



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: August 14, 2014
AGENDA DATE: August 21, 2014
PROJECT ADDRESS: 2201 Edgewater Way (MST2013-00185)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4560
 Renee Brooke, AICP, Senior Planner *FLB*
 Kathleen Kennedy, Associate Planner *KAK*

I. PROJECT DESCRIPTION

The project consists of an 81 square foot first floor addition and 38 square foot second floor addition, including interior and exterior alterations, to an existing 3,243 square foot two-story, single-family residence with an attached 476 square foot two-car garage, located on a 21,777 square foot bluff top lot in the Hillside Design District. Other improvements include a new pedestrian entry from the street that consists of a new 8' high arbor and brick stairway, and a 6' high driveway gate and associated pilasters.

A Minor Encroachment Permit is being requested to allow improvements in the public right-of-way, including: the replacement of existing 4' high wood and wire fences with a new 4' high picket fence; replacement of an existing gate and fence with a new 4' high picket fence with solid backing; construction of a new brick walkway and a new 4' high picket gate; and removal of lemonade berry bushes to plant new groundcover. The Minor Encroachment Permit would be reviewed and issued by the Public Works Department.

II. REQUIRED APPLICATIONS

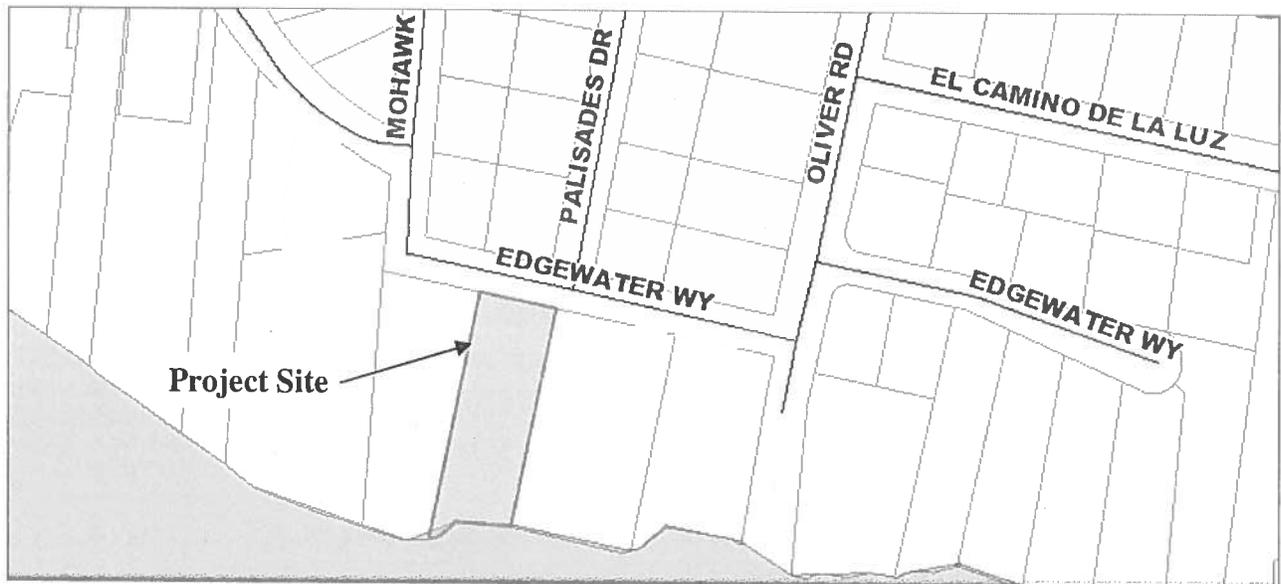
The discretionary applications required for this project are:

- A. A Modification to allow a 6' high driveway gate and 6'-6" high pilaster to exceed 42" within 10 feet of the front lot line (SBMC §28.87.170 and §28.92.110); and
- B. A Coastal Development Permit (CDP2014-00003) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

APPLICATION DEEMED COMPLETE: July 25, 2014
DATE ACTION REQUIRED: October 23, 2014

III. RECOMMENDATION

If approved as proposed, the project would conform to the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.



Vicinity Map for 2201 Edgewater Way

IV. BACKGROUND

The original one-story, single-family residence was constructed in the 1940's. A Coastal Development Permit for new first and second story additions and a Modification to allow a new two-car garage to be located 15'-4' from the front lot line instead of 20 feet were approved in 1989. At the same time, an encroachment permit was issued to allow a fence, steps, and landscaping within the public right-of-way. In 1990, a Modification was approved to allow a stairway and landing to be located within the front setback to provide street level access to the trash and recycling area.

A Zoning Information Report dated March 29, 2012 included the following:

ZONING VIOLATIONS:

1. The fence, gate and stairs at the bluff top require a Coastal Development Permit.
2. The two car garage was inaccessible for the parking of two vehicles due to the storage of items in the garage and the cabinets and workbench which encroach into the required parking spaces. By City Zoning Ordinance, two covered parking spaces are required and must be maintained at all times.
3. The detached sheds, the woodshed and other miscellaneous items stored in the yard are encroaching into the required interior yard setback.
4. The hedges within ten feet of the front lot line exceed the maximum allowable height of three and one half feet.

BUILDING VIOLATIONS:

1. The gate across the driveway was installed without the required permit.

It has since been determined that the existing fence and gate at the bluff top were previously approved and the stairs were removable steps that have since been removed. The encroachments in the garage have been removed. The sheds and other stored items have been removed from the site. Due to recent revisions to the Zoning Ordinance, hedges located within ten feet of the front lot line are allowed to be eight feet in height; therefore, the plans show that the hedges would be reduced to eight feet in height. A new driveway gate is proposed as part of this application.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Raymond Appleton, Permit Planners		
Property Owner:	Craig and Mari Hofman		
Site Information			
Parcel Number:	041-350-016	Lot Area:	21,777 square feet
General Plan:	Low Density Residential (max. 5 du/ac)	Zoning:	E-3; SD-3 (One-Family Residence/ Coastal Overlay Zone)
Local Coastal Plan:	Residential, 5 dwelling units per acre		

Existing Use: Single-Family Residence	Topography: Average slope 33 %; flat on bluff top
Adjacent Land Uses	
North - Single-Family Residence South - Pacific Ocean	East - Single-Family Residence West - Single-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	3,242 square feet	3,361 square feet
Garage	476 square feet	476 square feet
Total	3,718 square feet	3,837 square feet.
Floor Area Ratio	3,718 square feet = 79% of Maximum Guideline FAR	3,837 square feet = 82% of Maximum Guideline FAR

VI. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing		Proposed	
Setbacks					
-Front	20 feet	15'-4"		15'-4"	
-Interior	6 feet	6 feet		6 feet	
Building Height	30 feet	24'-2"		24'-2"	
Parking	2 covered	2 covered		2 covered	
Open Yard	1,250 square feet	>1,250 square feet		>1,250 square feet	
Lot Coverage					
-Building	N/A	3,096.69	12.7%	3,180.66	13.09%
-Paving/Driveway	N/A	2,148.16	11.38%	2,323.38	12.18%
-Landscaping	N/A	16,532.15	75.92%	16,272.96	74.73%

With the approval of the Modification described below, the project would meet the requirements of the E-3, One-Family Residence Zone. Otherwise, the proposed project is consistent with the regulations of the E-3 zone related to building height, setbacks, open yard requirements and parking.

A Modification is requested to allow a 6' high driveway gate and 6'-6" high pilaster to exceed 42" within 10 feet of the front lot line. Vehicular access to the site is from Oliver Road along a shared driveway that crosses two adjacent parcels (see Exhibit B - Sheet A2). Due to the location of the shared driveway, a portion of the proposed gate and pilaster would be located within 10 feet of the front lot line. The existing shared driveway is the only vehicular access to the site and a gate is an appropriate improvement at this location. This entry to the site is

located below the grade of Edgewater Way, is not generally seen from street, and the proposed improvements would not obstruct the sightlines required for the safe operation of vehicles.

B. GENERAL PLAN CONSISTENCY

The project site is located in the West Mesa neighborhood, which is bounded on the north by Cliff Drive, on the east by Meigs Road, on the south by Pacific Ocean, and on the west by Arroyo Burro County Beach Park. The West Mesa is mostly a single family neighborhood with a commercial center in the area of Cliff Drive and Meigs Road. Other land uses include a school, multi-family residential, and parks. The General Plan land use designation for the project site is Low Density Residential (max. 5 du/ac). No change in residential density is proposed.

As discussed in the Safety Element of the General Plan, the Mesa bluffs are subject to seacliff retreat. The proposed project maintains an adequate setback from the edge of the cliff, and drainage is being directed away from the bluff edge through a subsurface storm drain system (see Local Coastal Plan Consistency section below). Therefore, the proposed project can be found in conformance with the General Plan.

C. LOCAL COASTAL PLAN CONSISTENCY

The project site is located within the Coastal Zone and thus must be found consistent with the City's Local Coastal Plan (LCP), which implements the California Coastal Act. The proposed project is located in Component Two of the LCP, which includes the area between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential, with other uses including multi-family residential, commercial, and parks. The Local Coastal Plan designation for the site is Residential, 5 dwelling units per acre, which is consistent with the General Plan designation.

The major coastal issues identified for Component Two are protection of the riparian habitat of Arroyo Burro Creek; hazards of seacliff retreat and flooding; maintaining and providing public access, both vertically and laterally along the bluffs; protection of recreational access to Arroyo Burro County Beach Park; protection of archaeological resources; maintenance of existing coastal views and open space; and provision of adequate circulation on Las Positas Road.

Due to the location of the project site, the issues related to Arroyo Burro Creek, Arroyo Burro County Beach Park, and Las Positas Road are not applicable.

Seacliff Retreat: The LCP states that new development on the top of a cliff shall be placed at such distance away from the edge of the cliff that normal rates of erosion and cliff material loss will not seriously affect the structure during its expected lifetime. This is implemented by locating new development outside the 75-year geological setback. Both the top of bluff location and the 75-year geological setback for the project site were determined in 1988 during review of the previous Coastal Development Permit application. The 75-year setback line is located approximately 23 feet south of the existing residence as shown on the current project plans. The current top of bluff location, as determined by Earth Systems (January 23, 2014), is also shown on the current project plans and indicates that the top of bluff has only retreated 1'-6" inches since 1988, a period of over 25 years.

Because the current proposal does not include any development within, or near, the 75-year setback, a slope stability report was not required. Based on the previous analysis, cliff erosion is not expected to affect the existing structure during its lifetime and the proposed improvements are located landward of the geologic setback. Therefore, the proposal is consistent with the LCP in this regard.

Flooding/Drainage: The existing residence is located on the bluff top portion of the parcel that is not within a flood zone and not prone to flooding; therefore, there are no flooding hazards.

LCP Policy 8.1 serves to protect bluffs from erosion due to drainage systems. According to the Drainage Report prepared by Flowers & Associates, Inc. (March 19, 2014), the soils are very permeable and have high filtration rates. Stormwater is currently collected through a roof gutter/downspout and catch basin system and conveyed to an existing permitted subsurface storm drain, which is routed in a southerly direction down the bluff, and discharged at the beach. No additional impervious surfaces are proposed and no additional runoff is expected with the proposed project. However, the proposal includes the installation of three 50 gallon rain barrels, which would provide approximately 20 cubic feet of storage, to be used for landscape irrigation. Therefore, the proposal is consistent with this policy of the LCP.

Public Access: LCP Policies 2.1 and 2.4 serve to protect public access in coastal bluff areas. The proposed project does not maintain or provide public access along the bluffs; however, the site is located relatively close to the Mesa Lane Steps, which provide the public with vertical access to the beach. The proposed project will not inhibit public access to, or along, the beach. Therefore, the proposal is consistent with these policies of the LCP.

Archaeological Resources: Minimal ground disturbance is proposed and no archaeological resources are expected to be found on the site (see Environmental Review section below); therefore, the proposal is consistent with the LCP.

Coastal Views and Open Space: LCP Policy 9.1 serves to protect existing views to, from, and along the ocean and scenic coastal areas. The project site is currently developed with a two-story residence on the ocean side of Edgewater Way. There are currently no public coastal views across the project site from Edgewater Way to the ocean. The minor additions and alterations to the residence would not affect any existing public coastal views or scenic coastal areas; therefore, the proposed project is consistent with this policy of the LCP.

Neighborhood Compatibility: LCP Policy 5.3 states, “new development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood.” The proposal would remain consistent with the single-family residential development in the area. In accordance with LCP Policy 5.3, the proposed residential addition is compatible in scale, size and design with the surrounding neighborhood, which is comprised of one and two-story structures. The project has received favorable comments from the Single Family Design Board and will return for Project Design and Final approvals after Planning Commission review. Therefore, the proposed project is consistent with this policy of the LCP.

In summary, the project can be found consistent with the applicable policies of the California Coastal Act, the Local Coastal Plan, and all implementing guidelines.

VII. ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (e). Section 15301 allows for additions to existing private structures provided that the addition will not result in an increase of more than 50% of the existing floor area, or 2,500 square feet, whichever is less. The key consideration is whether the project involves negligible or no expansion of the existing use. In this case, there would be an increase of approximately 119 square feet and the single-family residential use will remain.

Cultural Resources: The project site is located within the Prehistoric Sites and Watercourses archaeological sensitivity area, however, previous archaeological surveys determined that prehistoric or historic archaeological resources were not expected to be found on the project site and further investigation was not required. The standard condition of approval regarding unanticipated archaeological resources provides guidance if such resources are discovered during ground disturbance activities.

VIII. DESIGN REVIEW

This project was reviewed by the Single Family Design Board (SFDB) on June 17, 2013 (meeting minutes are attached as Exhibit D). The SFDB found the square footage additions to be acceptable and was in support of the Modification and the right-of-way improvements.

IX. FINDINGS

The Planning Commission finds the following:

A. MODIFICATION (SBMC §28.87.170 and §28.92.110)

The requested modification to allow a vehicular gate and pilaster to exceed 42 inches in height within 10 feet of the front property line is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement. As discussed in Section VI of the Staff Report, the area is located below the grade of Edgewater Way, is not generally seen from street, and the improvements would not obstruct the sightlines required for the safe operation of vehicles.

B. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

1. The project is consistent with the policies of the California Coastal Act, because it does not result in any adverse affects related to coastal resources, including views and public access, and is located outside the 75-year geological setback, as described in Section VI of the Staff Report.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because the project will not increase hazards related to seacliff retreat, flooding, or drainage; will not affect coastal views or public access to the ocean; will not affect archaeological resources; and will be compatible with the neighborhood, as described in Section VI of the Staff Report.

Exhibits:

- A. Conditions of Approval
- B. Project Plans
- C. Applicant's letter, dated July 7, 2014
- D. SFDB Minutes
- E. Applicable Local Coastal Plan Policies

PLANNING COMMISSION CONDITIONS OF APPROVAL

2201 EDGEWATER WAY
MODIFICATION, COASTAL DEVELOPMENT PERMIT
AUGUST 21, 2014

I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee (30% of all planning fees, as calculated by staff) at time of building permit application.
3. Record any required documents (see Recorded Conditions Agreement section).
4. Permits.
 - a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.
 - b. Submit an application for and obtain a Minor Encroachment Permit for all work within the Public Right of Way.
 - c. Submit an application for and obtain a Public Works Permit (PBW) for all work within the Public Right of Way.

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

B. **Recorded Conditions Agreement.** The Owner shall execute a *written instrument*, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on August 21, 2014 is limited to the 81 square foot first floor addition and 38 square foot second floor addition (including interior and exterior alterations), new pedestrian entry with new arbor and brick stairway, new driveway gate and pilasters, right-of-way encroachments, and the improvements shown on the plans signed by the chairperson of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The

landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.

4. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state and in accordance with the Storm Water BMP Guidance Manual and Operations and Maintenance Procedure Plan approved by the Creeks Division. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
5. **Coastal Bluff Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.
6. **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.

- C. **Design Review.** The project, including public improvements, is subject to the review and approval of the Single Family Design Board (SFDB). The SFDB shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Appropriate Plants on Bluff.** Special attention shall be paid to the appropriateness of the existing and proposed plant material on the bluff. All existing succulent plants that add weight to the bluff and/or contribute to erosion shall be removed in a manner that does not disturb the root system and replaced with appropriate plant material in a manner that does not increase the rate of erosion.
 2. **Irrigation System.** The irrigation system shall be designed and maintained with the most current technology to prevent a system failure, and watering of vegetation on the bluff shall be kept to the minimum necessary for plant survival.
- D. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
 - a. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner's signature.
 - b. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways.
 - c. **Minor Encroachment Permit.** A Minor Encroachment Permit from the City for the construction of the proposed improvements within the City right of way shall be obtained by the Owner.
 2. **Community Development Department.**
 - a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition B "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.
 - b. **Drainage and Water Quality.** The project is required to comply with Tier 2 of the Storm Water BMP Guidance Manual, pursuant to Santa Barbara

Municipal Code Chapter 22.87. Tier 2 projects must use and implement one or more practices and methodologies from Chapter 5 of the Storm Water BMP Guidance Manual. The proposed project includes the installation of three 50 gallon rain barrels to comply with this requirement.

- c. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section C “Design Review,” and all elements/specifications shall be implemented on-site.
- d. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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

E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

- 1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), construction work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed six square feet in a single family zone.
- 2. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Public Works Director with a Public Works permit.

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

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

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

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

- F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
 1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
- G. **General Conditions.**
 1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any

government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.

2. **Approval Limitations.**

- a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
- b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
- c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

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

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

II. **NOTICE OF MODIFICATION APPROVAL TIME LIMITS:**

The Planning Commission action approving the Modification 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 and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

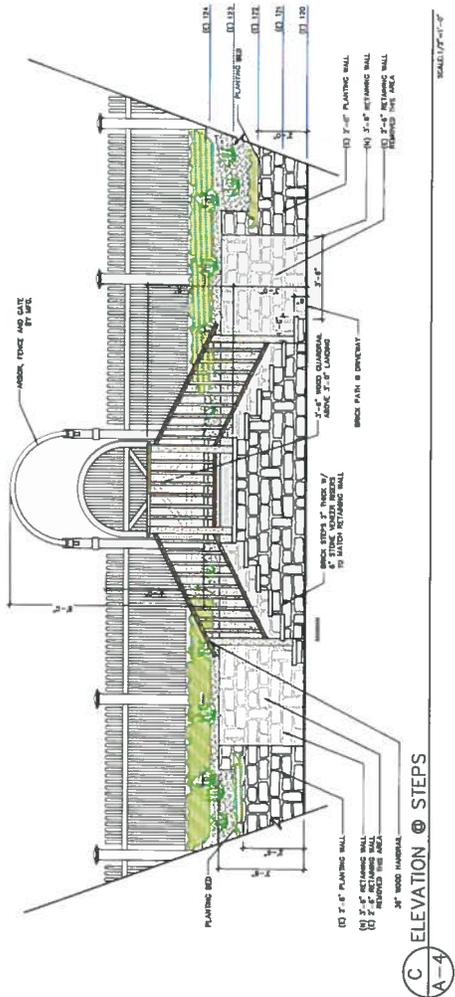
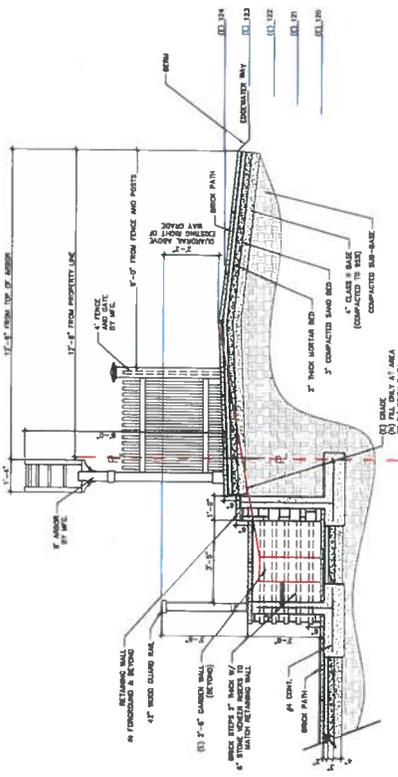
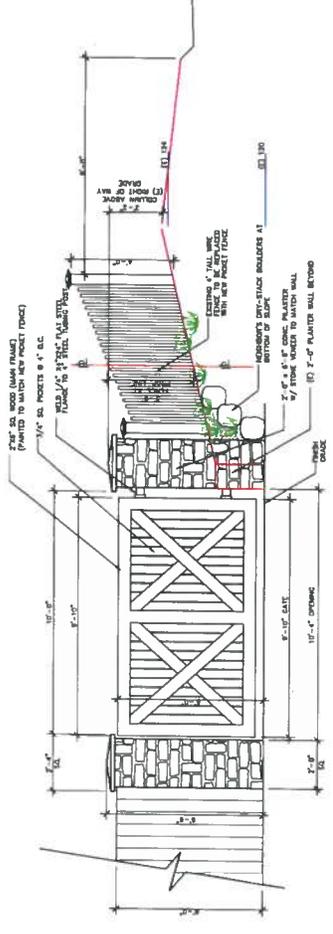
III. NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

IV. NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):

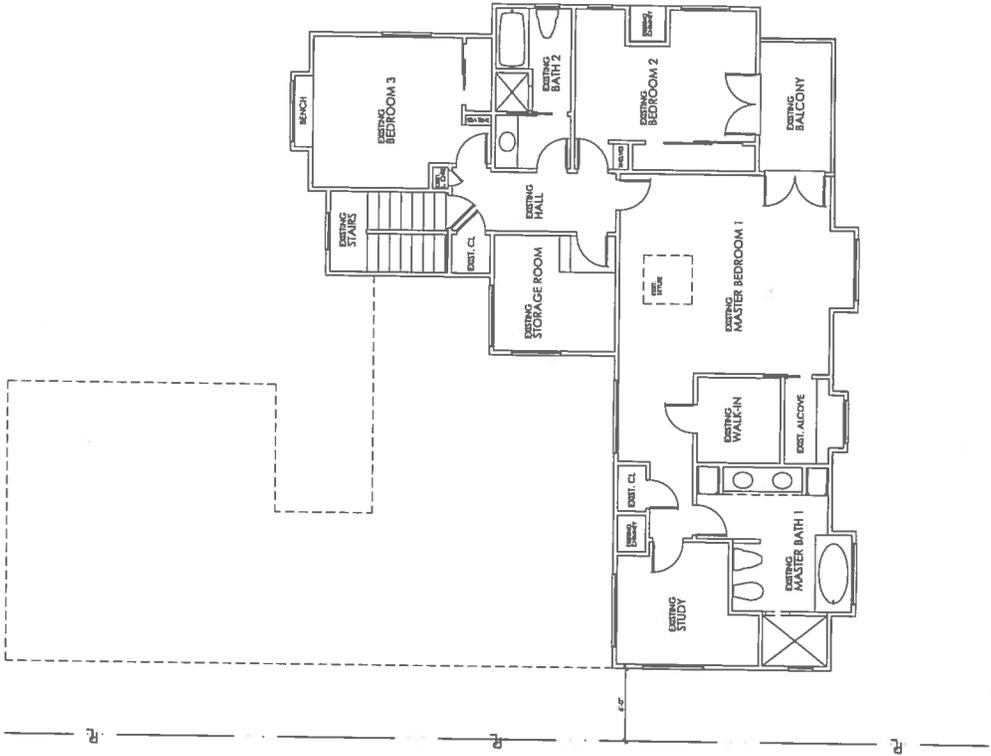
If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The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



EXISTING (PERMITTED) SECOND FLOOR PLAN



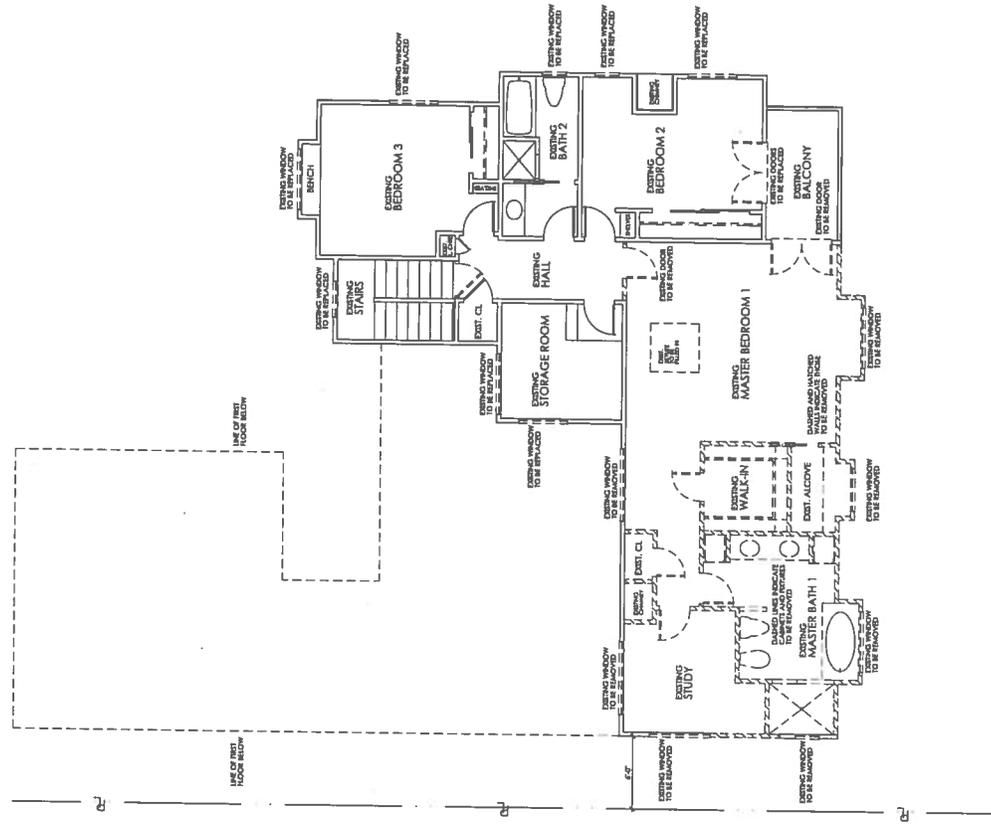
SCALE: 1/4" = 1'-0"



PROPOSED SECOND FLOOR DEMOLITION PLAN



SCALE: 1/4" = 1'-0"



SHEET NUMBER	A7
DATE	3 JULY 14
PROJECT NUMBER	12015
PURPOSE	CITY DESIGN SUBMITTAL
DESIGNER	SENNIKOFF ARCHITECTS, INC.
DATE	07/17/2015



MARI AND CRAIG HOFMAN
RESIDENTIAL REMODEL
2201 EDGEWATER WAY
SANTA BARBARA, CA 93109

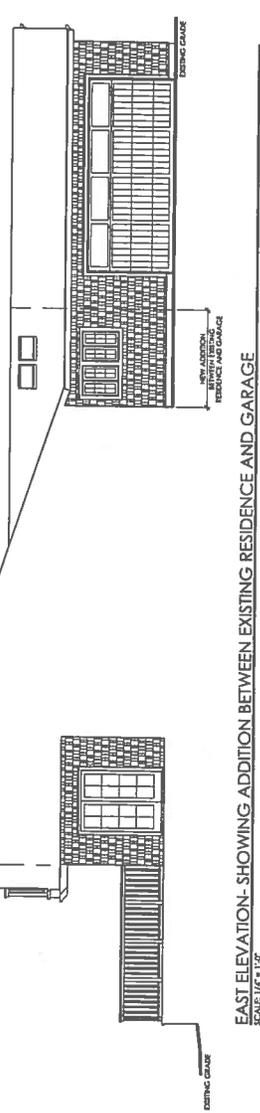
5500 East 2nd Street, Suite 2
Naples Island
Long Beach, California 90803
562.430.2300
www.sennikoffarchitects.com



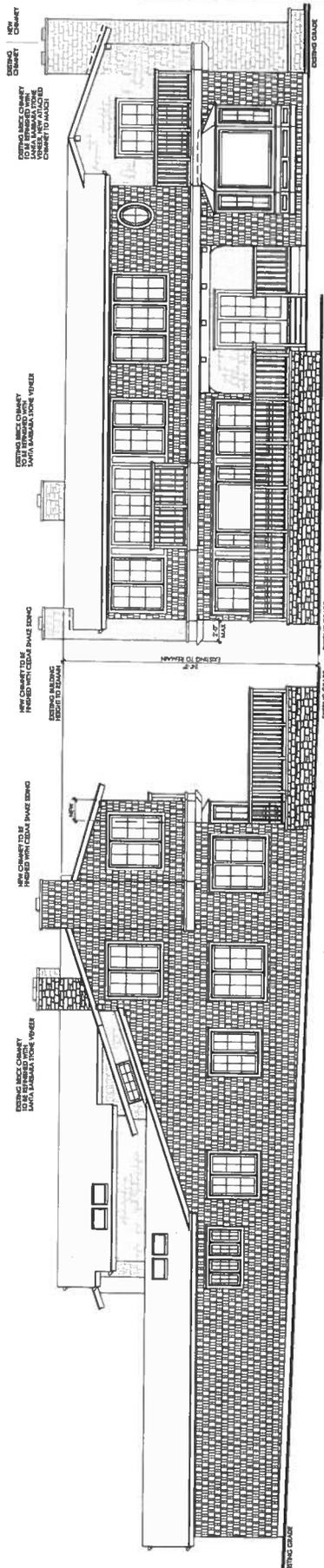
PROJECT NUMBER	12015
CITY DESIGN	SUBMITTAL
PURPOSE	PERMITS
DATE	3 JULY 14
SHEET NUMBER	A10
ISSUE DATE	
DATE SUBMITTED	
SET REVISIONS	

EXTERIOR ELEVATIONS

- ELEVATION MATERIALS**
1. NEW AND EXISTING SUPPLY 2x8 BRACKET ROOFING AT EAVES
 2. NEW CEDAR SHAKES BEING AT ALL EXTERIOR WALLS
 3. NEW PINKED WOOD TRIM AROUND WINDOWS AND DOORS
 4. NEW PINKED WOOD FASCIA BOARDING AT EAVES AND DECK
 5. NEW PINKED WOOD FASCIA BOARDING AT EAVES
 6. NEW SANTA BARBARA STONE BANNER STONES WHERE SHOWN ON ELEVATIONS

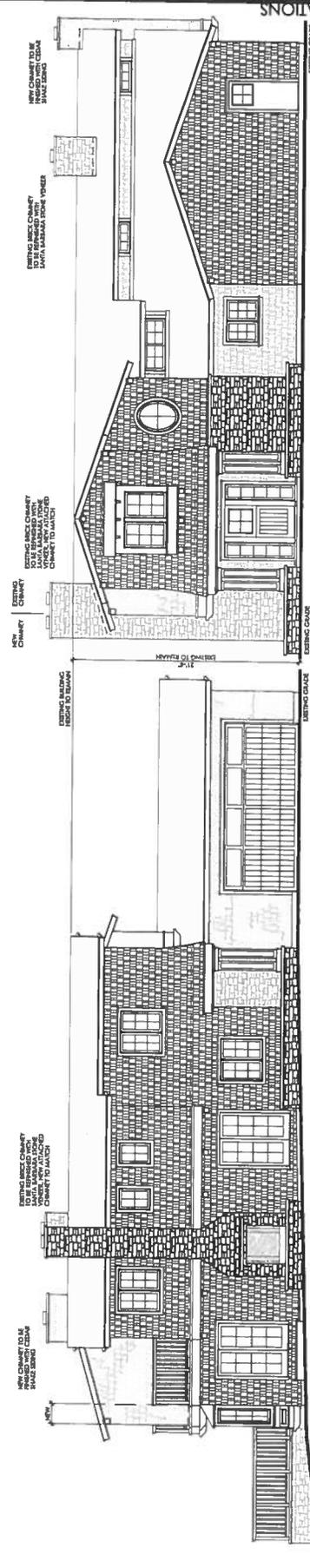


EAST ELEVATION - SHOWING ADDITION BETWEEN EXISTING RESIDENCE AND GARAGE
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

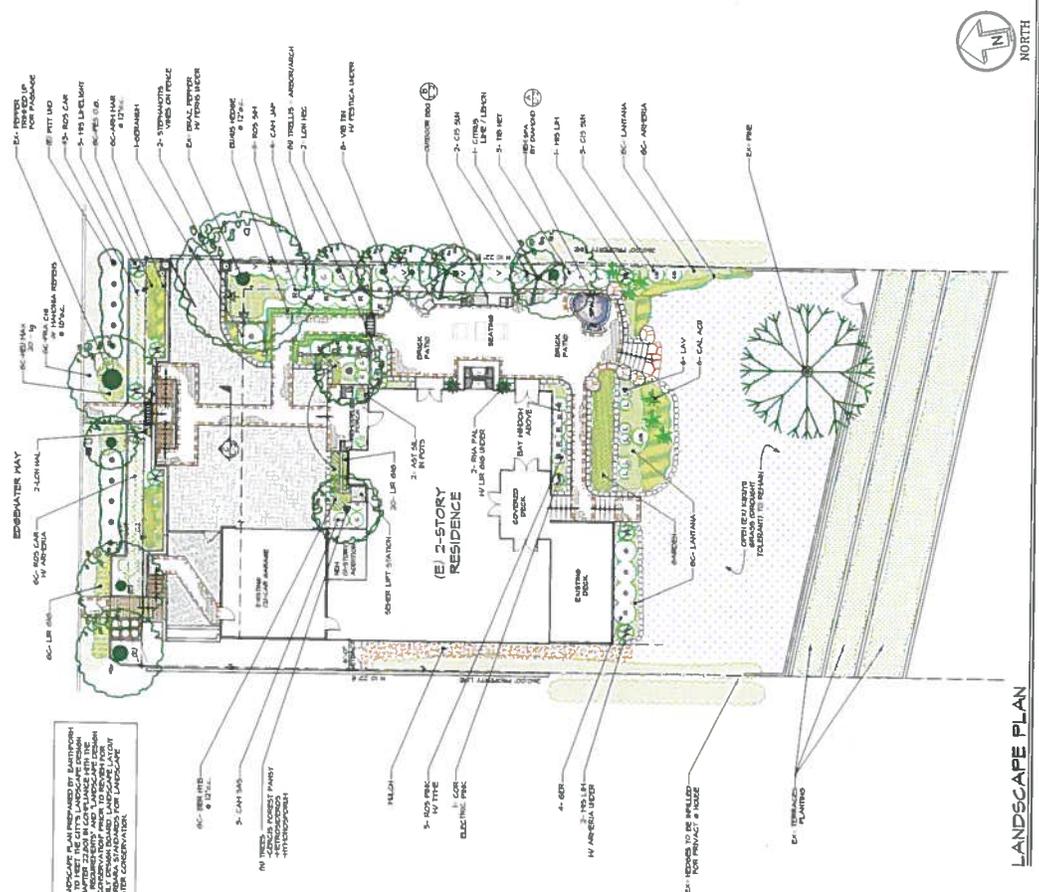
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



City	Code	Site Botanical Name	Common Name	Notes
1	1	CELEBRIS PUNICIFOLIA	CELEBRIS	10 plants on front porch
2	2	CITRUS HEDYOTIS	LEMON LIME	
3	3	CITRUS HAMILTONI	LEMON LIME	
4	4	CITRUS HAMILTONI	LEMON LIME	
5	5	CITRUS HAMILTONI	LEMON LIME	
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PLANT NOTES

- CONTRACTOR TO BE RESPONSIBLE FOR COORDINATION OF ALL PLANTING ACTIVITIES.
- PLANT LIST IS FOR GENERAL INFORMATION ONLY. CONTRACTOR TO PROVIDE ALL PLANTING MATERIALS AND LABOR.
- CONTRACTOR TO BE RESPONSIBLE FOR ALL PLANTING ACTIVITIES.
- PLANTING TO BE COORDINATED WITH PLASTER PLAN.
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NOTE: THIS LANDSCAPE PLAN IS A PRELIMINARY DESIGN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL PLANTING MATERIALS AND LABOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

LANDSCAPE PLAN

THIS PLAN IS THE PROPERTY OF EARTHFORM LANDSCAPE ARCHITECTURE AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF EARTHFORM LANDSCAPE ARCHITECTURE. ANY UNAUTHORIZED USE OF THIS PLAN IS STRICTLY PROHIBITED.

Raymond A. Appleton
Permit Planners
1482 East Valley Road #253
Montecito, CA 93108

Tel (805) 564-4800 Cell (805) 895-1414 E-mail: PermitPlanners@earthlink.net
Website: www.PermiPlanners.net

July 7, 2014

Deborah Schwartz
Planning Commission Chairman
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102

Re: 2201 Edgewater Way / APN 041-350-016
Coastal Development Permit, Modification of Setback, and Encroachment Permit

Dear Chairman Schwartz:

Our firm represents Craig and Mari Hofman, the owners of their home at the subject property addressed as 2201 Edgewater Way. In their behalf we are requesting Planning Commission approval of a Coastal Development Permit, a Modification of height within 10ft of the front lot line, and a Right-of-Way Encroachment Permit.

The 21,777 square feet (.50 AC) property contains an existing 2-story residence totaling 3,242.49 net square feet, with an attached 2-car garage totaling 476.44 net square feet. The property, as are the properties to the west, north and east, are zoned E3/SD-3 and are within the Coastal Land Use Designation of RES 5 DU/AC. Automotive access to the property is from Oliver Road driving through the shared driveways accesses of the two properties to the east, which are also below the grade of the adjacent street and Right-of-Way. This driveway access is shown in the submitted plans.

The existing non-permeable concrete area of the property dedicated to the driveway and motor court is 1,280.58 sq.ft. or 5.88% of the property. The existing permeable area of the property dedicated to landscaping is 16,532.15 sq.ft. or 75.92%. The proposed permeable area of the property dedicated to landscaping will be slightly reduced to 16,272.96 sq.ft or 74.73%. Based upon the Drainage Analysis Report by Flowers & Associates, there are no proposed changes to the existing subsurface drainage plan for the property, due to the small reduction of permeable landscaping area, except for the introduction of rain barrels at three of the roof gutter down spouts. The subsurface drainage plan from the property to the beach below was shown and approved on the 1989 development plan when a remodel addition to the residence was approved with a Coastal Development Permit, and is also shown on the Site Drainage Plan by Flowers & Associates, which is included in the submitted plans.

The proposed structure additions to the property include an 81.30 sq.ft. first floor addition to the kitchen and a 37.63 sq.ft. second floor addition to the master bedroom. They are also proposing to construct a pedestrian entry stairway with railing and guardrail within the front of the property from the Right-of-Way down to the property. This will require an Encroachment Permit for the brick path and a 4ft picket fence in the Right-of-Way. They are also proposing a replacement of the automotive

July 7, 2014

Deborah Schwartz

Planning Commission Chairman

Re: 2201 Edgewater Way / APN 041-350-016

Coastal Development Permit, Modification of Setback, and Encroachment Permit

Page 2

entry gate, which will also require a Modification of height from 3ft 6in to 6ft 6in (2ft 2in above the adjacent Right-of-Way grade) for a portion of the gate and one pilaster within 10ft of the front lot line.

The residence and property will be receiving an overall update in appearance besides the two small residential additions. All of the windows will be replaced with dual pane glass and all of the horizontal wood siding will be replaced with cedar shingles. This is clearly shown on the proposed elevations within the submitted plans, as well as the existing elevation photos also shown within the set of submitted plans. The existing non-permeable concrete driveway and motor court driveway are being maintenance overlaid with non-permeable concrete pavers, and the existing non-permeable brick walkways and patio are being replaced with new brick. A barbeque counter is being added to the brick patio, as well as an in-ground spa.

In addition to the proposed improvements, please note that the suspected violations referenced in the Zoning Information Report that was provided to Mr. and Mrs. Hofman when they purchased the property in 2012, have all been remedied. (1) The 3ft height wire fence and gate above the retaining walls at the ocean side of the property were found to have been approved by the Planning Commission in a 1989 Coastal Development Permit. The suspected maintenance stairs at the retaining walls were discovered to be only removable step ladders which were lifted out by the previous property owner prior to sale. (2) The 2-car garage was made accessible to parking by the previous property owner prior to sale. (3) The sheds, a sauna, and other miscellaneous items stored in the yard were removed by the previous owner prior to sale. (4) The hedges within 10ft of the front lot line exceeding 3ft 6in are now allowed to do so up to a height of 8ft by the newly adopted Revised Hedge Ordinance Sections 28.87.170 and 28.90.050. The lemonade berry bushes at the front of the property, and extending into the Right-of-Way, are all being removed. (5) The automotive gate at the driveway entrance is being removed and replaced with a new gate under this Application request.

I would like to now discuss the specifics of the requested Modification of height within 10ft of the front lot line. Mr. and Mrs. Hofman's goal is to create a more inviting home appearance from the neighborhood street view, with a defined entry into their below-street level property. This will be achieved by taking advantage of an existing break between a large tree and hedge in the Right-of-Way. The break gives a glimpse directly to the home's front entry beyond their driveway, both below the street level. They retained the services of Landscape Architect Sam Maphis to design an attractive entry into the property. This will be accomplished with a brick walk from the street curb, through a 4ft height picket fence. The brick walk will continue through an 8'0" height arbor on the property and down to a landing and stairway to a continuing brick walk, which leads directly to the front entry of the home. This maintains the privacy of the below-street level home, while enhancing the residential view of the property. The height of the combined landing, guard rail, and railing exceeds the allowed 3ft 6in within 10ft of the front property line by an additional 3ft. However, this is now allowed per the recent amendments to SBMC Section 28.87.170. We are specifically

July 7, 2014

Deborah Schwartz

Planning Commission Chairman

Re: 2201 Edgewater Way / APN 041-350-016

Coastal Development Permit, Modification of Setback, and Encroachment Permit

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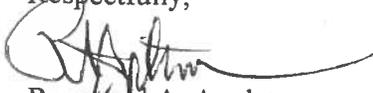
requesting a Modification of SBMC Sec 28.87.170 and Sec 28.92.110 to allow a portion of the new automotive gate and one of its pilasters to exceed 3'6" in height within 10ft of the property line, to a total of 6'6" which is the same additional 3ft as the landing, guardrail, and railway.

I would like to now discuss the specifics of the requested Right-of-Way Encroachment Permit. In 1989 a Right-of-Way Encroachment Permit was granted to allow a 4ft height fenced trash can enclosure and trash access stairway to be located 6ft from the curb at the western front of the property. This can be seen on the submitted plans. In the Application we are proposing that the permitted 4ft fence be changed to a picket fence with the portion of it immediately adjacent to the trash/recycling containers to have solid backing as a continued view screen. We are also requesting that an existing 4ft height wire fence located 9ft from the curb be changed to a matching 4ft picket fence on each side of the new residential entry brick path. The location of this existing wire fence and new picket fence is just beyond the ridge of the Right-of-Way grade after it slopes down into the property, continuing to help prevent pedestrian mishaps down the slope. The requested brick path in the Right-of-Way leads to the new residential entry, arbor, and stairway on the property. Please also note that the 5ft wide area adjacent to the curb is being planted with a new ground cover (*fargaria chiloensis*) that reaches a maximum height of 2in.

It is the belief of Mr. and Mrs. Hofman that you will find that their requests of the Planning Commission for the Coastal Development Permit, Modification, and the Encroachment Permit meet the findings for necessary and reasonable improvements to the property. They strongly believe that the home and property will be more comfortable, more architecturally appealing, and will create a more inviting view for their neighbors who both walk by and visit.

Please contact me with any comments or questions.

Respectfully,



Raymond A. Appleton
Land Use Planner

Cc: Craig and Mari Hofman



City of Santa Barbara Planning Division

SINGLE FAMILY DESIGN BOARD MINUTES

Monday, June 17, 2013

David Gebhard Public Meeting Room: 630 Garden Street

3:00 P.M.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

2. 2201 EDGEWATER WAY

E-3/SD-3 Zone

(3:40)

Assessor's Parcel Number: 041-350-016
Application Number: MST2013-00185
Owner: C & M Hofman Revocable Trust
Applicant: Permit Planners
Architect: Sennikoff Architects

(Proposal for an 81 square foot first-floor addition and 38 square foot second-floor addition to an existing 3,243 square foot, two-story, single-family residence with an attached 476 square foot two-car garage, located on a 21,777 square foot lot in the Hillside Design District and within the appealable jurisdiction of the Coastal Zone. The proposal includes replacement of all existing windows and doors with new, a new 129 square foot second-floor deck, new exterior stairway and gates within the front yard, new site fences, landscaping alterations, and the replacement of the existing asphalt driveway and brick patio with new permeable pavers. The project includes Planning Commission review for a Coastal Development Permit and zoning modifications.)

(Comments only; project requires environmental assessment and Planning Commission review for a Coastal Development Permit and zoning modifications.)

Actual time: 3:56 p.m.

Present: Raymond Appleton, Permit Planners; Sam Mafis, Landscape Architect; Steven Sennikoff, Architect; and Craig and Mary Kauffman, Owners.

Public comment opened at 4:26 p.m.

1) John Sharratt expressed support for the project.

Public comment closed at 4:26 p.m.

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

- 1) The proposed modification for the stairs and the garage door are aesthetically appropriate, and do not pose consistency issues with the Single Family Design Guidelines and findings.
- 2) The proposed modification for the height of the railing, columns and entry gate are aesthetically appropriate, and does not pose consistency issues with the Single Family Design Guidelines and findings.

- 3) The Board had positive comments regarding the proposed brick walkway, entry arbor, and picket fence in the public right of way.
- 4) The Board finds the proposed square footage addition acceptable.
- 5) Identify/clarify locations and shapes of new and existing windows.
- 6) Provide a colors and materials board.
- 7) Provide all final details, including finishes, decks, appendages and garage door.

Action:

Sweeney/James, 6/0/0. Motion carried. (Bernstein stepped down).

LOCAL COASTAL PLAN POLICIES

GENERAL POLICIES

Policy 1.1 The City adopts the policies of the Coastal Act (Public Resources Code Sections 30210 through 30263) as the guiding policies of the land use plan.

Policy 1.2 Where policies within the land use plan overlap, the policy which is the most protective of the resources, i.e. water, air, etc. shall take precedence.

Policy 1.3 Where there are conflicts between the policies set forth in the land use plan and those set forth in any other element of the City's existing General Plan or existing regulations, the policies of the land use plan take precedence.

ACCESS POLICIES

Policy 2.1 Public access in the coastal bluff areas of the City shall be maximized consistent with the protection of natural resources, public safety, and private property rights.

Policy 2.4 New development projects shall provide vertical access to the shoreline consistent with stipulations set forth in Section 30212 of the Coastal Act.

HOUSING POLICIES

Policy 5.3 New development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhoods shall not be permitted.

HAZARDS POLICIES

Policy 8.1 All new development of bluff top land shall be required to have drainage systems carrying run-off away from the bluff to the nearest public street or, in areas where the landform makes landward conveyance of drainage impossible, and where additional fill or grading is inappropriate or cannot accomplish landward drainage, private bluff drainage systems are permitted if they are: (1) sized to accommodate run-off from all similarly drained parcels bordering the subject parcel's property lines; (2) the owner of the subject property allows for the permanent drainage of those parcels through his/her property; (3) the drainage system is designed to be minimally visible on the bluff face.

VISUAL QUALITY POLICIES

Policy 9.1 The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced.