these features are on the façade, while the remaining three elevations contain a hybrid of a vernacular cottage and incompatible flat-roof modern additions. As a result, only the façade is eligible under Criterion F.

Criterion G. Although the façade demonstrates outstanding attention to architectural design, detail, materials, or craftsmanship, the house in its entirety, because of its later inappropriate alterations, no longer retains sufficient design integrity to be eligible under Criterion G.

Criterion H. The building is not adjacent to any City Landmarks. It is not eligible under Criterion H.

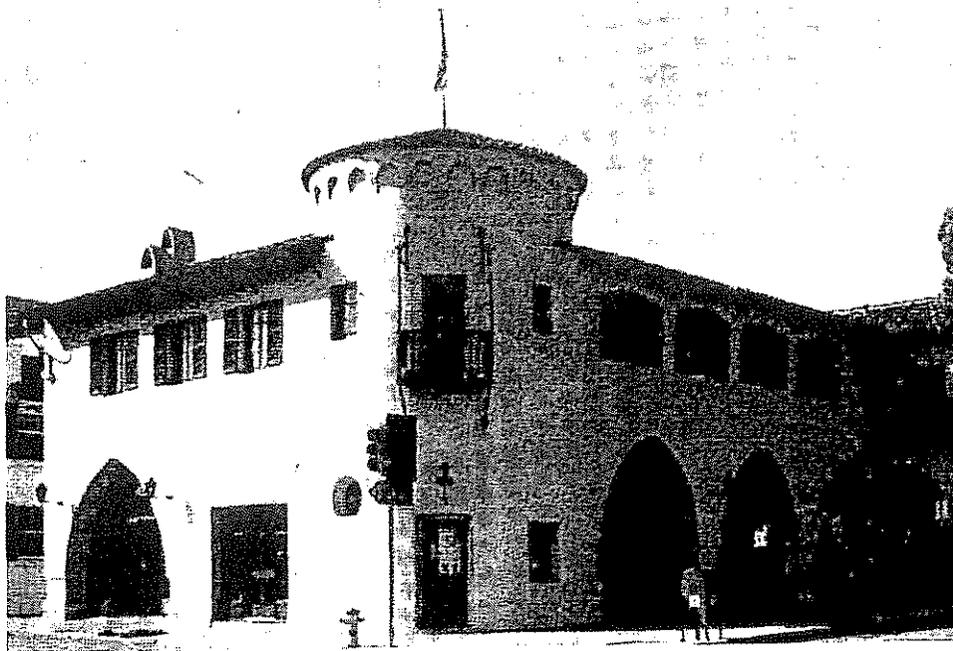
Criterion I. This house, because it is set back from the street, does not stand out as an integral part of the streetscape. However, because the long view of the house, set on a rise, from the sidewalk, remains, it is an established and visual feature of the neighborhood. It is eligible under Criterion I.

Criterion J. This criterion is not applicable under the purview of this report.

Criterion K. Although the San Roque Creek borders the east side of the property, the remainder of the property has been altered with buildings, driveways, and landscaping, and thus cannot be construed as a natural environment. Therefore it is not eligible under criterion K.



Mrs. J. C. Andrews house. *Courtesy Staats 1929*



Los Arcos, 35 East Ortega Street. Edwards, Plunkett & Howell, 1925.
Courtesy Santa Barbara Architecture (1st ed. 1975)

Item 4. The building is not eligible under #4. It is not eligible for the National Register of Historic Places. It is not associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage (Criterion A). It is not associated with the lives of persons important in our past (Criterion B). Although it is the work of the notable Santa Barbara architectural firm of Edwards, Plunkett & Howell, its later alterations have removed its architectural significance, and it therefore is not eligible under Criterion C. It is not likely to yield information important in prehistory or history, and is therefore not eligible under Criterion D.

Item 5. The building is eligible under #5. Although its alterations prevent its significance under Criterion D, the façade facing the street retains the typical Spanish Colonial Revival style characteristics for which Santa Barbara is noted.

Item 6. The building is not eligible under #6. Although a person looking up the hill towards the house would see correctly that it was of a different time period than the other houses on the street, because of its isolation, it does not contribute to the overall visual character of the neighborhood.

Item 7. The building is not eligible under #7. It is not able to yield information relevant to historical, historic archaeological, ethnographic, folkloric, or geographical research.

Item 8. The building is not eligible under #8 because it is not listed on the CRHR.

9. ASSESSMENT OF IMPACTS OF THE PROJECT

CEQA Guidelines for Determining Project Effects

CEQA defines a potential adverse effect as one that would cause a substantial change in the significance of a resource. Such a substantial change means demolition, destruction, relocation, or alteration of the physical characteristics of the resource or its immediate surroundings that justify its eligibility for the CRHR or its inclusion in a local register of historic resources (PRC Section 15064.5 (b) (1,2)).

According to the latest CEQA guidelines, if a project involving significant historical resources follows *The Secretary of the Interior's Standards for the Treatment of Historic Properties With Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Standards)* (Weeks and Grimmer 1995), the project will not have a significant impact on the historic resource (PRC Section 15064.5 (b) (3)). The *Standards* are as follows:

1. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.

4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
8. Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a way that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Analysis of Proposed Project According to CEQA Guidelines

The building is considered eligible as a City Structure of Merit under Criteria E, F, I and item 5, and therefore is considered a historic resource under CEQA guidelines.

The proposed project would create four new equal parcels on the 1.27- acre site. This report focuses on lot three, where the existing house is located, and lot four adjacent to San Remo Drive below the existing house, where a new 2,340 square foot house with attached 440 square foot garage would be constructed. The significant part of the house - the south façade, the curved staircase on the west elevation, and the gable and front entrance on the east elevation - would be retained, and the non-significant remainder of the existing 3,137 square foot house would be demolished after documentation with large-format black and white photographs and measured drawings per the City of Santa Barbara's "Required Documentation of Buildings Prior to Demolition". A new 2700 square foot addition with attached 450 square foot garage would be attached at the rear (north).

The proposed new house on lot 4 would be set back at an angle to the west to maintain the current view of the existing house from the street. The existing vegetation along San Remo Drive would hide this proposed house from the street (see "Site Plan. View from Street", "Existing View from Street", and "Photo Sim - View from Street" in Appendix).

The existing driveway would be removed and a new driveway established on the west side of the property. The creek setback would be restored with native oak and sycamore trees and shrubs such as toyon, black berry, blue elderberry, creeping snowberry, coffeeberry, mugwort, and bush monkey flower.

Standard 1. *A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships*

The distinctive features, including the south facade, the curved staircase on the west elevation and the gable and front door on the east elevation, will be retained. The distinctive spatial relationship is its long view from the street, which will be retained, with the proposed new house set back at an angle to the west on lot 4 to maintain the current view of the existing house from the street. The existing vegetation along San Remo Drive will hide this proposed house from the street (see "Site Plan. View from Street" and "Photo Sim - View from Street" in Appendix). Because the distinctive features and spatial relationships will be retained, therefore the proposed project meets Standard 1.

Standard 2. *The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The distinctive features, including the south facade, the curved staircase on the west elevation and the gable and front door on the east elevation, will be retained. The distinctive spatial relationship is its long view from the street, which will be retained, with the proposed new house set back to the west to maintain the current view of the house from the street. Therefore the proposed project meets Standard 2.

Standard 3. *Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.*

The existing character-defining features will be retained, and no conjectural features will be added. Therefore the proposed project meets Standard 3.

Standard 4. *Changes to a property that have acquired historic significance in their own right shall be retained and preserved*

The 1959 and 1972 alterations have not achieved historic significance in their own right. Their demolition is therefore not a significant impact, and the proposed project meets Standard 4.

Standard 5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved*

The distinctive features, including the south facade, the curved staircase on the west elevation and the gable and front door on the east elevation, will be retained. Therefore the proposed project meets Standard 5.

Standard 6. *Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence*

The distinctive features, including the south facade, the curved staircase on the west elevation and the gable and front door on the east elevation, will be retained. From an initial conditions assessment, it is clear that a number of distinctive features have deteriorated to a degree that they need to be replaced, including the curved staircase, corbels, posts and railings on the Monterey balcony, and possibly the roof tiles if they have been cemented on and cannot be removed for reroofing without breaking. These architectural elements will be replaced, with the new features matching the old in design, color, texture, and materials. Final drawings with the replicated elements called out on the plans will be reviewed by an architectural historian to assure compliance with this part of the proposed project. Therefore the proposed project meets Standard 6.

Standard 7. *Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.*

This Standard is not applicable to the project because no chemical treatments are being proposed.

Standard 8. *Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken*

This Standard is outside the purview of this report.

Standard 9. *New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

The significant features of this house, including the south facade, the curved staircase on the west elevation and the gable and front door on the east elevation, will be retained (see "Existing View from Street" in Appendix). Therefore this part of the proposed project meets Standard 9.

The distinctive spatial relationship of the house to its setting, its long view from the street, will be retained. The proposed new house to the south on lot four was designed at an angle so that the viewshed of the south façade of the existing house from the sidewalk is maintained. The existing vegetation along San Remo Drive will hide this proposed house from the street (see "Site Plan. View from Street" and "Photo Sim - View from Street" in Appendix). Because the proposed new house is designed to retain the historic viewshed, this part of the proposed project therefore meets Standard 9.

The proposed riparian restoration project has the potential for causing an impact to this view from San Remo Drive if the proposed plantings screen the house from view. Because the proposed project will include only low shrubs along the area where the driveway will be removed, the historic viewshed will be retained. Because the proposed new plantings will retain the historic viewshed, this part of the proposed project meets Standard 9.

Standard 10. *New additions and adjacent or related new construction shall be undertaken in such a way that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

In the unlikely event that the new construction is removed in the future, the essential form and integrity of the historic building will be unimpaired. Therefore the proposed project meets Standard 10.

Conclusion

The proposed project meets the Secretary of the Interior's Standards; therefore under CEQA guidelines, the proposed project would not result in a significant historic impact.

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Maps

1900 Map showing Subdivision. M.H. Lane Estate. Frank F. Flourney. January 16

1959 Proposed Subdivision of the Allen E. Rogers Property. Lot 2& 3. City Engineer's Map 20.