



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: June 22, 2011
AGENDA DATE: June 29, 2011
PROJECT ADDRESS: 1533 San Miguel Avenue (MST2010-00213) (CDP2011-00008)

TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Allison De Busk, Project Planner *AD*
 Kathleen Kennedy, Associate Planner *KK*

I. PROJECT DESCRIPTION

The project consists of a proposal to subdivide an existing 24,580 square foot (0.564 acre) parcel into two parcels. Proposed Parcel 1 would be approximately 12,740 square feet (0.292 acres) with an estimated slope of 9%. Proposed Parcel 2 would be approximately 11,840 square feet (0.272 acres) with an estimated slope of 13.4%. The existing development on the site includes a 1,274 square foot single-family residence with a 260 square foot attached one-car garage. A new uncovered parking space would be provided to serve the existing residence on proposed Parcel 2. An existing fence, block walls, patio, patio cover, steps and walkway would be removed, and a new driveway apron would be constructed to provide access to proposed Parcel 1. Proposed Parcel 1 would remain vacant as no development is currently proposed. An existing street tree (Indian Snakeroot) was removed to provide room for the additional driveway apron and two new 24-inch box Evergreen Pear replacement street trees were installed.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. Coastal Development Permit to allow development in the Non-Appealable Jurisdiction of the Coastal Zone (SBMC§28.44.060);
2. Tentative Subdivision Map to allow the division of one parcel into two lots (SBMC 27.07), and
3. Street Frontage Modification to allow proposed Parcel 1 to have 20 feet of street frontage instead of the required 60 feet (SBMC§28.92.110).

III. RECOMMENDATION

The proposed project conforms 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 Staff Hearing Officer

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Jessica Kinnahan Foley	Property Owner: Brummett Family Trust
Parcel Number: 045-131-002	Lot Area: 25,580 SF (0.564 acres)
General Plan: Residential, 5 units per acre	Zoning: E-3/SD-3, One-Family Residence/ Coastal Zones
Existing Use: Residential	Topography: 13% average slope
Adjacent Land Uses:	
North - Residential South - Residential	East - Residential West - Residential

B. PROJECT STATISTICS

	Existing	Proposed Parcel 1	Proposed Parcel 2
Living Area	1,274 SF	N/A	1,274 SF
Garage	260 SF	N/A	260 SF
Total	1,534 SF	N/A	1,534 SF

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing Parcel	Proposed Parcel 1	Proposed Parcel 2
Lot Area	7,500 SF (<10% slope) 11,250 SF (10-20% slope)	25,580 SF	12,740 SF (9% slope)	11,840 SF (13.4% slope)
Street Frontage	60 feet	98.39 feet	20 feet*	78.39 feet
Setbacks				
-Front	20 feet	14 feet (nonconforming)	N/A	14feet
-Interior	6 feet	>6 feet	N/A	>6 feet
-Rear	6 feet	>6 feet	N/A	>6 feet
Building Height	30 feet	Approx. 15 feet	N/A	Approx. 15 feet
Parking	Two spaces	One covered (non- conforming)	N/A	One covered/ one uncovered
Open Yard	1,250 SF per lot	>1,250 SF	>1,250 SF	>1,250 SF

* Requires a modification.

The proposed project would meet the requirements of the E-3/SD-3, One-Family Residence/ Coastal Zones, with the exception of the width requirement for the street frontage of proposed

Parcel 1. The required street frontage for newly created lots is 60 feet. The proposal includes a modification request to allow proposed Parcel 1 to have 20 feet of street frontage instead of the required 60 feet. Staff is in support of the modification request because the proposed lot configuration (flag lot) with less than the required street frontage is consistent with other deep lots that were subdivided in the neighborhood.

The minimum lot area for newly created lots in the E-3 zone is 7,500 square feet; however, if the slope of a new lot is between 10% and 20%, 1.5 times the lot area is required. In this case, proposed Parcel 2 with a slope of 13.4% is required to be at least 11,250 square feet. Since proposed Parcel 2 would be approximately 11,840 square feet, the project meets the slope density requirement.

VI. ISSUES

A. DESIGN REVIEW

This project was not reviewed by the Single Family Design Board (SFDB) because the proposed new uncovered parking space for proposed Parcel 2 is exempt from design review and no other development is proposed. Any future development on either parcel would be required to adhere to the City's design review requirements.

B. COMPLIANCE WITH THE GENERAL PLAN

Land Use Element: The project site is located in the East Mesa neighborhood, as identified in the Land Use Element of the General Plan, and has a land use designation of Residential, five units per acre. With the exception of one area, the East Mesa is uniformly developed with small-lots with single-family residences. The proposed project involves a subdivision of the existing parcel into two lots in a configuration that would be consistent with other subdivisions in the area. The subdivision would result in a density of 3.5 units per acre, which is consistent with the 5 unit per acre land use designation.

Housing Element: Housing Element Goal 3 encompasses protecting existing neighborhood character while encouraging compatible infill development. Policy 3.3 states that "New development in or adjacent to existing residential neighborhood must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood." The neighborhood surrounding the project site is comprised of single-family residential development. The proposed lot configurations would be consistent with other subdivisions in the area. Ultimately, a new residence would be constructed on proposed Parcel 1. The size and design of a new residence would be required to adhere to the City's design review requirements. Therefore, the proposed project can be found consistent with the goals and policies of the Housing Element.

C. COMPLIANCE WITH THE LOCAL COASTAL PLAN

The project site is located in Component Two of the Local Coastal Plan (LCP), which is located 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, and that there

is very limited additional development potential. None of the major coastal issues identified for Component Two (e. g., hazards of seacliff retreat, public access) are applicable to the proposed project due to its location; therefore, the proposed project would be in compliance with the LCP.

Neighborhood Compatibility

LCP Policy 5.3 states that new development must be compatible in terms of scale, size and design with the neighborhood, and that new development shall not overburden public circulation or on-street parking resources. The proposed project involves the creation of a new parcel that will ultimately be developed with a new single-family residence. The proposed lot configuration is consistent with the existing development pattern in the neighborhood. One new uncovered parking space is proposed for the existing residence to satisfy zoning ordinance parking requirements. Any development of proposed Parcel 1 would be required to provide its required parking onsite and would not overburden the neighborhood.

D. DRAINAGE

The development on proposed Parcel 2 consists of a new uncovered parking space and widening of the existing driveway. Since the increase in impervious area is less than 500 square feet, the project is exempt from the requirements of the City Storm Water Management Plan (SWMP). Future construction of a new residence on proposed Parcel 1 would require adherence to either Tier 2 or 3 requirements of the SWMP. A drainage report was prepared that evaluated the potential increase in runoff volume if proposed Parcel 1 were to be developed to the maximum build out. The report concluded that the increase in runoff would be minimal for a 25 year storm event. With the condition of approval that permeable paving be provided to the extent feasible for the future driveway for Parcel 1 and the implementation of other approved best management practices, the increase in stormwater runoff could be retained onsite.

E. ENVIRONMENTAL REVIEW

Staff has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15315 (Minor Land Divisions).

VII. FINDINGS

The Staff Hearing Officer finds the following:

A. THE TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the city of Santa Barbara. The site is physically suitable for the proposed development and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems, as discussed in Section VI of the staff report.

B. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines and all applicable provisions of the Code because the subdivision is compatible with the existing neighborhood, would not be visible from the beach or impact views from public view corridors, would not impact public access, and would not contribute to safety or drainage hazards on the site, as discussed in Section VI of the staff report.

C. STREET FRONTAGE MODIFICATION (SBMC §28.92.110)

A modification of the street frontage is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot. The proposed lot configuration is consistent with other subdivisions in the area that include lots without the required width of street frontage, as discussed in Section V of the staff report.

Exhibits:

- A. Conditions of Approval
- B. Tentative Subdivision Map
- C. Applicant's letter, dated June 29, 2011

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

1533 SAN MIGUEL AVENUE
COASTAL DEVELOPMENT PERMIT, TENTATIVE SUBDIVISION MAP,
STREET FRONTAGE MODIFICATION
JUNE 29, 2011

I. In consideration of the project approval granted by the Staff Hearing Officer 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. Pay Land Development Team Recovery Fee at time of building permit application.
2. Make application and obtain a Public Works Permit (PBW) for all required public improvements and **complete** said improvements.
3. Make application and obtain a Building Permit (BLD) for, and complete, the construction of all private improvements required to ensure the lot is ready for subdivision.
4. Make application and obtain City Council approval of the Parcel Map and Agreement(s) and record said documents.

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

B. **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 Staff Hearing Officer on June 29, 2011 is limited to the subdivision of an existing 24,580 square foot (0.564 acre) parcel into two parcels with proposed Parcel 1 to be approximately 12,740 square feet (0.292 acres) and proposed Parcel 2 to be approximately 11,840 square feet (0.272 acres); removal of an existing fence, block walls, patio, patio cover, steps and walkway; construction of one new uncovered parking space and the improvements shown on the Tentative Subdivision Map signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
2. **Future Development.** All future development on the property shall be subject to the following conditions:
 - a. All future construction shall comply with the applicable conditions of approval contained in Section E. "Construction Implementation Requirements."

1. **Public Works Department.**

- a. **Public Improvement Plans.** Public Improvement Plans as identified in condition C.3 "San Miguel Avenue Public Improvements" shall be submitted to the Public Works Department for review and approval.
- 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.

2. **Community Development Department.**

- a. **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 any 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 if 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 Transportation Manager 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 Recordation of the Map.** Prior to recordation of the Map, 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 §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
 2. **Complete Public Improvements.** Public improvements, as shown in the public improvement plans or building plans, including utility service undergrounding and

installation of street trees and street lights, shall be completed, and signed off by the Public Works Inspector.

3. **Complete Private Improvements.** All of the required onsite improvements shall be completed and signed off by the City Building Inspector.

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 Staff Hearing Officer.
 - 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. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid at time of the first building permit application related to this project or prior to recordation of the Map, whichever comes first.
4. **Litigation Indemnification Agreement.** In the event the Staff Hearing Officer approval of the Project is ultimately 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.

NOTICE OF APPROVAL TIME LIMITS:

The Staff Hearing Officer 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.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Staff Hearing Officer 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.

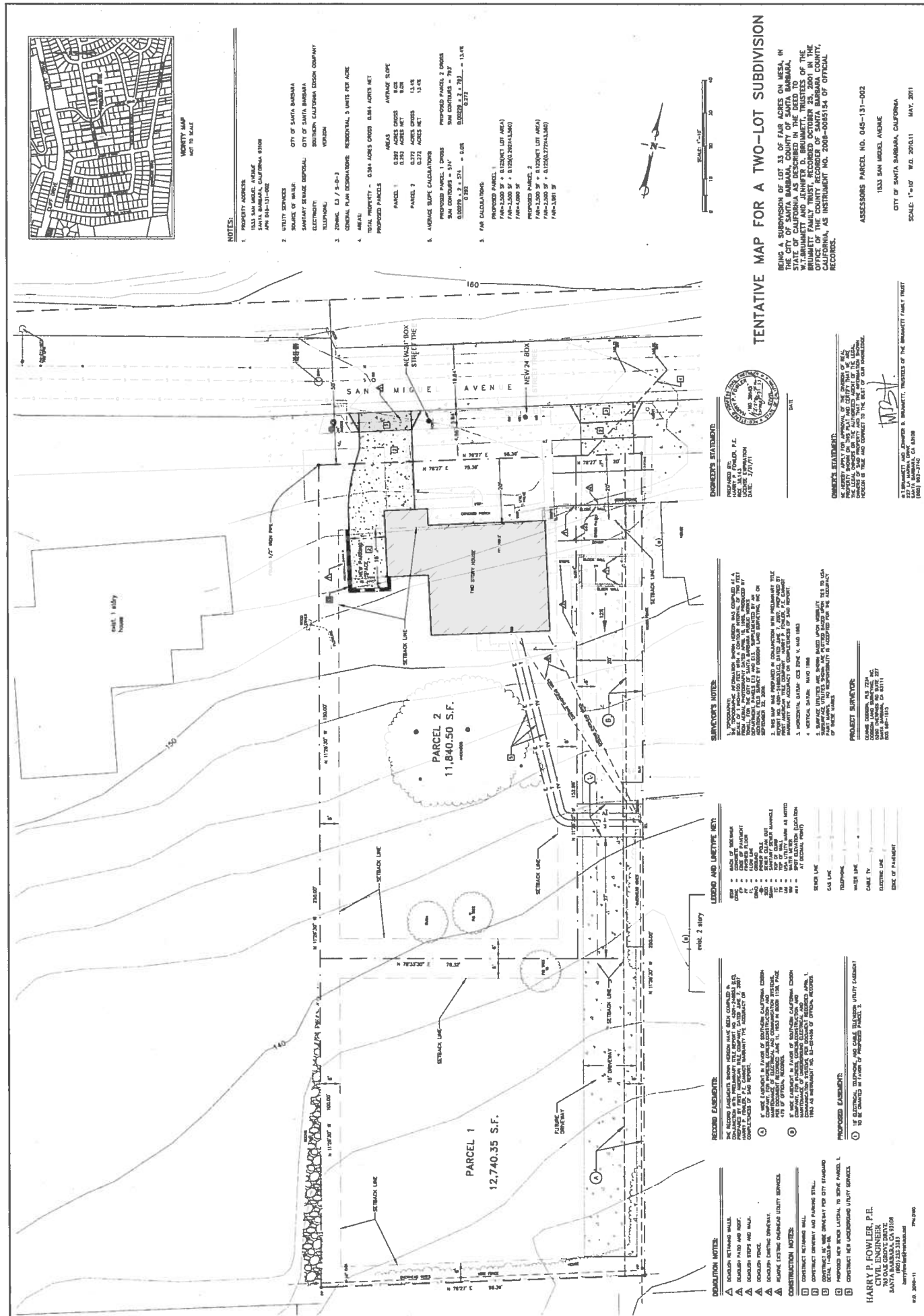
NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:

The Staff Hearing Officer 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.

**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.

EXHIBIT B



TENTATIVE MAP FOR A TWO-LOT SUBDIVISION

BEING A SUBDIVISION OF LOT 13 OF FAIR ACRES ON MESA, IN THE CITY OF SANTA BARBARA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA AS DESCRIBED IN THE DEED TO BRUMMETT FAMILY TRUST, RECORDED OCTOBER 23, 2001 IN THE OFFICE OF THE COUNTY RECORDER OF SANTA BARBARA COUNTY, CALIFORNIA, AS INSTRUMENT NO. 2008-005154 OF OFFICIAL RECORDS.

ASSESSORS PARCEL NO. 045-131-002
 1833 SAN MOSES AVENUE
 CITY OF SANTA BARBARA, CALIFORNIA
 SCALE: 1" = 10' W.D. 2008.11 MAY, 2011

CONCRETE FOUNDATIONS:
 ALL CONCRETE FOUNDATIONS SHALL BE CONSTRUCTED TO THE DEPTH OF 48" BELOW FINISHED GRADE AND SHALL BE REINFORCED WITH #4 BARS AT 18" ON CENTER. ALL CONCRETE FOUNDATIONS SHALL BE FINISHED TO THE TOP OF THE FOUNDATION. ALL CONCRETE FOUNDATIONS SHALL BE FINISHED TO THE TOP OF THE FOUNDATION.

RECORD EXEMPTIONS:
 1. IF ELECTRICAL, TELEPHONE AND CABLE RELATIONS UTILITY EXISTING TO BE QUANTIFIED IN PARCEL 2.

CONSTRUCTION NOTES:
 1. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 2. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 3. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.

HARRY P. FOWLER, P.E.
 1833 SAN MOSES AVENUE
 SANTA BARBARA, CA 93108
 hpf@hpf.com

NOTES:
 1. PROPERTY ADDRESS: 1833 SAN MOSES AVENUE, SANTA BARBARA, CALIFORNIA 93108, APN 045-131-002
 2. UTILITY SERVICES: SOURCE OF WATER: CITY OF SANTA BARBARA; SANITARY SEWAGE DISPOSAL: SOUTHERN CALIFORNIA Edison COMPANY; ELECTRICITY: SOUTHERN CALIFORNIA Edison COMPANY; TELEPHONE: VERIZON
 3. ZONING: CS / R-0-3
 4. GENERAL PLAN DESIGNATIONS: RESIDENTIAL, 3 UNITS PER ACRE
 5. AREAS:
 TOTAL PROPERTY - 0.34 ACRES GROSS 0.34 ACRES NET
 PROPOSED PARCELS:
 PARCEL 1 0.327 ACRES GROSS 0.327 ACRES NET
 PARCEL 2 0.372 ACRES GROSS 0.372 ACRES NET
 6. AVERAGE SLOPE CALCULATION:
 PROPOSED PARCEL 1 DROPS 5' IN 100' HORIZONTAL = 5%
 PROPOSED PARCEL 2 DROPS 5' IN 100' HORIZONTAL = 5%
 7. FAR CALCULATION:
 PROPOSED PARCEL 1 (0.327 ACRES) FAR=1,200 SF = 0.120(37794.546) FAR=46.000 SF
 PROPOSED PARCEL 2 (0.372 ACRES) FAR=1,200 SF = 0.120(37794.546) FAR=45.000 SF

CONCRETE FOUNDATIONS:
 ALL CONCRETE FOUNDATIONS SHALL BE CONSTRUCTED TO THE DEPTH OF 48" BELOW FINISHED GRADE AND SHALL BE REINFORCED WITH #4 BARS AT 18" ON CENTER. ALL CONCRETE FOUNDATIONS SHALL BE FINISHED TO THE TOP OF THE FOUNDATION. ALL CONCRETE FOUNDATIONS SHALL BE FINISHED TO THE TOP OF THE FOUNDATION.

RECORD EXEMPTIONS:
 1. IF ELECTRICAL, TELEPHONE AND CABLE RELATIONS UTILITY EXISTING TO BE QUANTIFIED IN PARCEL 2.

CONSTRUCTION NOTES:
 1. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 2. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 3. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.

RECORD EXEMPTIONS:
 1. IF ELECTRICAL, TELEPHONE AND CABLE RELATIONS UTILITY EXISTING TO BE QUANTIFIED IN PARCEL 2.

CONSTRUCTION NOTES:
 1. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 2. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 3. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.

HARRY P. FOWLER, P.E.
 1833 SAN MOSES AVENUE
 SANTA BARBARA, CA 93108
 hpf@hpf.com

June 29, 2011

Staff Hearing Officer
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

SUBJECT: 1533 San Miguel Avenue, MST#2010-00213, APN 045-131-002

Dear Staff Hearing Officer,

Robert Paul Design, as agent for William and Jennifer Brummett, owners of 1533 San Miguel Avenue (APN 045-131-002), is requesting approval of a lot split to subdivide an existing lot into two new lots.

The subject property is located on the Mesa in Santa Barbara in the non-Appealable portion of the Coastal Zone. The surrounding neighborhood is typical of Mesa development: lots averaging about 8,000 s.f. developed with one- and two-story single-family homes. The General Plan land use designation for the subject property and surrounding neighborhood is Residential, 5 units per acre, and the zoning district is E-3/SD-3.

Proposed Lot Split Project Description

The proposed project includes the request for the following:

- A. Coastal Development Permit to allow development in the Non-Appealable Jurisdiction of the Coastal Zone (SBMC§28.44.060).
- B. Tentative Subdivision Map to allow the division of one parcel into two lots (SBMC 27.07).
- C. Street Frontage Modification to allow proposed Parcel 1 to have 20 feet of street frontage instead of the required 60 feet (SBMC§28.92.110).

The proposed lot split would subdivide an existing 24,580.85 square foot (s.f.)/0.56 acre lot located at 1533 San Miguel Avenue (APN 045-131-002) into two new lots. Proposed Parcel 1 would be 12,740.35 s.f./0.292 acres (average slope 9.0%) and Proposed Parcel 2 would be 11,840.50 s.f./0.272 acres (average slope 13.4%). The Street Frontage Waiver would allow Proposed Parcel 1 to have 20 feet of street frontage instead of 60 feet. The property is zoned E-3/SD-3 and slopes from the northwest (adjacent to San Miguel Avenue) to the southeast. Existing development onsite includes: a 1,274s.f. residence; a 260 s.f. attached one-car garage, which would remain on Proposed Parcel 2 upon creation of the new lots; and, an

ROBERT PAUL DESIGN
2331 CHAPALA STREET
SANTA BARBARA, CA 93105
ROBERTPAULDESIGN@GMAIL.COM

EXHIBIT C

unpermitted shed and retaining walls, which would be removed as part of the CDP for the project. Grading in the amount of approximately 150 cubic yards (c.y.) cut and 150 c.y. fill, balanced onsite, would be required to create the driveway to Proposed Parcel 1. Two 24-inch box street trees (consistent with the City's Street Tree Master Plan) have been planted to replace one street tree (Indian snakeroot, *Rauwolfia samarensis*, which is inconsistent with the Street Tree Master Plan) that was removed to allow installation of the driveway (this action has been approved by the Parks and Recreation Commission and Street Tree Advisory Committee). Minor vegetation removal would occur due to proposed grading. Proposed Parcel 1 would be served by new connections to public water and sewer; Proposed Parcel 2 would have water and sewer already available.

Recent Applications for Development Filed by the Brummetts at the Subject Property

New Residence and Accessory Structures

- MST2007-00020: Demolition of the existing residence and proposed new 4,234 square foot (s.f.) residence with a 600 s.f. basement, 590 s.f. garage; 500 s.f. cabana, and associated grading. The project was reviewed and approved by the Single Family Design Board (SFDB) and a Coastal Exclusion was granted on July 21, 2008.
- BLD2008-00537: The Building Permit application associated with MST2007-00020. The Building Permit application expired April 1, 2009.
- PBW2008-01033: Demolition of sidewalk, curb and gutter and replacement with new sidewalk, curb and gutter new 1-inch water line and 4-inch sewer lateral.

Due to financial considerations, the Brummetts could not proceed with their proposed residence.

Lot Split

- MST2010-00213: An application for PRT review was filed with the City on July 14, 2010. The City determined that PRT review would not be required and that the proposed lot split would be subject to approval by the Staff Hearing Officer (SHO).
- DART letter dated January 26, 2011: The City provided a DART letter listing outstanding items needed to complete the application. The response to the DART letter was provided to the City on April 11, 2011.

Justification for Project

The proposed lot split is consistent with the general plan and zoning (including slope density) for the site. The resulting lots would be comparable in size and configuration to adjacent properties and typical Mesa properties. All necessary public services would be available to serve existing and future development. Only minor grading would be needed to

1533 SAN MIGUEL AVENUE (MST2010-00213)

JUNE 29, 2011

PAGE 3 OF 3

create a driveway to serve Proposed Parcel 1. Given this information, the Staff Hearing Officer should approve the proposed project (MST#2010-00213).

Please feel free to contact me should you have questions regarding this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Kinnahan Foley". The signature is written in a cursive, flowing style.

Jessica Kinnahan Foley

C: Jennifer and Willie Brummett