

DRAFT

City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

January 3, 2008

CALL TO ORDER:

Chair Charmaine Jacobs called the meeting to order at 1:04 P.M.

ROLL CALL:

Present:

Chair Charmaine Jacobs

Vice-Chair George C. Myers

Commissioners Bruce Bartlett, John Jostes, Stella Larson, George C. Myers, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Dave Gustafson, Community Development Director

Bettie Weiss, City Planner

John Ledbetter, Principal Planner

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Rob Dayton, Principal Transportation Planner

Barbara Shelton, Environmental Analyst

Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

Comments from members of the public pertaining to items not on this agenda.

Chair Jacobs opened the public hearing at 1:04 P.M. and, with no one wishing to speak, closed the hearing.

II. DISCUSSION ITEM:

ACTUAL TIME: 1:04 P.M.

PLAN SANTA BARBARA

Planning Commission will review and comment on the Staff Report regarding the following *Plan Santa Barbara* components: *Plan Santa Barbara Outcomes & Next Steps* and

Schedule; Special Planning Commission Worksession- Development Trends: past, present & future; and CEQA Environmental Review.

Case Planner: Bettie Weiss, City Planner; John Ledbetter, Principal Planner
Email: bweiss@SantaBarbaraCA.gov; jledbetter@SantaBarbaraCA.gov

Bettie Weiss, City Planner, gave the Staff presentation joined by John Ledbetter, Principal Planner; Rod Dayton, Principal Transportation Planner; Barbara Shelton, Environmental Analyst; and Woody Tescher, PBS&J.

Community Input Summary Report:

Staff answered Planning Commission questions about the length of time for the last General Plan Update (GPU) by stating that the previous update took 2-3 years and did not include an Environmental Impact Report (EIR), nor address the other elements of the General Plan; clarified the steps for a General Plan Amendment versus a General Plan Revision; reviewed the timeline for Plan Santa Barbara (Plan SB); and the status of further discussion on the Upper State Street Study.

Commissioner's comments:

1. One Commissioner felt that California Environmental Quality Act (CEQA) should be more significant in the process. Asked if policy shapes CEQA, or if we will be using the EIR to shape policy. More environmental information is needed for the Commission to be able to make planning decisions.
2. One Commissioner expressed a desire to know when the process will result in a final product; when will the Commission have the tools it needs to make policy decisions.
3. One Commissioner asked for confirmation that the Land Use Map and Land Use Elements are also being updated.

Staff responded that the final product should be anticipated after 2010.

Staff presented the following topics for discussion:

Community Forums/Workshops

John Ledbetter, Principal Planner, gave the Staff presentation, joined by Rob Dayton, Principal Transportation Planner.

Staff clarified for the Planning Commission that forums focus on issues that are being explored; whereas workshops look at innovations for the issues. Staff also explained the linkage of transportation to everything else in response to why time was being spent on a transportation workshop.

Development Trends Worksession:

John Ledbetter, Principal Planner, gave the Staff presentation, joined by Rob Dayton, Principal Transportation Planner.

Staff answered additional Planning Commission questions about the commencement of Phase I of the General Plan.

Chair Jacobs opened the public hearing at 2:15 P.M.

The following people addressed the Commission:

1. Judy Orias, Allied Neighborhood Association, submitted written comment that included questioning how much residential development could be done in commercial zones; how the mixed use development impacts the environment; infrastructure capacity constraints; economic impacts on City with build-out; the impact on city tax revenues; and the state of the current real estate market's impact on the City's budget. Concerned with the charter mandate to live within our resources. Suggests that a poll be done by a professional consultant.
2. Cathie McCammon, League of Women Voters, requested that the development trends booklet be made available to the public more than one week before the scheduled meeting; suggested the workshops be broken into two parts separated a week apart. Other topics such as growth potential and management, housing, preservation of community design and character all need to have separate workshops and contribute to Plan SB. Basic issues need to have adequate discussion. Requested to know what became of the Upper State Street Study and its incorporation into Plan S.B.
3. Jean Holmes, League of Women Voters, Sustainability Committee, spoke on the need to improve affordable housing policies and commented on the increasing number of high priced market value units being built; GPU will not be complete without addressing the need for preservation of existing rental units and construction of new rental units.
4. Christy Schuerch, Coalition for Community Wellness, introduced members of the Coalition including many of the major health providers in the community and encouraged participation and attendance at the Coalition's forum on "Creating a Healthy Community" to be held on January 19, 2008 at the Victoria Hall Theater.
5. Sheila Lodge, Citizens Planning Association, commented on the need to update the air quality chapter of the Conservation Element; noted that visual resources, including creeks and trees, were not covered in the Conditions, Trends & Issues Report, yet are a part of the Conservation Element.
6. Dave Davis, Common Ground and Community Environmental Council, commented that housing, open space, and transportation need to be looked at holistically. The Architecture 2030 group has been renamed Santa Barbara 2030 and is taking an

- active role in Plan SB. Believes that the community needs to be included sooner, rather than later; summarized a need for focus, timing and inclusion.
7. Megan Birney, Community Environmental Council, felt that Plan SB needs to include global warming and consideration of greenhouse gases in the Environmental Impact Report.
 8. Joseph Rution, Allied Neighborhood Association, expressed concern with the proposed strategies of the Common Ground Statement of Shared Principles; asked that Plan SB address the limits of affordable housing and protecting the uniqueness of the community.
 9. Bill Boyd, commended Staff for the quality of the Community Input and Summary Report; but was concerned with the lack of quantitative analysis in the report and encouraged future reports to include quantitative analysis. Requested that overcrowding in housing be reviewed.
 10. Maria Paez, Union of Concerned Scientists, was supportive of global warming discussion and wished to know what advances were being made to get rid of discrimination in Santa Barbara.
 11. Mickey Flacks, Common Ground, asked that housing, open space, and transportation be included in Plan SB as well as the overall effects that they have on the community. Concerned with making sure that ethnic and economic diversity is included in the community. Does not want to see Santa Barbara become Carmel.
 12. Steve Yates asked that Plan SB consider who we are planning for and what the adult population of 2030 will be faced with if we continue with the policies in place now.
 13. Dennis Jaffe, Director of Walk Santa Barbara, a project of Coalition for Sustainable Transportation (COAST), need to focus Plan SB on outcomes; "To plan is human, to implement is divine".

With no one else wishing to speak, the public hearing was closed at 2:57 P.M.

Chair Jacobs called for a recess at 2:58 P.M. and resumed the meeting at 3:20 P.M.

Draft Policy Options Report/Worksession:

Bettie Weiss, City Planner, gave the Staff presentation.

Ms. Weiss and Mr. Tescher provided the Planning Commission clarification about the timing and definition of the Housing Element and the Land Use Element.

Mr. Tescher answered the Commission's questions about financial responsibility in addressing housing needs.

Staff answered additional Commissioners' questions about polling the community, the potential outcome of polling, and timing for conducting a poll for maximum effectiveness.

One Commissioner wanted to encourage forward moving momentum in the creation of a poll that does not reiterate all that has previously occurred.

Environmental Review:

Barbara Shelton, Environmental Analyst, gave the Staff presentation.

Staff answered additional Planning Commission questions about timing of the Final EIR, the General Plan Amendment, and the Housing Element; defined Environmental Justice by stating that it will be reviewed by Staff with the environmental consultant and be a part of the Plan SB discussion; the longevity of the Conditions, Trends, and Issues Report as a baseline resource; analysis for updating existing policies; and incorporating the public forum discussion into the EIR process.

Chair Jacobs reopened the public comment at 4:26 P.M.

1. Steve Yates commented that Environmental Justice was an important component to add to the EIR. Need to look at how we will treat Measure E. Need to analyze small business displacement. Most of the Community agrees on the same values, but not on the priority of the values. Suggested looking at putting the values in priority before doing polling. Need to offer policy options to the community.
2. Cathie McCammon, League of Women Voters, stated that the most often heard community concern is growth: growth within our resources, growth beyond our resources, and what are the resources and limits. Would like to see a more participatory process beyond the courtesy two minute public comment periods offered at most meetings.

Mr. Ledbetter stated that the workshops will include dialogue with the community and be more inclusive of public discussion. Ms. Weiss added that the workshops have not yet been formatted.

With no one else wishing to speak, Chair Jacobs closed the public hearing at 4:34 P.M.

Overall Commissioner's Comments:

1. The Commission was appreciative and acknowledged Staff's work.
2. One Commissioner does not have confidence in the workshop and forum process without restructuring. Believes it will take too much time and cost too much money. Agreed with the public about the sense of urgency and the potential alienation of the public.
3. The Plan SB process needs to be prescriptive and not always focus on options or will lose momentum.
4. Very concerned with deferring the Land Use Element to 2010.

5. One commissioner felt that the Planning Commission needs to offer leadership to Staff and the process.
6. Development Trends Workshop should assess General Plan build-out that Staff has articulated that includes whether we can live within our resources at current build out, and prioritize future development. Develop specific selection criteria that can be applied to the Land Use Element. Allocate future growth based on the land use map. The General Plan update comes down to answering how much development and what kind, goes where, goes when, and under what circumstances.
7. Some Commissioners were willing to ask City Council for more resources, if more are needed by Staff to facilitate moving Plan SB forward. Will ask City Council for extension of Measure E through the study process; will ask for coalition of community wellness to expand regionally.
8. One Commissioner stated that the Upper State Street Study (USSS) was a successful triage effort that took time away from Plan SB and takes some responsibility for the impact on Plan SB; wished that Plan SB could have continued during USSS.
9. The Commercial corridor is where the action is in Santa Barbara and should be put in the center; we need to look at development in the commercial corridors that is consistent with the short term and long term goals of the City. We cannot wait until 2011 to address commercial corridors.
10. One Commissioner felt that we are caught in looking at a short term plan and a long term plan. We need to define what living within our resources and sustainability means; establishing baselines is paramount to moving forward. Felt that we need to look at long term before we can look at commercial corridors.
11. One Commissioner felt that the poll needs to take into account the demographics of those answering the poll, as well as who is not answering the poll. Another Commissioner felt that the polls should go to schools, and/or commuters; questioned the way that we have crafted our workshops.
12. Most Commissioners felt the schedule needs to be shortened. One Commissioner supports the schedule as it has been laid out. Some felt the Land Use Element needs to come before the Housing Element; suggested by early 2009. Some Commissioners felt that that both need to be looked at concurrently.
13. One Commissioner expressed concern that the process could get in the way of results.
14. Would like to see Plan SB meetings for the Planning Commission be single item agendas and not buried with other items.
15. Vision and values are not affected by the "what if's". The vision is articulated by the community. While we need to cover the "what if's", we are not moving with confidence in our vision. The City does have a vision and shared values, and it does not need a poll. The vision and the values do not change.
16. One Commissioner would like to ask for a forum topic on Youth to be considered, to be held at the local high school and include youth..
17. Renters in our community are more than half of our population. We need to look at how to make renting an attractive option and how the City serves its renters.
18. Commuters should also be looked at; why do they choose to commute.
19. Polling should be targeted to include parts of the community that are not being included now.

MOTION: Larson/Jostes

Appoint three members of the Commission to meet with Planning Commission Staff to maximize the efficiency of the process. The Planning Commission Subcommittee includes Commissioners Jostes, Thompson, and Chair Myers.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Jacobs opened the public comment at 5:42 P.M.

Steve Yates stated that the issue for the public is not expediency, but comprehension.

III. ADJOURNMENT

MOTION: Myers/White

Adjourn the meeting of January 3, 2008.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Jacobs adjourned the meeting at 5:43 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

January 10, 2008

CALL TO ORDER:

Chair Charmaine Jacobs called the meeting to order at 1:07 P.M.

ROLL CALL:

Present:

Chair Charmaine Jacobs
Vice-Chair George C. Myers
Commissioners Bruce Bartlett, John Jostes, Stella Larson, George C. Myers, Addison S. Thompson
and Harwood A. White, Jr.

STAFF PRESENT:

Bettie Weiss, City Planner
John Ledbetter, Principal Planner
Jan Hubbell, Senior Planner
Jaime Limón, Senior Planner
Debra Andalaro, Project Planner
Stephen MacIntosh, Environmental Programs Supervisor
N. Scott Vincent, Assistant City Attorney
Nina Johnson, Assistant to City Administrator
George Estrella, Chief Building Inspector
Barbara Shelton, Environmental Analyst
Peggy Burbank, Project Planner
Peter Lawson, Associate Planner
Tony Boughman, Planning Technician
Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

- A. Nominations and Election of Chair and Vice Chair

MOTION: White/Bartlett

Approve nomination of George Myers as Chair and Stella Larson as Vice-Chair.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Commissioner Jacobs thanked her colleagues and Staff for a memorable year. Commissioners White and Larson spoke on behalf of the Commission, along with Staff, in acknowledging appreciation for Chair Myers contributions to the Commission this past year and the standards that she set.

Chair Myers welcomed the 2008 Planning Commission and gave the Commissioners an opportunity to change seating assignments.

- B. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Jan Hubbell announced the following changes to the agenda:

1. Item IV, 3230 State Street, will be continued until February 21, 2008.

- C. Announcements and appeals.

Ms. Hubbell deferred any announcements until the next hearing.

- D. Comments from members of the public pertaining to items not on this agenda.

Chair Myers opened the public hearing at 1:12 P.M. and, with no one wishing to speak, the hearing was closed.

II. NEW ITEM:

ACTUAL TIME: 1:12 P.M.

APPLICATION OF KIRK GRADIN, ARCHITECT FOR BLANKENSHIP CONSTRUCTION, 1236 SAN ANDRES STREET, APN 039-151-001, R-3 ZONE DISTRICT, GENERAL PLAN DESIGNATION: RESIDENTIAL (MST2006-00364)

The proposed project involves the demolition of two permitted dwellings and one unpermitted dwelling and construction of a four unit condominium building on a 10,000 square foot lot. The proposed building would be approximately 5,783 square feet. Each unit would average between 1,000 s.f. to 1,300 s.f. and each garage would be approximately 400 s.f. The structure would be two stories and approximately twenty-two feet in height. The majority of the habitable space of each of the units would be on the second floor with two car garages located below. Each of the units will include ground floor bedrooms with full bathrooms. A modification is being requested to allow the garages to be located three feet from the northerly lot line instead of the required six foot setback.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision with four condominium units (SBMC §27.07); and
2. A Modification to reduce the western interior yard from six feet to three feet (SBMC §28.90.110.2).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, New Construction of Small Structures, and Section 15315, Minor Land Divisions.

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

Peter Lawson, Associate Planner, gave the Staff presentation.

Kirk Gradin, Architect, gave the applicant presentation.

Mr. Gradin answered Planning Commission questions about the cantilever; Architectural Board of Review (ABR) and City Parks' review of native trees in landscaping; consideration given to undergrounding utilities; location of laundry facilities in garages; and location of the electrical unit to the transformer.

Chair Myers opened the public hearing at 1:45 P.M.

The following people spoke in opposition of the project or with concerns:

1. Celeste Barber was concerned with modifications, setback, lack of open space, and visibility of the project to San Andres Street; project not consistent with character of the neighborhood.
2. Marry Moore was concerned with mansionization of the proposed home and the color. Preservation of old trees.
3. Paula Westbury stated this was her childhood home and asked for the preservation of the 5,000 year redwoods and existing setbacks. Save the neighborhood.
4. Richard Weber concerned with loss of character of the neighborhood, and conversion of San Andres Street to "condominium row". Concerned with the size of building on the narrow lot and the impact on the adjacent bank. Concerned with the added congestion that the project would bring.
5. Michael Galindo concerned with increasing overcrowding in neighborhood, decreasing amount of available parking, and increased area crime. Does not want to see a project developed that looks like a hotel. Would like to see a Santa Barbara beautification program on the West side.
6. Michael Seligman does not want to see overcrowding of neighborhood. Would like to see the existing homes maintained; they are more in character with the charm of the neighborhood.
7. Brigitte Seligman concerned with the City's over development by increasing the number of condominiums and changing the character of the neighborhood. Suggested the City buy back and maintain the older homes.

8. Anna Campbell asked for preservation of remaining Craftsman bungalows in area and consideration of the homes as a Structure of Merit. It is one of the few remaining redwood homes. Would like to see a new design that incorporates the bungalow aesthetics.

The following people spoke in support of the project:

1. John Blankenship

With no one else wishing to speak, the public hearing was closed at 2:13 P.M.

Commissioners collectively or individually acknowledged the City's changes and struggles between density and open space. One Commissioner expressed empathy for the loss of older homes, but acknowledgment for the need for more housing. To address the increasing parking demands on the neighborhood, the Commission encouraged the neighbors to consider requesting residential parking permits for the neighborhood.

Staff added that with regard to reuse of the existing bungalows, there have been situations where homes have been offered for reuse or for parts.

MOTION: White/Jacobs

Assigned Resolution No. 001-08

Approve the Tentative Subdivision Map and Modification, making the findings in the Staff Report, subject to the conditions of approval, with added conditions: 1) Architectural Board of Review to review: a) the cantilevers and reduce where feasible; b) reexamining the landscape plan to determine if Sycamore or Oak trees are appropriate in the lower area in consultation with Parks and Recreation Staff; and c) the front of the building to affirm its charm and human scale and to eliminate commercial references; 2) the bungalow on site be made available for relocation or salvage; and 3) add the reference to Draft Street Light Master Plan to condition B.6.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Myers announced the ten calendar day appeal period.

III. STAFF HEARING OFFICER APPEAL:

The following Item was continued to February 21, 2008:

APPEAL OF TONY FISCHER ON THE APPLICATION OF T-MOBILE FOR THOMAS THOMPSON, 3230 STATE STREET, APN 053-332-030, C-2 COMMERCIAL/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2006-00574)

The 15,000 square foot project site has frontage on both State Street and Calle Alamo. Existing development on site consists of a commercial building. The proposed project involves a new unmanned wireless communication facility. The proposal consists of a panel antenna installation, demolition of an existing storage area, and the construction of a new eight-foot (8') high uncovered block wall equipment enclosure area. The discretionary application required for this project is a Modification to permit the alterations/installations to be located within both twenty-foot (20') front yard setbacks (SBMC §28.45.008). On October 24, 2007, a public hearing was held and the Staff Hearing Officer approved the request as submitted. This is an appeal of that action.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Roxanne Milazzo, Assistant Planner
Email: rmilazzo@SantaBarbaraCA.gov

IV. NEW ITEMS:

ACTUAL TIME: 2:40 P.M.

APPLICATION OF MIKE SILVA, 3455 MARINA DRIVE, 047-022-004, A-1/SD-3
SINGLE -FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL
PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE (MST2007-00221)

The project consists of the construction of a 6,218 square foot one-story single-family residence including a 469 square foot two-car attached garage and a 256 square foot one-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, and landscaping. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. The vacant lot is reduced from 1.34 to 1.17 acres by a public right-of-way easement along Cliff Drive. The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone.

The discretionary applications required for this project are:

1. A Coastal Development Permit to allow the proposed development in the appealable jurisdiction of the Coastal Zone (SBMC § 28.44.050).
2. Single Family Design Board approval.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section 15303, (new construction of small structures).

Case Planner: Tony Boughman, Planning Technician
Email: tboughman@santabarbaraca.gov

Tony Boughman, Planning Technician, gave the Staff presentation.

Staff answered the Planning Commission's questions about the absence of building envelopes in the original Subdivision Map; and clarification in the Staff Report about the referenced Floor Area Ratio (FAR) requirements found in the Single Family Design Guidelines.

Michael Silva, Owner, gave the applicant presentation and introduced Bryan Pollard, Architect; Sam Maphis, Landscape Architect; and Mike Gones, Project Engineer.

Mr. Silva and Mr. Gones answered Planning Commission questions about having two garages instead of one three-car garage; and consideration given for daylighting the storm drain pipe to create a bio swale.

Mr. Silva and Mr. Maphis answered additional Planning Commission questions about the 6' wall heights on Marina Drive and Cliff Drive; consideration of an on-site retention tank in favor of a bio swale for drainage; and clarification of the wall elevations in front of the house as seen from Marina Drive.

Chair Myers opened the public hearing at 3:17 P.M.

The following people spoke in opposition to the project or with concerns:

1. Kitch Wilson expressed concern with the mansionization and lack of landscaping; would like to see rural nature of the area maintained.
2. Michael Moore was concerned with project's floor heights, loss of public mountain views, and incompatibility with the neighborhood and FAR guidelines.
3. Pearl Zalon was opposed to the obstruction of public ocean views and the mansionization, as well as the impact on global warming.
4. Ronald Green spoke against mansionization and lack of adhering to the FAR Guidelines. Asked for consideration of a public view corridor and relocation of the side garage that blocks the public view.

The following people spoke in support of the project:

1. Sandra Schoolfield
2. David Neubauer

With no one else wishing to speak, the public hearing was closed at 3:38 P.M.

The Commission was appreciative of the applicant's communication with neighbors. Many of the Commissioners could support the project if consideration was given for public views and following the NPO/FAR Guidelines. Presently this project exceeds FAR Guidelines by approximately 22%.

Comments and suggestions made included:

1. The house is taller than necessary for one-story. Suggested height maximum of 17' and reduction of the roof pitch.
2. The walls and entry gate need to be more compatible with neighborhood. Suggested lighter fencing, split rail fence with landscaping that is in keeping with neighborhood. The wall should be reduced to 3 feet.
3. The train easement from Braemar Ranch establishes a public viewpoint along Marina Drive. Preserve a view corridor by reduction of house size to FAR guidelines. This is a pedestrian and equestrian use area and it was felt that it should be preserved as much as possible.
4. Landscape plan should include native plants and minimal lawn, as well as minimal irrigation since it is close to the ocean. Landscaping should be easily maintained at a low height in the view corridor.
5. Suggested garage #2 moved and integrated with garage #1 as a means of opening the view corridor.

Mr. Silva addressed the Commission and was agreeable to Staff's recommendation to eliminate the front wall and entrance gate; this would open up the view corridor. Explained how house size works.

MOTION: Jostes/Thompson

Continue the project to March 6, 2008 to allow the applicant time to respond to the Commission's comments on neighborhood compatibility and preservation of coastal views as required by the Coastal Act.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Myers announced a recess at 4:12 P.M., and reconvened the meeting at 6:00 P.M.

Commissioner Jacobs did not return to the dais.

V. **DISCUSSION ITEM:**

ACTUAL TIME: 6:00 P.M.

CLIMATE CHANGE AND SUSTAINABILITY, INCLUDING ENERGY CONSERVATION

The Planning Commission will hold a discussion regarding Climate Change, Sustainability and Energy Conservation. The discussion will include background on these issues, what programs the City has in place to manage its facilities and operations in a sustainable way,

proposed programs such as the use of conversion technology at Tajiguas Landfill, and how these issues are being incorporated into *Plan Santa Barbara* and individual project review, with special emphasis on the role of the California Environmental Quality Act.

Case Planner: Jan Hubbell, Senior Planner
Email: jhubbell@SantaBarbaraCA.gov

Jan Hubbell, Senior Planner, led the Staff presentation and introduced Nina Johnson, Assistant City Administrator/Coordinator of Sustainability Programs; George Estrella, Chief Building Official; Stephen MacIntosh, Environmental Programs Supervisor; Peggy Burbank, Project Planner; and Barbara Shelton, Environmental Analyst.

Nina Johnson, Assistant City Administrator, gave the Staff presentation on the City's Sustainable Santa Barbara Program and answered the Planning Commission's questions about how the City directs proper disposal of florescent bulbs; provided a status on bike use at the Granada Garage; observations derived from listening to Susan Anderson's sustainability plan in Portland; and opportunities used to provide public awareness on sustainability issues and resources.

Stephen MacIntosh, Environmental Programs Supervisor, gave the Staff presentation on Waste Conversion Technology (CT) and answered the Planning Commission's questions about regional cooperation of waste management; use and proper disposal of Compact Fluorescent Lights (CFL's); disposal and mulching of the City's green waste sent to the County Transfer Station; disposal of residual material from a CT plant; and the gas extraction system at the Tajiguas Landfill. Mr. MacIntosh also answered questions about the four kinds of CT (chemical, biological, thermal, and mechanical); current status of global CT facilities; and the handling of local medical waste.

The Commission encouraged the City to continue to pursue Conversion Technology.

George Estrella, Chief Building Official, gave the Staff presentation on the Santa Barbara 2030 Energy Ordinance and answered the Commission's question about the likelihood of State approval of the Energy Ordinance; and comparison to the Built Green Program.

Peggy Burbank, Plan Santa Barbara Project Planner, gave the Staff presentation on Plan Santa Barbara's sustainability goals and, joined by John Ledbetter, answered the Commission's questions about consideration for a Sustainability Element in the General Plan. The Commission requested copies of articles on sustainability and other municipality's programs for review.

Ms. Hubbell gave the Project Environmental Review presentation followed by Barbara Shelton, Environmental Analyst, who gave the Plan Santa Barbara Program Environmental Impact Report (EIR) presentation.

Chair Myers opened the public hearing at 7:38 P.M. and, at the request of the public, gave a 2 minutes stretch.

The following people addressed the Commission:

1. Dave Davis, Executive Director, Community Environmental Council (CEC), provided the pulse of what is taking place in the Environmental Community and climate changes. Interested parties were directed to www.fossilfreeby33.org

Mr. Davis answered the Commission's questions about what could be done to further the direction of the Blueprint for Santa Barbara County; and the encouragement of alternate energy sources using multiple energy lines.

2. Paul Poirier, Architect, supports the City's efforts to shape a sustainable future for Santa Barbara and the inclusion of photovoltaics. He is working on creating a California Central Coast Chapter of the US Green Building Council (USGBC). Suggested that sustainability be the first goal of Plan Santa Barbara; agrees with sustainability being a separate element.
3. John Kelley, Architect, co-founder of The Sustainability Project (TSP) and The Green Building Alliance, concurred with Mr. Poirier's remarks and stated that TSP has been increasing public awareness through Continuing Education Classes.
4. Joe Andrulaitis, former President of the American Institute of Architects (AIA) SBCA, wants to make the 3-star rating for Built Green a prerequisite to the new energy ordinance. Encourages preservation of resources, but takes issue with how we squander these resources. Encourages public education to go beyond living within our resources to preserving our resources.
5. Karen Feeney, incoming President of The Sustainability Project (TSP), stated that levels 4 and 5 will be added to Built Green. She shared what is working at other municipalities including one that is adopting a carbon tax; asked the Commission to incorporate sustainability and the CEC Blueprint for Santa Barbara into the General Plan.
6. Steve Yates congratulated the City on what has been done to date for sustainability and suggested the Commission look at the opportunities that youth need and use it as a starting point for defining sustainability. Suggested we consider looking at ways to 'do more with less'. Views Santa Barbara through three voices: 1) lifestyle preservation and aesthetics; 2) environmental stewardship; and 3) social equity. Suggested looking at the Rocky Mountain Land Institute study on sustainable community codes.

With no one else wishing to speak, the public hearing was closed at 8:29 P.M.

The Commission expressed appreciation for Staff's encompassing presentation, especially noting the thoroughness of Ms. Hubbell in incorporating City Staff and environmental agencies in the discussion. One Commissioner stressed the urgency of incorporating Sound

Community Planning in the General Plan. Some Commissioners echoed the need for greater inclusion of the Community, especially engaging the news media, in furthering awareness.

While the purpose of the discussion did not allow for a motion, the Commission felt very invigorated by the discussion heard and would like to incorporate greater action on sustainability into the General Plan Update.

VI. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Jostes reported on the new Plan Santa Barbara Subcommittee. The next meeting will be next Wednesday, January 16, 2008.

B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

VII. ADJOURNMENT

Chair Myers adjourned the meeting at 8:41 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary



City of Santa Barbara California

DRAFT

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 01-08

1236 SAN ANDRES STREET

MODIFICATION AND TENTATIVE SUBDIVISION MAP

JANUARY 10, 2008

APPLICATION OF KIRK GRADIN, ARCHITECT FOR BLANKENSHIP CONSTRUCTION, 1236 SAN ANDRES STREET, APN 039-151-001, R-3 ZONE DISTRICT, GENERAL PLAN DESIGNATION: RESIDENTIAL (MST2006-00364)

The proposed project involves the demolition of two permitted dwellings and one unpermitted dwelling and construction of a four unit condominium building on a 10,000 square foot lot. The proposed building would be approximately 5,783 square feet. Each unit would average between 1,000 s.f. to 1,300 s.f. and each garage would be approximately 400 s.f. The structure would be two stories and approximately twenty-two feet in height. The majority of the habitable space of each of the units would be on the second floor with two car garages located below. Each of the units will include ground floor bedrooms with full bathrooms. A modification is being requested to allow the garages to be located three feet from the northerly lot line instead of the required six foot setback.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision with four condominium units (SBMC §27.07); and
2. A Modification to reduce the western interior yard from six feet to three feet (SBMC §28.90.110.2).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, New Construction of Small Structures, and Section 15315, Minor Land Divisions.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, one person appeared to speak in favor of the application, and 8 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 20, 2007
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. **Modification**

The Planning Commission may permit a modification or waiver of the side yard setback where, the modification will not be inconsistent with the purposes and intent of this Title. The request for the Modification to the side yard setback for the garage would not adversely impact the adjacent property since it is a public park. The story above the garage would meet the required six foot setback. Finally, given the 50 foot wide lot, the reduction of the setback will allow more maneuvering for cars entering and exiting the garages.

B. **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, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, 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.

C. **New Condominium Development (SBMC §27.13.080)**

1. There is compliance with all provisions of the City's Condominium Ordinance, as conditioned.
2. The project complies with density requirements. Each unit includes laundry facilities, separate utility metering, adequate unit size and storage space, and the required private outdoor living space.
3. The proposed development is consistent with the General Plan of the City of Santa Barbara.
4. The project can be found consistent with policies of the City's General Plan including the Housing Element, Conservation Element, and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood.
5. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.
6. The project is an infill residential project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and

will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.

II. Said approval is subject to the following conditions:

A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. 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 ABR, 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 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 Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, 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.
5. **Development Rights Restrictions.** The Owner shall not make any use of the restricted portion of the Real Property as designated on the approved Tentative

Subdivision Map in order that those portions of the Real Property remain in their natural state. Specifically the area restricted is the area that includes all of the creek banks. These restrictions include, but are not limited to, the right to develop the restricted portions with any grading, irrigation, buildings, structures, ornamental landscaping, or utility service lines. The restricted areas shall be shown on the Final Map. The Owner 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.

6. **Approved Development.** The development of the Real Property approved by the Planning Commission on January 10, 2008 is limited to the following project description:

Demolition of two permitted dwellings and associated accessory structures and construction of a four unit condominium building on a 10,000 square foot lot. The proposed building would be approximately 5,783 square feet. Each unit would average between 1,000 s.f. to 1,300 s.f. and each garage would be approximately 400 s.f. The structure would be two stories and approximately 23 feet in height. The majority of the habitable space of each of the units would be on the second floor with two car garages located below. Three of the units will include ground floor bedrooms with full bathrooms. Access to the site will be provided by a driveway, with a new curb cut, along the southern property line. One common driveway apron will be constructed that will serve an adjacent lot to the south (APN 039-151-001). Grading for the project would be approximately 235 cubic yards of cut and 25 cubic yards of fill. A modification is being requested to allow the garages to be located three feet from the northerly lot line instead of the required six foot setback.

And the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

7. **Required Private Covenants.** 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, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.

- b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **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. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
 - e. **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.
8. **Pesticide or Fertilizer Usage Near Creeks.** The use of pesticides or fertilizer shall be prohibited within the setback area, which drains directly into Old Mission Creek.
- B. **Public Works Submittal Prior to Parcel Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Parcel Map and prior to the issuance of any permits for the project:
- 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.
 - 2. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.
 - 3. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project. If the private covenants required pursuant to Section A.** above have not yet been approved by the Department of Real Estate, a draft of such covenants shall be submitted.
 - 4. **Drainage Calculations.** The Owner shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new

development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.

5. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building 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, or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.
 6. **Removal of Structures in the Victoria Street Right of Way (ROW).** Prior to map recordation or April 1, 2008, whichever is first, all development constructed in the Victoria Street ROW under a temporary variance granted by the Council on October 28, 1927 shall be removed.
 7. **San Andres Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on San Andres Street. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: sidewalk, driveway apron modified to meet Title 24 requirements including adjacent property driveway apron to the south [039-151-001], crack seal to the centerline of the street along entire subject property frontage and slurry seal a minimum of 20 feet beyond the limits of all trenching, underground service utilities (SBMC§22.38.125 and §27.08.025), connection to City water and sewer mains, public drainage improvements with supporting drainage calculations for installation of curb drain outlets and on-site detention, erosion protection, supply and install one residential standard street light across the street in front of subject property, style to be determined by the Public Works Department and the appropriate design review board as outlined in Draft Street Light Master Plan, coordinate with City staff to retire light standard on existing utility pole across the street, preserve and/or reset survey monuments and contractor stamps, supply and install (to be determined) one new designated street tree and tree grates per approval of the City Arborist and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.
- C. **Design Review.** The following items are subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant preliminary approval of the project until the following conditions have been satisfied.

1. **Parapet Walls.** Due to the location of the parapet walls adjacent to the second floor decks being within the required interior yard setback, they shall be designed in a manner that there will be no usable flat surface.
 2. **Compliance with Chapter 27.13, Residential Condominium Development.** The applicant shall demonstrate compliance with the provision of this chapter, including, but not limited to 300 cubic feet of storage per unit, washer and dryers for each unit and other provisions stated in this chapter.
 3. **Appropriate Plants within Old Mission Creek.** Special attention shall be paid to the appropriateness of the proposed plant material within the creek bank area. All such plantings shall be riparian or riparian woodland consisting of plants native to the South Coast of Santa Barbara County. Selection and placement shall be overseen by a qualified biologist.
 4. **Useable Common Open Space.** Adequate usable common open space shall be provided in a location accessible by all units within the development.
 5. **Pedestrian Pathway.** A separate pedestrian pathway shall be provided along the driveway to the units at the rear of the property from the sidewalk using a different paving or walkway material.
 6. **Minimize Visual Effect of Paving.** Textured or colored pavement shall be used in paved areas of the project to minimize the visual effect of the expanse of paving, create a pedestrian environment, and provide access for all users.
 7. **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.
 8. **Landscape Plan.** Restudy, in consultation with Parks and Recreation Staff, the landscape plan to determine if Sycamore or Oak trees are appropriate in the lower area.
 9. **Cantilevers.** Restudy the cantilevers along the driveway and reduce where feasible.
 10. **Front Elevation. Restudy the street elevation to add charming elements and human scale and remove commercial elements.**
- D. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.

2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.

E. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:

1. **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.
2. **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 copy of the notice to the Planning Division.
3. **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 Transportation Manager.
4. **Green Building Techniques Required.** Owner shall design the project to meet Santa Barbara Built Green Two-Star Standards and strive to meet the Three-Star Standards.
5. **Existing Buildings.** Owner shall make existing buildings available for relocation or salvage for at least 60 days prior to building permit issuance.

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

Design Review Requirements. Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review, outlined in Section C above.

Post-Construction Erosion Control and Water Quality Plan. Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall passive water quality methods, such as bioswales, catch basins, or

storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Building and Safety Division. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition A-4, above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.

6. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.
7. **Driveway Improvements.** The proposed driveway shall be constructed to the standards provided in the Subdivision Design and Improvement Standards and as approved by the Public Works Director.
8. **Utilities.** Provide individual water, electricity, and gas meters, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point five feet (5') outside the building.
9. **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. _____

- G. **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. (Community Development Department staff shall review the plans and specifications to assure that they are incorporated into the bid documents, such that potential contractors will be aware of the following requirements prior to submitting a bid for the contract.)

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 Public Works Director.
5. **Haul Routes.** The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Public Works Director.
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
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.** During site grading and transportation of fill materials, regular water sprinkling shall occur on-site, using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, 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. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

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 contractor(s) name and telephone number(s), 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.
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. **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.

H. **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 damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) caused 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 building plans, including utility service undergrounding and installation of street trees.
3. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided that the private CC&Rs required in Section A have been recorded.

I. **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 TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:

The Planning Commissioner'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.

This motion was passed and adopted on the 10 day of January, 2008 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

DRAFT

City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

January 17, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:03 P.M.

ROLL CALL:

Present:

Chair Charmaine Jacobs

Vice-Chair Stella Larson

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Bettie Weiss, City Planner

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Rob Dayton, Principal Transportation Planner

Steve Foley, Supervising Transportation Planner

Peter Lawson, Associate Planner

Stacey Wilson, Associate Transportation Planner

Chelsey Swanson, Assistant Transportation Planner

Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Jan Hubbell announced that, by a joint request from Staff and the Applicant, Item III, 1298 Coast Village Road, will be continued to February 7, 2008. Commissioner Jostes will not be present.

- B. Announcements and appeals.

Ms. Hubbell stated that 518 State Street is being appealed to the City Council on February 5, 2008. Commissioner Jacobs will represent the Commission.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Jacobs opened the public hearing at 1:06 P.M., and the following people addressed the Commission:

1. Naoimi Kovacs, Citizens Planning Association, addressed the commission about the Air Quality Section of the Conservation Element.
2. John Wallace was concerned with the continuance of Item III, 1298 Coast Village Road. He also requested that the story poles be replaced before the next hearing.
3. Juergen Boehr expressed equal concern about the late change in Item III and his time lost from work.

With no one else wishing to speak, the hearing was closed at 1:16 P.M.

II. NEW ITEM:

AT THE REQUEST OF THE APPLICANT AND STAFF, THIS ITEM HAS BEEN RESCHEDULED TO FEBRUARY 7, 2008.

APPLICATION OF JEFF GORRELL ARCHITECT FOR JOHN PRICE, APPLICANT, 1298 COAST VILLAGE ROAD, 009-230-043, C-1 & R-2 ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (MST2004-00493)

The proposed project involves the demolition of an existing gas station with two repair bays and the construction of a new mixed use building. The new 18,196 square foot mixed use building would be comprised of eight residential condominiums and approximately 5,000 square feet of commercial space, located on the ground floor. All of the residential units would be located on the second and third floors. Five residential units would include two bedrooms, two units would include one bedroom each and one unit would include three bedrooms. Approximately 38 parking spaces are provided, with nine covered parking spaces located at grade level and 29 parking spaces located below grade. Grading would be approximately 9,500 cubic yards of cut and 1,500 cubic yards of fill.

Currently, the 18,196 square-foot lot is split by two zoning designations; the northern portion, totaling approximately 7,150 square feet, is zoned R-2, and the southern portion, totaling about 11,046 square feet, is zoned C-1. The Planning Commission initiated re-zoning the portion of the subject property zoned R-2 (Two Family Residential) to C-1 (Limited Commercial) on April 7, 2005. The entire property is located in the Coastal Overlay (SD-3) Zone, which would not change with this request.

The discretionary applications required for this project are:

1. A recommendation to City Council for Zoning Map Amendment to change the zoning from R-2, Two-Family Residential, to C-1, Commercial Zone District (SBMC §28.92.080.B);

2. A recommendation to City Council for a Local Coastal Program Amendment to change the zoning to match the Local Coastal Plan designation of General Commerce.
3. A Modification to allow a portion of the building to encroach 7 feet into the required 17 foot northern interior yard setback (SBMC §28.92.110.A.2);
4. A Modification to allow the 10% common open space to be located above the ground floor level (SBMC §28.92.110.A.2);
5. A Modification to allow one second floor covered balcony to encroach 3 feet 6 inches into the 10 foot front yard setback on Coast Village Road (SBMC §28.92.110.A.2);
6. A Modification to allow the an emergency stair way to encroach up to 9 feet 2 inches into the 10 foot front yard setback on Olive Mill Road (SBMC §28.92.110.A.2);
7. A Coastal Development Permit (CDP2005-00003) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
8. A Development Plan to allow the construction of 5,000 square feet of nonresidential development (SBMC §28.87.300);
9. A Tentative Subdivision Map for a one-lot subdivision to create eight (8) residential condominium units and one (1) commercial unit (SBMC 27.07 and 27.13);

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

III. STAFF HEARING OFFICER APPEAL:

ACTUAL TIME: 1:16 P.M.

APPEAL OF BANYAN ARCHITECTS ON THE STAFF HEARING OFFICER APPROVAL OF AN APPLICATION FOR SANFORD COMBS, 1596 ORAMAS ROAD, APN 029-060-022, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2007-00109)

The 8,500 square foot lot is currently developed with a two-story single-family residence and detached two-car carport. The proposed project involves legalization of as-built alterations and additions including conversion of the original carport to habitable space, a covered porch on the side of the residence, and the detached two-car carport which was built to replace the required parking. The discretionary application required for this project is a Modification to provide alterations and additions within the front and interior yard setbacks

(SBMC§28.15.060). On August 15, 2007 the project was approved with the condition that the carport be relocated three-feet (3') from the interior lot line. This is an appeal of that condition.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Case Planner: Roxanne Milazzo, Assistant Planner
Email: rmilazzo@SantaBarbaraCA.gov

Bettie Weiss, Staff Hearing Officer, gave the Staff presentation.

Staff answered Planning Commission questions about the rare absence of a prior zoning information report; future Board/Commission review; compliance with Floor Area Ratios (FAR); and the property owner's options for a garage.

Kirk Gradin, Architect, gave the Applicant presentation.

Chair Myers opened the public hearing at 1:48 P.M. and, with no one wishing to speak, closed the hearing.

Sandy Combs, Owner, addressed the Commission, sharing the background for his request for the setback modification.

Commissioner's Comment's:

1. One Commissioner struggled with having almost zero-lot line buildings; would like to see something less than three feet in the setback.
2. Agrees with the Architectural Board of Review; would like to see the roof pulled back two feet back from the property line, and would like to eliminate the open space in front of the carport and see the front yard return to landscaping. One Commissioner does not want to see one parking space in front.
3. Some Commissioners felt that the roof of the structure needs rebuilding, not the columns, especially where it abuts to the building on the adjacent parcel.
4. Commissioners could uphold the appeal with request to move roofline eaves away from neighboring properties; and not require columns torn down and rebuilt.

Mr. Gradin clarified the eave allowance for the Planning Commission.

MOTION: Bartlett/Thompson

Assigned Resolution No. 002-08

Denied the appeal and upheld the decision of the Staff Hearing Officer, making the findings in the Staff Report, approving the setback modification, with revised conditions: 1) The two columns closest to the property line may stay in the current location; 2) Shave the roof structure to match the face of the existing columns closest to the property line; 3) Encourage approval of a waiver by Transportation Planning for the required depth of the carport. If not

granted by Transportation, the eave may move forward enough to meet the depth requirement, reducing the front setback of the overhang an appropriate amount; and 4) Remove pavement in the front yard that potentially allows additional parking in the front yard and return that area to landscaping, subject to approval by the Single Family Design Board.

This motion carried by the following vote:

Ayes: 5 Noes: 2 (Jostes, Larson) Abstain: 0 Absent: 0

Chair Myers announced the ten calendar day appeal period.

IV. **NEW ITEM:**

ACTUAL TIME: 2:23 P.M.

APPLICATION OF BRIAN NELSON ARCHITECT/AGENT FOR MILPAS STREET PARTNERS, 319 N. MILPAS STREET, 031-363-035, C-2/M-1, COMMERCIAL/LIGHT MANUFACTURING, ZONES, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2006-00076)

The proposed project is for a single lot subdivision to convert an existing 5,323 square foot, two story mixed use building into three condominiums. The ground floor commercial portion of the building, which is currently occupied by a medical office, would be one unit. On the second floor are two residential units and each would become a condominium unit. No construction is proposed with this project.

The project site is partially zoned commercial (C-2) and manufacturing (M-1). As part of the project, a rezone is proposed. The new zoning designation would be commercial (C-2), consistent with a residential and medical office usage.

Parking for the project would be provided by an existing 14 space parking lot, which is located partially on the subject lot and on the adjacent lot to the south. A warehouse located on the adjacent lot (317 N Milpas) shares the use of the parking lot. Four of the parking spaces on the subject lot would be dedicated to the residential units. Access to the site is provided by a 12-foot-wide driveway, located adjacent to the northern property line.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision to create two (2) residential condominium units and (1) commercial condominium (SBMC 27.07 and 27.13);
2. A Condominium Conversion Permit to convert two (2) existing residential units to two (2) condominium units (SBMC 28.88); and
3. Recommendation to City Council to rezone the M-1 portion of the property to C-2 (SBMC 28.92).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

Peter Lawson, Associate Planner, gave the Staff presentation.

Staff answered Planning Commission's questions about the history behind the uncovered parking; and clarification of parking zoning issues.

Brian Nelson, Project Architect, gave the applicant presentation.

Staff answered the Planning Commission's questions about any Best Management Practices that could be added to the existing drainage condition; and the existing streetlight presence for the area.

Chair Myers opened the public hearing at 2:38 P.M., and with no one wishing to speak, closed the hearing.

The consensus of Commissioners were in support of the project but were disappointed in losing rental housing.

MOTION: White/Jostes

Assigned Resolution No. 003-08

Approve the project making the findings in the Staff Report for the Tentative Subdivision Map, the Condominium Conversion Permit, and Rezone subject to the Conditions of Approval in Exhibit A and with added conditions: 1) Change Condition 7.b. to designate one parking space per condominium; 2) Add condition C.1. that the Architectural Board of Review (ABR) review improvements to the drainage such as providing a bioswale or treewells, if feasible; and that ABR review any additional landscaping that can be provided in the parking area; and 4) Revise condition F.6. that Public Works shall review the public streetlight within the vicinity of 319 Milpas to determine if it is consistent with the Milpas street light standards and if not, it shall be replaced.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Myers announced the ten calendar day appeal period.

V. ADMINISTRATIVE AGENDA

- A. Committee and Liaison Reports.
1. Commissioner Bartlett reported on attending the Architectural Board of Review meeting. The Airline Terminal Project received preliminary approval with added conditions.
 2. Commissioner Thompson reported on the Plan Santa Barbara Subcommittee and the progress being made in streamlining the update process. Commissioner Myers appreciated the collaboration of Staff and the Commission working together.
 3. Commissioner Thompson reported on attending the League of Women Voters meeting. It appears that there is no consensus in the community on building heights.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.
Four items were reviewed at the last meeting.
- C. Appointment of the 2008 Primary and Alternate Liaisons to the City Boards and Commissions.

Airport Commission

Addison Thompson
Charmaine Jacobs – Alternate

Airline Terminal Design Subcommittee

Addison Thompson
Charmaine Jacobs
Bruce Bartlett - Alternate

Architectural Board of Review

Bruce Bartlett
Stella Larson – Alternate

Creeks Restoration & Water Quality Improvement
Program Citizen Advisory Committee

John Jostes
Harwood A. White, Jr. – Alternate

Downtown Parking Committee

George Myers
Addison Thompson- Alternate

Harbor Commission

Harwood A. White, Jr.

George Myers – Alternate

Highway 101 Improvements Design Subcommittee

George Myers
Bruce Bartlett
Charmaine Jacobs - Alternate

Historic Landmarks Commission

Stella Larson
George Myers – Alternate

Housing Policy Steering Committee

Bruce Bartlett
John Jostes
Charmaine Jacobs – Alternate

Mission Creek Design Subcommittee

Harwood A. White, Jr.
George Myers
John Jostes – Alternate

Park and Recreation Commission

John Jostes
Charmaine Jacobs - Alternate

Plan Santa Barbara Subcommittee

George Myers
John Jostes
Addison Thompson

Santa Barbara 2030 Outreach Committee

Bruce Bartlett
Charmaine Jacobs
Stella Larson - Alternate

Single Family Design Board

Stella Larson
George Myers, Alternate

Solid Waste Management Advisory Committee

Stella Larson
John Jostes – Alternate

Street Lighting Master Plan Subcommittee

Stella Larson
Addison Thompson – Alternate

Staff Hearing Officer/ Modification Liaison

Harwood A. White, Jr.
Stella Larson - Alternate

Transportation and Circulation Committee

Addison Thompson
Bruce Bartlett – Alternate

Water Commission

Harwood A. White, Jr.
Addison Thompson – Alternate

Westside Community Group

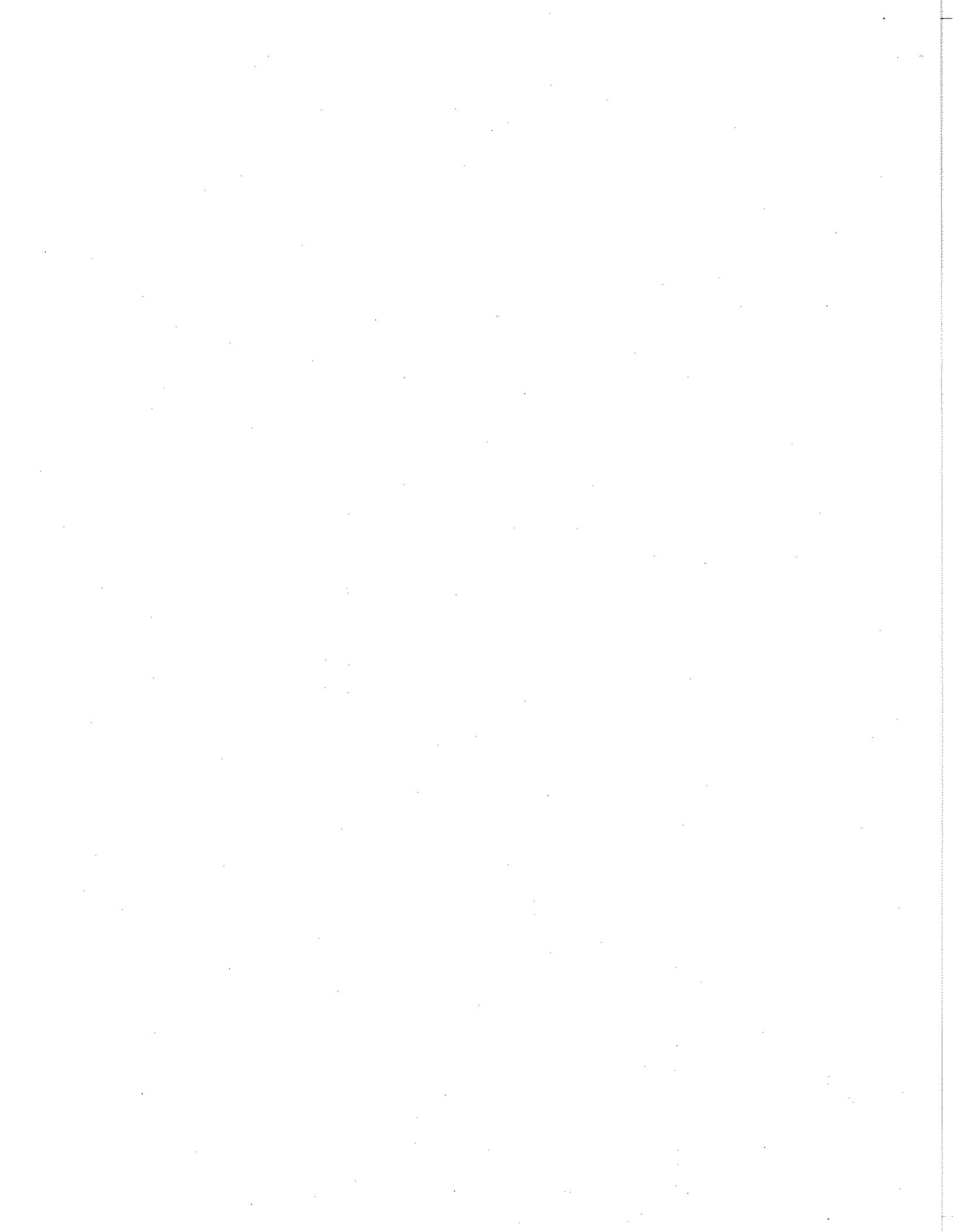
Stella Larson
George Myers – Alternate

VII. ADJOURNMENT

Chair Myers adjourned the meeting at 3:11 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary





City of Santa Barbara California

DRAFT

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 002-08

1596 ORAMAS ROAD

MODIFICATION

JANUARY 17, 2008

APPEAL OF BANYAN ARCHITECTS ON THE STAFF HEARING OFFICER APPROVAL OF AN APPLICATION FOR SANFORD COMBS, 1596 ORAMAS ROAD, APN 029-060-022, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2007-00109)

The 8,500 square foot lot is currently developed with a two-story single-family residence and detached two-car carport. The proposed project involves legalization of as-built alterations and additions including conversion of the original carport to habitable space, a covered porch on the side of the residence, and the detached two-car carport which was built to replace the required parking. The discretionary application required for this project is a Modification to provide alterations and additions within the front and interior yard setbacks (SBMC§28.15.060). On August 15, 2007 the project was approved with the condition that the carport be relocated three-feet (3') from the interior lot line. This is an appeal of that condition.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 10, 2008
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Upheld the decision of the Staff Hearing Officer to approve the modification with the following revised conditions:
 1. The two columns closest to the property line may stay in the current location.
 2. Shave the roof structure to match the face of the existing columns closest to the property line.
 3. Encourage approval of a waiver by Transportation Planning for the required depth of the carport. If not granted by Transportation, the eave may move forward enough to meet the depth requirement, reducing the front setback of the overhang an appropriate amount.

4. Remove pavement in the front yard that potentially allows additional parking in the front yard and return that area to landscaping, subject to approval by the Single Family Design Board.

This motion was passed and adopted on the 17th day of January, 2008 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NOES: 2 (Jostes, Larson) ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



City of Santa Barbara California

DRAFT

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 003-08

319 N. MILPAS STREET

CONDOMINIUM CONVERSION AND TENTATIVE SUBDIVISION MAP

JANUARY 17, 2008

APPLICATION OF BRIAN NELSON ARCHITECT/AGENT FOR MILPAS STREET PARTNERS, 319 N. MILPAS STREET, 031-363-035, C-2/M-1, COMMERCIAL/LIGHT MANUFACTURING, ZONES, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2006-00076)

The proposed project is for a single lot subdivision to convert an existing 5,323 square foot, two story mixed use building into three condominiums. The ground floor commercial portion of the building, which is currently occupied by a medical office, would be one unit. On the second floor are two residential units and each would become a condominium unit. No construction is proposed with this project.

The project site is partially zoned commercial (C-2) and manufacturing (M-1). As part of the project, a rezone is proposed. The new zoning designation would be commercial (C-2), consistent with a residential and medical office usage.

Parking for the project would be provided by an existing 14 space parking lot, which is located partially on the subject lot and on the adjacent lot to the south. A warehouse located on the adjacent lot (317 N Milpas) shares the use of the parking lot. Four of the parking spaces on the subject lot would be dedicated to the residential units. Access to the site is provided by a 12-foot-wide driveway, located adjacent to the northern property line.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision to create two (2) residential condominium units and (1) commercial condominium (SBMC 27.07 and 27.13);
2. A Condominium Conversion Permit to convert two (2) existing residential units to two (2) condominium units (SBMC 28.88); and
3. Recommendation to City Council to rezone the M-1 portion of the property to C-2 (SBMC 28.92).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 20, 2007
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

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, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, 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.

B. **For the Condominium Conversion (SBMC §28.88.120)**

1. The project is consistent with the provisions of the Condominium Conversion Ordinance and the project will not be detrimental to the health, safety, and general welfare of the community.
2. The proposed conversion is consistent with the General Plan of the City of Santa Barbara, as long as City Council approves the requested rezone.
3. The proposed conversion will conform to the Santa Barbara Municipal Code in effect at the time the application was deemed complete, except as otherwise provided in the Condominium Conversion Ordinance.
4. The overall design (including project amenities) and physical condition of the conversion will result in a project which is aesthetically attractive, safe, and of quality construction.
5. The applicant has not engaged in coercive retaliatory action regarding the tenants after the submittal of the first application for City review through the date of approval.
6. The owner has made a reasonable effort to assist those tenants wishing to purchase their units for purposes of minimizing the direct effect on the rental housing market created by relocating such tenants.
7. The requirements of Section 28.88.130 have been met because there are fewer than 50 units proposed for conversion this year.
8. The use of the site as condominium units will not be detrimental to the public peace, health, safety, comfort or general welfare, nor will it decrease property values in the neighborhood. Adequate consideration has been given to setbacks,

visibility, amenities and parking such that there will be no impact on surrounding properties or the neighborhood in general.

II. Said approval is subject to the following conditions:

- A. **Approval Contingent Upon Amendment of Zoning Ordinance Map.** Approval of the subject project is contingent upon adoption of an Ordinance approving the Zoning Change from M-1 to C-2 Amendment by the City Council.
- B. **Recorded Agreement.** The following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be memorialized in an *"Agreement Relating to Subdivision Map Conditions Imposed on Real Property"* reviewed and approved as to form and content by the City Attorney, Community Development Director and Public Works Director that shall be executed by the Owners concurrent with the Final Map, and recorded by the City prior to issuance of any Public Works permit or Building Permits for the condominium conversion. Said agreement(s) shall be recorded in the Office of the County Recorder:
 1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. 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 ABR, 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 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 Operations and Maintenance Procedure Plan approved by the Building Official. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, 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.

5. **Approved Development.** The development of the Real Property approved by the Planning Commission on January 17, 2008 is limited to the conversion of an existing 5,323 square foot, two-story mixed use building into three condominiums. The ground floor commercial portion of the building, which is currently occupied by a medical office, would be one unit. On the second floor are two residential units and each would become a condominium unit. Parking for the project would be provided by an existing 14-space parking lot, which is located partially on the subject lot and on the adjacent lot the south. A warehouse located on the adjacent lot (317 N Milpas) shares the use of the parking lot. Four of the parking spaces on the subject lot would be dedicated to the residential units. Access to the site is provided by a 12 foot wide driveway, located adjacent to the western property line. Approval includes and architectural plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
6. **Public Improvement Agreement.** "Agreement for Land Development Improvements", and associated Securities.
7. **Required Private Covenants.** 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, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
 - b. **Available for Parking for Tenants.** A covenant that includes a requirement that all parking spaces, except for one guest parking space, be kept open and available for the parking of vehicles owned by the residents of the property. Additionally, a shared parking agreement shall be provided that allows parking on the adjacent interior lot, addressed as 317 N Milpas. There shall be one designated parking space per condominium unit.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.

- d. **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. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
- e. **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.

C. **Design Review.** The following items are subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant preliminary approval of the project until the following conditions have been satisfied.

- 1. **Parking Lot Improvements.** Where feasible, incorporate a drainage swale and/or tree wells in the parking area that will allow a portion of the paved area runoff to percolate into the ground, except as necessary to meet Fire Department weight requirements and City parking standards for maneuvering. If there is available area, provide additional landscaping in the parking lot.

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

- 1. **Hydrology Calculations.** All drainage conveyance systems shall be designed to convey the 25-year storm event. If additional drainage conveyance structures are needed based on the review of the results of the hydrology calculations, the improvements shall be shown on the improvement plans and constructed prior to Certificate of Occupancy for the improvements permit, and prior to recordation of the Final Map, at the sole expense of the Owner.
- 2. **Storm Water Quality Control.** The Owner shall apply storm water quality control guidelines to the project per the Public Works Department Construction Project Best Management Practices.
- 3. **Utilities.** Provide individual water, electricity, and gas meters, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point five feet (5') outside the building.
- 4. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.

5. **Commercial Dumpsters.** Commercial dumpsters shall be provided, including, at a minimum, an equal area for recycling containers. Dumpsters shall not be placed within five feet (5') of combustible walls, openings, or combustible roof eaves lines unless sprinkler coverage is provided.
6. **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. **Condominium Conversion Ordinance Compliance.** Owner shall comply with the tenant protection provisions of the Condominium Conversion Ordinance (SBMC Chapter 28.88) (including adjustments to the tenant assistance specified in Subsection 28.88.100.G as specified below):
 1. **Notice of Approval of Conversion.** Owner shall deliver written notice to each tenant household within 15 days of the approval of the conversion. The content of such notice shall include an explanation of any conditions of approval that affect the tenants.
 2. **Notice of Final Map.** Owner shall deliver written notice to each tenant household of the approval of the final map within 10 days of such approval.
 3. **Notice of Department of Real Estate Report.** Owner shall deliver written notice to each tenant household that an application for a public report has been submitted with the California Department of Real Estate within 10 days of the submission of such application.

4. **Exclusive Right to Purchase (Right of First Refusal).** Prior to issuance of a Certificate of Occupancy on the Conversion Permit, Owner shall provide evidence of the extension of an exclusive right to purchase in accordance with the provisions of Section 66427.1(d) of the Government Code.
 5. **Notice of Vacation of Unit.** Each non-purchasing tenant household that is not in default shall have not less than 180 days from the date of approval of the conversion in which to find substitute housing and to relocate. This 180-day period may be extended in special cases, as specified in Subsection 28.88.100.E of the Municipal Code.
 6. **Tenant Displacement Assistance.** In the place of the moving expenses specified in Subsection 28.88.100.G of the Santa Barbara Municipal Code, Owner shall provide each tenant household with displacement assistance in accordance with the provisions of Chapter 28.89. Evidence of compliance with this condition shall be submitted prior to the issuance of a Certificate of Compliance for the conversion permit.
- F. **Public Works Submittal Prior to Final Map Recordation.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to recordation of the Final Map:
1. **Building Permit Required for Conversion.** Provide evidence that a conversion permit has been issued and all work completed for the conversion of the seven units to condominiums.
 2. **Final Map.** The Owner shall submit to the Public Works Department for approval, a Final Map prepared by a licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the City Survey Control Ordinance.
 3. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an "Agreement Assigning Water Extraction Rights." Engineering Division Staff will prepare said agreement for the Owner's signature.
 4. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project. If the private covenants required pursuant to Section A.7 above have not yet been approved by the Department of Real Estate, a draft of such covenants shall be submitted.
 5. **Land Development Agreement.** The Owner shall submit an executed "Agreement for Land Development Improvements," prepared by the Engineering Division, an Engineer's Estimate, signed, and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.

6. **Removal, Relocation, or Replacement 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. Determine if the existing public street light is consistent with the Milpas street light standards and if not, shall be replaced.
- G. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Final Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
 2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
- H. **Prior to Certificate of Occupancy for the Conversion Permit.** Prior to issuance of the Certificate of Occupancy for the Conversion Permit, the Owner of the Real Property shall complete the following:
1. **Complete Public Improvements.** Public improvements, as shown in the building plans, including utility service undergrounding and installation of street trees.
 2. **Recordation of Final Map and Agreements.** After City Council approval of the Map and Agreements, the Owner shall provide evidence of recordation to the Public Works Department.
- I. **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 TENTATIVE SUBDIVISION MAP (INCLUDING CONDOMINIUM CONVERSIONS) 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.

This motion was passed and adopted on the 17th day of January, 2008 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

DRAFT

City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

January 24, 2008

CALL TO ORDER:

Chair Charmaine Jacobs called the meeting to order at 1:12 P.M.

ROLL CALL:

Present:

Chair Charmaine Jacobs

Vice-Chair George C. Myers

Commissioners Bruce Bartlett, John Jostes, Stella Larson, George C. Myers, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Bettie Weiss, City Planner

John Ledbetter, Principal Planner

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Steve Foley, Supervising Transportation Planner

Kathleen Kennedy, Associate Planner

Maryanne Knight, Computer Training Coordinator

Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Jan Hubbell announced the following changes to the agenda:

1. Item IV.A., Plaza de la Guerra Infrastructure, has been continued to February 21, 2008

- B. Announcements and appeals.

Ms. Hubbell made the following announcements:

1. The 518 State Street appeal will be heard at City Council on February 5, 2008. Commissioner Jacobs will represent the Commission.

2. An appeal has been filed by Paula Westbury for 1236 San Andres Street.
- C. Comments from members of the public pertaining to items not on this agenda.
- Chair Meyers opened the public hearing at 1:14 P.M. and, with no one wishing to speak, closed the hearing.

II. ENVIRONMENTAL HEARING:

ACTUAL TIME: 1:14 P.M.

APPLICATION OF THE CONCEPTUAL MOTION COMPANY, AGENT FOR
DBN CARRILLO LLC, 210 W. CARRILLO STREET, APN 039-271-025, C-2,
COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: GENERAL
COMMERCE (MST2005-00772).

The purpose of this hearing is to receive public comments on the Draft Environmental Impact Report prepared for this project. The project consists of the demolition of the existing Carrillo Plaza/Radio Square commercial site, comprised of 18,547 square feet of various retail and service commercial uses, and the construction of a new two, three and four-story mixed-use project with 55 residential condominium units and two commercial condominium units. The commercial component consists of 11,604 square feet (net) of commercial space. The residential portion consists of twenty-one affordable units and thirty-four market rate units. Two levels of subterranean parking are proposed with a total of 149 parking spaces. Vehicular access to and from the parking area is proposed with entrance and exit ramps along Carrillo Street and an exit only ramp along De la Vina Street.

The purpose of the hearing is to receive comments on the Draft Mitigated Negative Declaration. Written comments should be sent at the earliest possible date, but must be submitted no later than **Monday, February 4, 2008 at 4:30 p.m.** Please send your written comments to: City of Santa Barbara, Planning Division, Attn: **Kathleen Kennedy, Associate Planner**, P.O. Box 1990, Santa Barbara, CA 93102-1990, or send them electronically to **kkennedy@SantaBarbaraCa.gov**

Case Planner: Kathleen Kennedy, Associate Planner
Email: kkennedy@santabarbaraca.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Staff answered Planning Commission questions, stating that the alternate proposal will be reviewed by the Historic Landmarks Commission if the applicant decides to go forward with the alternate plan; the recommended air quality mitigation measures apply to the less than significant impacts, but will become conditions of approval anyway; a Traffic Analysis will be prepared for the alternate plan; the alternate plan will be analyzed in an addendum to the Mitigated Negative Declaration (MND).

Steve Yates, Conceptual Motion Company, gave the applicant presentation and introduced his team of Ian Brown, Katie O'Reily-Rogers, and Gerhard Myer.

Mr. Yates answered the Planning Commission's questions about the sidewalk width, stating that a four foot wide dedication on Carrillo Street is required to create the 12 foot wide sidewalk; that the sidewalk width on De la Vina Street is 10 feet; that the project no longer includes improvements that would allow a pedestrian walkway connection to the adjoining property; and that the Carrillo Street driveway designation as 'exit only' would result in more traffic impacts on surrounding neighborhoods which does not occur if the project has both an exit and entrance.

One Commissioner stated that the West Side is underserved by neighborhood parks. It may not be a significant impact but would like to see a needs assessment for neighborhood parks included in the environmental documents. Another Commissioner commented on the lack of useable open space in the project.

Chair Myers opened the public hearing at 2:07 P.M.

The following people voiced their concerns about the project:

1. Sheila Lodge, Citizens Planning Association, South Coast Land Use Committee, read a prepared statement that included: requesting a full Environmental Impact Report (EIR) for the project; requested consideration of the proximity of cultural and historic resources to the project be considered in the EIR; that the method staff uses for project eligibility for a Mitigated Negative Declaration be publicly reviewed for the public's understanding of the process; asked that the Master Environmental Assessment be reviewed to determine if it is accurate and up to date in terms of cumulative impact analysis; asked that there be a public discussion regarding how staff determined that a project meets neighborhood compatibility policies; and asked that the Commission discuss with staff whether mixed-use projects along congested traffic corridors meet the intent of Measure E. She also read a statement for Naomi Kovacs, Executive Director, Citizens Planning Association, who was concerned with the Planning Commission looking at the alternative project with little public notice and how the Initial Study might be revised as a result.
2. Nancy Caponi, neighbor, expressed concern over any increased density and traffic; would like to see wider sidewalks.
3. Lincoln Gray, neighbor, appreciated the new proposal as an improvement over the previous proposal; would like a full EIR on the new proposal; concerned about the demolition and the hazardous soils that will be removed
4. Violet Gray, neighbor, reported that the Historic Landmarks Commission did not like this project; expressed concern about the impact on her property and feels that she should be indemnified by applicant and owner for any damage to her property and any income loss. She agreed with Ms. Lodge about insufficient public notice for review of the alternative project.

5. Gil Barry stated that the previous four-story proposal was the worst project ever and the three-story alternate plan is the best project ever; requested a full EIR for the revised project; reiterated comments that were included in letter previously submitted.
6. Catherine McCammon, League of Women Voters, agreed with comments made by CPA; requested a full EIR on the current project; the size, bulk, and scale are too large and not compatible with the neighborhood; project does not meet El Pueblo Viejo Guidelines. The project does not address the level of affordability of the units or how they will be made available. Concerned with impacts on view loss, air quality, and interior and exterior noise levels; under-served by parks; and construction impacts. Likes the new project better. Would like a full EIR on the 4-story project and a new Initial Study on the 3-story project.
7. Kellum de Forrest asks that heights be reduced to 35 feet in the El Pueblo Viejo district and 40 feet elsewhere as stated in the proposed charter amendment currently being circulated; requested that an EIR be required; stated that a Historic Structures Report be required due to the project being near historic resources; and expressed concern over the loss of the previously proposed park plaza on Chapala and Carrillo.

With no one else wishing to speak, the public hearing was closed at 2:35 P.M.

Staff answered additional Planning Commission's questions about the public review process of the original and a downsized project redesign, the EIR process and CEQA requirements for recirculation of the MND.

Commissioner's comments:

1. The Commission was in agreement that the 31-unit alternate plan was better than the 55-unit proposal; however, there was a concern about the loss of the affordable units. A majority of the Commissioners thought that some additional affordable units should be added. Some Commissioners thought there should be a middle-ground between the two proposals with one Commissioner suggesting a 50 foot height towards the center of the project and one Commissioner suggesting a fourth story, if it were small. One Commissioner suggested consideration of a semi-subterranean "garden apartment" concept. Some Commissioners were not in favor of a fourth floor.
2. All of the Commissioners stated that the unit sizes were too large. There was a concern about the 50% increase in square footage of studio units and one bedroom units, and that the two-bedroom affordable units are smaller than the market rate studio units. In regard to the size of the units, there should be a greater nexus with the needs of the community.
3. Some Commissioners were concerned about the lack of open space, the need for more landscaping and for more outdoor space for children. Suggested a reduction in the footprint to allow for more open space.
4. The potential impact on adjacent historic resources needs to be reviewed.

5. One Commissioner was concerned with the balconies facing the traffic. Suggested a review of the Conditions of Approval for the neighboring Ralph's property in regard to noise from delivery trucks.
6. One Commissioner did not appreciate reviewing the alternate plan before the Historic Landmark Commission's review.
7. Concerned with the noise impacts from service vehicles and the urban traffic noise from the Carrillo Street intersections.
8. One Commissioner read a section from the Land Use Element and suggested the applicant show how the project is consistent with it.
9. One Commissioner supports the preparation of an Environmental Impact Report (EIR).
10. One Commissioner stated that the two alternatives show very clearly the implications, both pluses and minuses, of a 40 foot height limit.
11. The Commission acknowledged the applicant's articulation of Sound Community Planning and encouraged that the principles be incorporated in Plan Santa Barbara.
12. One Commissioner thanked the Historic Landmarks Commission (HLC) for taking a stand on the Urban Design Guidelines. Once the massing is decided, would like to see the HLC review the interior paseos and arcades for elements of charm, such as art, fountains and sculptures.
13. The majority of the Commissioners stated that the Initial Study and Negative Mitigated Draft were adequate and that the only revision would be to add additional language regarding how the neighborhood is underserved by parks.

Mr. Yates addressed Commissioner's and public comments stating that they chose not to widen the sidewalk on De la Vina Street because of Ralph's located nearby and wanting to have pedestrians move to the interior of the site and stated that the soil reports, geology reports, and noise analysis reports were on file with the City.

Mr. Yates and Ms. Hubbell clarified that bonus density cannot be used for market rate units in order to increase the number of affordable units anymore.

IV. DISCUSSION ITEMS:

The following item was continued from December 13, 2007 and is now continued to February 21, 2008.

- A. APPLICATION OF MARCK AGUILAR, FOR THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA, PLAZA DE LA GUERRA INFRASTRUCTURE, APN 037-092-037, C-2/P-R, COMMERCIAL ZONE/PARK AND RECREATION ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE/MAJOR PUBLIC AND INSTITUTIONAL (MST2007-00496)

The project proposes infrastructure improvements for Plaza de la Guerra and Storke Placita including changes to the sidewalk and roadway surfaces and grade, electrical service upgrade, siting of a trash/recycling enclosure, and lighting and landscaping improvements. More specifically, the concept project scope includes:

- Removal of parking in the Plaza "U"-shaped road (approximately 35 spaces) with accommodation for morning deliveries;
- Widened sidewalks;
- A new trash/recycling container enclosure at the south corner of the City Hall lot to serve businesses adjacent to Plaza;
- Raised roadway surface on E. De la Guerra Street between State Street and Anacapa Street and in the Plaza's "U"-shaped road to be flush with the level of the lawn;
- Diagonal parking on De la Guerra Street between State and Santa Barbara Street (2 blocks), to recapture some spaces removed from the Plaza road;
- One-way traffic on De la Guerra Street between State Street and Anacapa Street (1 block);
- Potential use of several parking spaces in the City Hall lot for 15-minute public parking (south corner of lot) to recapture short-term parking spaces;
- Potential outdoor dining in the "sidewalk/road" area behind the dining establishments backing up to the Plaza (Kai, El Cazador, Ruby's) and in Storke Placita adjacent to Blenders in the Grass;
- New stairway from Storke Placita down toward the 5-foot wide alley next to Blenders in the Grass;
- Relocation of the main electrical service box;
- Bollards along sidewalks to separate pedestrians from vehicles;
- Inclusion of a fountain or water element; and
- A hardscape path across the lawn.

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. **No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.**

Case Planner: Heather Baker, Project Planner
Email: hbaker@SantaBarbaraCA.gov

ACTUAL TIME: 3:45 P.M.

B. REGIONAL HOUSING NEEDS ALLOCATION PLAN (2008-2014)

Michael Powers, Deputy Director of Planning for the Santa Barbara Association of Governments (SBCAG) will give a presentation on the Regional Housing Needs Allocation (RHNA) process for the 2008-2014 housing element planning cycle. The presentation will include information on countywide housing needs as determined

by the State Department of Housing and Community Development (HCD). It will also include information on factors to be considered by SBCAG to allocate housing needs down to the local level for all cities and unincorporated areas of the County. SBCAG is looking for public input on the RHNA process. The Planning Commission will provide initial comments and may take action giving direction to City Planning Staff regarding the RHNA process and allocation factors.

Case Planner: John Ledbetter, Principal Planner; Liz Limón, Project Planner
Email: jledbetter@SantaBarbaraCA.gov; elimon@SantaBarbaraCA.gov

Bettie Weiss, City Planner, gave introductory remarks, including an explanation of the Technical Planning Advisory Committee (TPAC); Mike Powers, Deputy Director, Santa Barbara County Association of Governments (SBCAG), gave the presentation.

Mr. Powers answered Planning Commission's questions about the implications of nonparticipation in RHNA and the potential for litigation for not providing housing; and the Categorical Exemption under the California Environmental Quality Act (CEQA).

Ms. Weiss responded to the Planning Commission's questions about the impact on RHNA by the ending of the Measure E allocation by stating that much of the Charter is in the General Plan and the Zoning Ordinance; how the current build out process in the Housing Element is factored into RHNA and the City's long term housing development; and the response timeline in the allocation process that concludes in August 2009.

Ms. Weiss referenced the Grand Jury Reports findings and its focus on more regional cooperation.

John Ledbetter, Principal Planner, added that performance standards have been considered for meeting RHNA allocations by some municipalities. He responded to one Commissioner's inquiry on the City's performance on the last RHNA, noting that we demonstrated a zoning capacity of 2,330 to comply with the RHNA.

Chair Myers opened the public hearing at 4:47 P.M.

Cathy McCammon, League of Women Voters, commented on the City's first responders and suggested that employers poll employees for type of desired housing; building potential for affordable housing resulting from lowered height limits; and balancing current limited build-out with RHNA.

With no one else wishing to speak, the public hearing was closed at 4:50 P.M.

Staff answered additional Planning Commission questions about the inclusion of apartments in RHNA being viewed the same as condominiums; and the impact caused by an increasing retirement population.

One Commissioner commented on transportation as a missing element in the RHNA factors. Another Commissioner cautioned that the 37,500 units in the RHNA statistics do not include illegal housing, room rentals, retirement units, and housing for care givers that could be above allocation.

III. ADMINISTRATIVE AGENDA

- A. Committee and Liaison Reports.
1. Commissioner Jacobs reported on the Planning Commission attending the Healthy Communities Forum.
 2. Commissioners Larson and Myers reported on attending the Historic Landmarks Commission.
 3. Commissioner Myers reported on the Plan Santa Barbara subcommittee and acknowledged Commissioner Jostes' input into the meeting.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.
- None were requested.

VII. ADJOURNMENT

Chair Myers adjourned the meeting at 5:07 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary