III.

I. PROJECT DESCRIPTION
The project consists of a proposal to remove an existing single family residence and construct a new 3,101 square foot, two-story, single family residence with a 718 square foot, attached garage and a 422 square foot secondary dwelling unit above the garage on a 14,212 square foot lot in the Appealable Jurisdiction of the Coastal Zone.

II. REQUIRED APPLICATIONS
The discretionary applications required for this project are:

1. A Modification to allow the garage to exceed the 500 square foot maximum (SBMC §28.87.160 and §28.92.110); and

2. A Coastal Development Permit (CDP2008-00005) to allow the proposed development in the Appealable Jurisdiction of the City’s Coastal Zone (SBMC §28.44).

III. RECOMMENDATION
Upon approval of the required Modification, the proposed project would be consistent with the policies of the California Coastal Act, the applicable policies of the City’s Local Coastal Plan, all implementing guidelines, and all applicable provisions of the Municipal Code. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the Coastal Development Permit, subject to the Conditions of Approval in Exhibit A, making the findings outlined in Section VII of this report.
Vicinity Map for 1930 El Camino de la Luz

APPLICATION DEEMED COMPLETE: July 2, 2008
DATE ACTION REQUIRED: September 30, 2008
IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>David VanHoy</th>
<th>Property Owner: Scott and Lesley Wiscomb</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Number</td>
<td>045-100-011</td>
<td>Lot Area: 14,212 square feet</td>
</tr>
<tr>
<td>General Plan</td>
<td>Residential 5 units/acre</td>
<td>Zoning: E-3/SD-3, Single Family Residence and Coastal Overlay Zone</td>
</tr>
<tr>
<td>Existing Use</td>
<td>Residential</td>
<td>Topography: ~6%</td>
</tr>
<tr>
<td>Adjacent Land Uses</td>
<td>North - Residential</td>
<td>East - Residential</td>
</tr>
<tr>
<td></td>
<td>South - Residential</td>
<td>West - Residential</td>
</tr>
</tbody>
</table>

B. PROJECT STATISTICS

<table>
<thead>
<tr>
<th></th>
<th>Existing (sq. ft.)</th>
<th>Proposed (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living Area</td>
<td>1,308</td>
<td>3,101</td>
</tr>
<tr>
<td>Garage</td>
<td>251</td>
<td>718</td>
</tr>
<tr>
<td>Secondary Dwelling Unit</td>
<td>N/A</td>
<td>422</td>
</tr>
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</table>

V. ZONING ORDINANCE CONSISTENCY

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement/ Allowance</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-Front</td>
<td>20’</td>
<td>~75’</td>
<td>~70’</td>
</tr>
<tr>
<td>-Interior</td>
<td>6’</td>
<td>8’ (house)</td>
<td>Between 13’ -25’</td>
</tr>
<tr>
<td>-Rear</td>
<td>6’</td>
<td>~70’</td>
<td>6’</td>
</tr>
<tr>
<td>Building Height</td>
<td>30’</td>
<td>1-story</td>
<td>22.5’</td>
</tr>
<tr>
<td>Parking</td>
<td>2 covered, 1 uncovered</td>
<td>1 covered</td>
<td>3 covered</td>
</tr>
<tr>
<td>FAR</td>
<td>4,276 sq. ft., 30%</td>
<td>1,559 sq. ft.</td>
<td>11%</td>
</tr>
<tr>
<td>Open Yard</td>
<td>1,250 sq. ft.</td>
<td>N/A</td>
<td>1,250 sq. ft.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-Building</td>
<td>N/A</td>
<td>1,685 sq. ft.</td>
<td>12%</td>
</tr>
<tr>
<td>-Paving/Driveway</td>
<td>N/A</td>
<td>2,247 sq. ft.</td>
<td>16%</td>
</tr>
<tr>
<td>-Landscaping</td>
<td>N/A</td>
<td>10,280 sq. ft.</td>
<td>72%</td>
</tr>
</tbody>
</table>

The proposed project would meet the requirements of the E-3 Zone, related to building height, solar access, open yard requirements and parking. Please note that, under SBMC §28.15.083.B.1.b, the area designated for a secondary dwelling unit is not included when determining the project’s Floor Area Ratio (FAR). Also, the garage floor area is reduced by
50% for FAR purposes because the vertical distance from grade to the garage ceiling is less than four feet for at least 50% of the circumference of the garage.

A. Modification

The modification consists of a request to provide a 718 square foot, three-car garage in the E-3 single family residence zone. Per SBMC §28.87.160, a garage in a single-family residential zone on a lot less than 20,000 square feet can not exceed a total aggregate floor area of 500 square feet. The project requires two (2) covered parking spaces for the residence and one (1) uncovered parking space for the secondary unit. The proposed three-car garage would meet the required parking for the site. Additionally, the garage is situated towards the rear of the lot; is placed significantly below grade; and is not visible to the public. Putting the parking for the secondary unit in the garage further reduces the potential effect on the privacy of adjacent residents. Given all this, Staff is in support of the modification as it is necessary to provide an appropriate improvement on the lot.

VI. Issues

B. Environmental Review

Staff has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, new construction of small structures.

C. Design Review

This project was reviewed by the Single Family Design Board (SFBBD) on two separate occasions (meeting minutes are attached as Exhibit D). On April 28, 2008, the Board directed the applicant to study the size and location of the second story deck, provide a material and color board, study providing more width at the rear setback and to provide photos of the surrounding houses. A straw vote was conducted and the Board voted 5/1 to support the garage size modification. On May 27, 2008, the Board reviewed the project a second time and expressed satisfaction with the proposal. The project was forwarded to the Planning Commission with the comment that exterior lighting and interior shade for night glare will be reviewed when the project returns for Preliminary Approval.

D. Neighborhood Compatibility

The existing home is approximately 1,559 square feet with an 11% FAR. The proposed project includes a new 3,101 square foot, two-story residence, a 718 square foot attached three-car garage and a 422 square foot secondary dwelling unit above the garage, resulting in a combined house and garage size of approximately 4,241 square feet and a floor to lot area ratio (FAR) of 0.24 (the net floor area of the garage is reduced by 50% because the vertical distance from grade to ceiling is four feet or less for at least one-half of the circumference of the exterior walls of the garage and the secondary unit is not included in the FAR calculation).
A survey of the 20 closest homes is attached (Exhibit E) demonstrating that the smallest FAR is 0.07 and the largest FAR is 0.32. The project complies with the maximum FAR on a 14,212 square foot lot which would be 4,276 square feet and 0.30. The project square footage/FAR is 81% of the maximum allowed. Additionally, this project is set back from the street approximately 75’ and conforms to the overall pattern of development along El Camino de la Luz, which includes single-story and two-story homes. Staff believes the size, bulk and scale and overall design of the project would be appropriate for the surrounding neighborhood and also meets the proposed maximum FAR for the lot.

E. COMPLIANCE WITH THE GENERAL PLAN AND LOCAL COASTAL PLAN

GENERAL PLAN CONSISTENCY

The proposed project is located in the West Mesa neighborhood, as identified in the Land Use Element of the General Plan and has a land use designation of Residential, five units per acre. This area is recognized as primarily single-family development on small lots. The single-family residence is located on a .33-acre lot and the proposed project would not change the density with regard to the General Plan Land Use designation.

LOCAL COASTAL PLAN CONSISTENCY

The project site is located within the Coastal Zone and thus must be found consistent with the City’s Local Coastal Plan (LCP), which implements the California Coastal Act. The project is in Component Two of the Local Coastal Plan (LCP), which is located between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential and has very limited additional development potential. Major coastal issues in this area include hazards of seaciff retreat, maintaining and providing public access, both vertically and laterally along the bluffs, maintenance of existing coastal views and open space, and protection of archaeological resources. The project site is not located on the coastal bluff and was not found to be archaeologically sensitive. Public views will not be affected because there are no public view corridors on the project side of the street. Therefore, the project is consistent with the applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines.

VII. FINDINGS

Planning Staff recommends that the Planning Commission approve the Coastal Development Permit and Modification, subject to the findings outlined below and the conditions of approval contained in Exhibit A.

A. MODIFICATION (28.87.160)

The Planning Commission finds that the requested modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot. The modification allows for all of the required parking spaces to be
covered. The SFDB has considered the effect of the expanded garage on the size, bulk and scale of the proposed residence and neighborhood compatibility and found it to be acceptable.

B. COASTAL DEVELOPMENT PERMIT (SBMC §28.44)

The project is consistent with the policies of the California Coastal Act, the City’s Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code because the new residence and secondary dwelling unit would be compatible with the existing neighborhood, would not be visible from the beach, would not impact views from public view corridors, would not impact public access, and would not contribute to safety or drainage hazards on the site and is not located on a coastal bluff or on an archaeologically sensitive site.

Exhibits:

A. Conditions of Approval
B. 8.5” x 11” Site, Floor and Elevation Plan
C. Applicant's letter, dated June 3, 2008
D. SFDB Minutes
E. 20 closest homes survey.
PLANNING COMMISSION CONDITIONS OF APPROVAL

1390 EL CAMINO DE LA LUZ
COASTAL DEVELOPMENT PERMIT, MODIFICATION
AUGUST 7, 2008

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

A. 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 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. Approved Development. The development of the Real Property approved by the Planning Commission on August 7, 2008 is limited to an approximately 3,101 square foot single family residence, a 718 square foot three-car garage and a 422 square foot secondary dwelling unit and the improvements shown on the site plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

2. 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.

3. Recreational Vehicle Storage Limitation. No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board.

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

5. Lighting. Exterior lighting, where provided, shall be consistent with the City’s Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.

6. 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

EXHIBIT A
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 Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

7. Secondary Dwelling Unit Restrictions.

a. **Sales Restriction.** The secondary dwelling unit shall not be sold separately from the primary dwelling unit.

b. **Size Restriction.** The secondary dwelling unit is restricted to 422 (net) square feet.

c. The approval for the secondary dwelling unit shall be in effect only so long as either the Primary Dwelling Unit or the Secondary Dwelling Unit is occupied by the owner of the lot on which the Secondary Dwelling Unit is located, except for bonafide temporary absences. The approval shall remain valid if disability or infirmity require the institutionalization of the owner.

d. **Occupancy Restriction.** The Secondary Dwelling Unit, or the Primary Dwelling, if the owner chooses to live in the Secondary Dwelling Unit, shall be occupied by a person or persons falling within one or more of the following categories:

   i. Immediate Family Member: where a household whose head is a member of the owner’s immediate family, which shall be defined as parents, grandparents, children, grandchildren, sisters, brothers, and equivalent in-laws.

   ii. Low Income Household (incomes less than 80 percent of the median income for the City), as determined by the United States Department of Housing and Urban Development (HUD). The rent level will be no more than the Fair Market Rent levels for the City as determined and adjusted from time to time by HUD, and the owner shall give priority for occupancy to households referred by the Santa Barbara Housing Authority. If the unit is rented or leased to households not referred by the Housing Authority, the income level of the renter selected must be certified by the Housing Authority as to eligibility and this certification must be submitted to the Community Development Director. The Housing Authority may assess a fee for certification of renters other than those referred by the Housing Authority. The rent level for such low-income renters shall not exceed one twelfth (1/12) of thirty percent (30%) of the certified income of the renter. In addition, the owner must submit annually to the Housing Authority a copy of
the lease or rental agreement in effect that identifies the rent level and the
name and income level of the lessee/renter.

iii. Moderate income households (incomes between 81 and 120 percent of
the median income of the City), if the owner chooses not to rent to a family
member and a sworn declaration supported by written documentation, such
as loan documents, setting forth the financial reasons why the unit will not
be rented to a low-income household is submitted to the City. Generally, the
only acceptable financial reason would be that higher rent is required in
order to meet the carrying costs of new construction. The rent levels will be
not more than one-twelfth (1/12) of thirty percent (30%) of the median
income for a family of four in the City adjusted for household/unit size.

Prior to the rental or leasing of the unit, the income level of the household shall
be certified by the Housing Authority. The Housing Authority may assess a fee
for certification of renters other than those referred by the Housing Authority.
In addition, the owner must submit annually to the Housing Authority a copy of
the lease or rental agreement in effect that identifies the rent level and name and
income of the lessee/renter.

e. The approval and any conditions imposed by said permit shall lapse upon
removal of the Secondary Dwelling Unit.

f. There shall be no more than two (2) inhabitants in the Secondary Dwelling Unit.

g. The above declarations are binding upon any successors in ownership of the
property; any lack of compliance may result in code enforcement actions
including, but not limited to fines and may also require that the Property be
redesigned and possibly reconstructed in order to eliminate the Secondary
Dwelling Unit and reestablish one single-family dwelling unit.

h. The above restrictions shall be controlled by means of a recorded affordability
covenant secured by a deed of trust and executed by owner and the City to
assure compliance over the lifetime of the Secondary Dwelling Unit.

B. Design Review. The following items are subject to the review and approval of the Single
Family Design Board (SFDB) shall not grant preliminary approval of the project until the
following conditions have been satisfied.

1. 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.

2. Permeable Paving. Incorporate a permeable paving system for the project driveway
that will allow a portion of the paved area runoff to percolate into the ground, except as
necessary to meet Fire Department weight requirements. Materials in driveways and
parking areas must be approved by the Transportation Manager.
3. **Exterior Lighting.** Exterior lighting, where provided, shall be consistent with the City’s Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.

C. **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. **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.

2. **El Camino de la Luz Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on El Camino De La Luz. As determined by the Public Works Department, the improvements shall include the following: underground service utilities, driveway apron, connection to City water and sewer mains, supply and install directional/regulatory traffic control signs per 2006 CA MUTCD, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.

D. **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. **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.

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

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

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

   If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop
appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

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

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

3. 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 on site 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.

4. 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 employ 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.6, above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.
5. **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.

6. **Separate Water Meters.** Both the primary dwelling unit and the secondary dwelling unit shall have individual water meters.

7. **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:

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor</td>
<td>Date</td>
</tr>
</tbody>
</table>

| Architect      | Date | License No. |

| Engineer       | Date | License No. |

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

1. **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:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>January 1st*</td>
</tr>
<tr>
<td>Martin Luther King’s Birthday</td>
<td>3rd Monday in January</td>
</tr>
<tr>
<td>Presidents’ Day</td>
<td>3rd Monday in February</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday in May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4th*</td>
</tr>
<tr>
<td>Labor Day</td>
<td>1st Monday in September</td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td>4th Thursday in November</td>
</tr>
<tr>
<td>Following Thanksgiving Day</td>
<td>Friday following Thanksgiving Day</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>December 25th*</td>
</tr>
</tbody>
</table>
*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.

2. **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.

3. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.

4. **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.

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

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

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

8. **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.
G. 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 caused by construction (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

2. Cross Connection Inspection. The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.

H. 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 COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.
June 3, 2008

City of Santa Barbara
Planning Commission
c/o Community Development Department
630 Garden Street
Santa Barbara, CA 93101

Re: 1930 El Camino de la Luz, MST#2008-00057, CDP2008-00005, APN#045-100-011
DART Response Letter

The Wiscomb California Property Trust proposes to remove an existing single family residence and construct a new single family residence and secondary dwelling unit at 1930 El Camino De La Luz within the Mesa area of Santa Barbara. The assessors parcel number is 045-100-011 and the zoning is E-3 / SD-3. The project site is approximately 70 feet by 220 feet totaling 14,212 square feet, or approximately 1/3 of an acre. The main residence program includes three bedrooms, three bathrooms, living, dining, kitchen, two vehicle garage, and workshop. The secondary dwelling unit (SDU) program includes a bedroom, bathroom, kitchen, dressing area, and a single vehicle garage. The 3,882 square foot home, SDU, and garage are one story massing, with a second story master bedroom suite. The floor to lot area ratio is less than the maximum FAR stipulated in the Neighborhood Preservation Ordinance, but greater than 85% of the maximum FAR. The project is located within the appealable portion of the coastal zone and will require a Coastal Development Permit. The three required parking spaces and workshop are located within a single 718 square foot garage building, which requires a modification to exceed the 500 square foot zoning requirement. This is a follow-up to the initial application filed February 4, 2008. The following exhibits are included as part of this re-submittal:

- Residential Statistics Form
- General Project Statistics Form
- Site Coverage Percentages Form
- 20 Closest Lots Data
- Neighborhood Massing Exhibit
- Neighborhood Photographs
- Composite Site Plan
- Composite Street Elevation
- Site Survey
- Site Plan
- Landscape Plans
- Floor Plans
- Roof Plan
- Exterior Elevations
- Building Sections
- Preliminary Drainage Report
NEIGHBORHOOD AND SITE CONTEXT

El Camino De La Luz has a very unique street character within the neighborhood. It is an 1,100 foot long uninterrupted street beginning at Oliver Road and terminating at the pedestrian bridge connecting to La Mesa Park. The western portion of the street is comprised of small and medium size lots typical of the Mesa, with single story homes set near the street. The lots on the eastern portion of the street are much larger in size. Flag lots, two and three deep, occupy the ocean side of the street. The proposed project is located on the mountain side of the street, where most of the existing one and two story homes are set back 50 or more feet, and enjoy generous south facing front yard spaces. Existing homes on the adjacent streets of Oliver Road, Edgewater Way and Santa Monica Way are evenly divided between one and two story massing. The character of the neighborhood is eclectic, and comprised of Mediterranean, Modern, and American Bungalow architecture.

The existing site topography slopes down toward the southeast and northeast at an average of 6%. There is an existing 1,559 square foot one story single family residence and single car garage occupying nearly the full width of the site near its center. The existing residence and garage will be demolished, or relocated to a site more appropriate for the structure’s size if economically feasible. The existing landscaping consists of perimeter hedges, turf, and several ornamental plants. There are no large specimen trees on the property. Storm water currently flows across the site toward southeast and northeast corners of the property.

SITE PLANNING

The proposed new residence is set back fifty-seven feet from the street and is rotated slightly from the property geometry to orient toward specific southerly ocean and northerly mountain views. This approach allows the structure to “float” within the site and creates generous useable outdoor spaces on all sides of the residence that integrate with the indoor spaces. The 200 foot visible length of the site will be perceivable from several vantage points. The garage and motor court are located out of view at rear of the site, and accessed via a concrete ribbon driveway. The elevation of the motor court is at the existing low point of the property, and the garage will be built into the site as it slopes upward. The vertical distance from grade to the ceiling of the garage is less than four feet for at least one half of the circumference of the exterior walls. 288 cubic yards of grading will be limited to the garage construction and excavation within the footprint of the residence to allow for the required crawl space below the main floor. Storm water drainage will follow the current path of travel with the front portion of the site draining to the southeast and the rear portion draining to the northeast. Runoff will be reduced by achieving a significant reduction in impermeable paved area and by directing drainage through on site bio-filtration and detention zones before exiting the site. A preliminary drainage report demonstrates compliance with the City’s stormwater management program.

LANDSCAPE DESIGN

The proposed landscape plan is designed in accordance with the Landscape Design Concepts for Water Conservation and the majority of plants specified are drought tolerant and/or native species as defined in the
Water Wise Plant Guide for Santa Barbara. The areas of turf and non-drought tolerant plants are confined to the front yard on the south side of the project site and do not exceed 15% of the total landscaped area.

Specific features of the landscape design include the following:

**SOUTH SIDE**
- Native and drought-tolerant plantings in the right of way and continuing onto the property to encompass the lawn area and to form a filtered low screen to the street.
- Note: No pedestrian path in right of way is proposed due to unanimous neighborhood objection to construction of sidewalks on El Camino de la Luz.

**EAST AND WEST SIDES**
- Permeable ribbon driveway on the east side of the site in the vicinity of the existing driveway that extends to the full length of the property.
- Native and drought-tolerant trees and shrubs on the east and west sides of the site that screen where appropriate for neighbors' privacy and allow for ribbons of "greenbelt" through the site.
- Recirculating water feature at the outdoor patio area.
- Biofiltration drainage course with grasses, gravel, and boulders on the north side of the outdoor patio and west side of the site that conveys drainage to the northwest corner of the site.
- Removal of the 7-10 foot wooden fence on the east side of the property at request of neighbors.

**NORTH SIDE**
- Infiltration terraces filled with gravel and native or riparian, grass-like plantings to drain to the low point at the northeast corner of the site.

**GENERAL**
- Impermeable areas include walkway to the front door of the residence, patio on the west side, steps from the driveway to the residence on the east side and the guest house patio.
- Two inches of mulch in planting areas where groundcovers and turf are not present.
- Irrigation system that separates zones in accordance with Landscape Design Concepts for Water Conservation.
- Exterior site lighting will be located and lamped to provide light levels sufficient for safety and security while minimizing glare and sky glow.

**ARCHITECTURAL DESIGN**
The front door of the residence faces the street and opens on to the south end of a circulation gallery that connects all the functions within the home. The kitchen acts as the hub of the first floor level and is surrounded by the living room, dining room and an outdoor lounge area that is open on three sides. Two bedrooms and two bathrooms are contained within the main portion of the home with the SDU visually separated by a wrap around patio. The SDU is connected to the main structure by a common roof and by the garage, which is a level below. A stair within the circulation gallery leads up to the second floor master suite. The sitting room joins the master bedroom with the bath / dressing area and also opens on to an "ocean view" roof deck. A smaller "mountain view" deck is attached to the master bedroom and is buffered from the
neighbor by a vertical wall element. Windows within the master bedroom are also oriented to the south and north views, with no window openings on the west for privacy toward the neighboring residence. Privacy to and from the neighbor to the east is provided by incorporating frosted glass in the stairwell and by locating the windowless wardrobe function on that side of the second floor. The massing of the architecture is low and horizontal in the north/south direction. Several distinct building forms of varying height shift and interlock resulting in articulated but unified massing. Large roof overhangs are designed to control the sun as well as to further emphasize the horizontal plane. The massing of the second floor master suite is located near the geographical center of the site and surrounded by one story elements on three sides. The maximum height of the home is twenty two feet above grade.

Natural daylight and cross ventilation are provided to every room in the home to improve livability, conserve energy usage, and to visually connect interior living spaces with the significant outdoor living spaces. Solar water heating will be incorporated and additional roof space is set aside for the installation of photovoltaic panels to generate electricity when that technology advances. Interior and exterior finishes incorporate a palette of natural and sustainable materials consisting of woods, copper, sandstone, plaster and glass. The raised first floor foundation provides an under floor space, out of view, for mechanical equipment and the horizontal distribution utilities and technology throughout the home.

NEIGHBORHOOD COMPATIBILITY
The zoning and proposed use of the property is identical to the surrounding properties in all directions. The site and architectural design provide for a high quality living environment on site while protecting the lifestyle of the neighboring properties. The applicants have worked closely with the neighbors on both sides of the project site during the design process, and have reviewed the final design drawings with them. The home directly east at 1926 El Camino De La Luz is currently undergoing renovation and adding a second floor addition. The property directly to the west at 1936 El Camino De La Luz has received approval from the City for a complete renovation and second floor addition. Composite site plan and street elevation drawings of the proposed project in conjunction with the neighboring properties are included in this submittal. These drawings illustrate a high level of compatibility in terms of massing, site use, and privacy. Beyond this, a letter (copy attached) was sent out to all residents within the required noticing area and to all residents on El Camino De La Luz introducing the project and inviting neighbors over to review the proposed design. Several neighbors have accepted the offer and all meetings have been positive. The project received very positive comments from the Single Family Design Board at their May 27, 2008 meeting.
Project Description:

Proposal for a new 3,882 square foot two-story single-family residence including a 718 square foot three-car garage. The proposal includes an attached 422 square foot secondary dwelling unit on the 14,212 square foot lot located in the appealable jurisdiction of the coastal zone. The existing 1,559 square foot single-family residence and garage is to be relocated or demolished. The proposed total of 3,883 square feet is 91% of the maximum FAR. Planning Commission approval of a modification for garage to exceed 500 square feet and approval of a coastal development permit are requested.

Activities:

5/27/2008 SFDB-Concept Review (Cont.)

(Second Concept Review. Comments only; project requires environmental assessment and Planning Commission approvals of a modification and a Coastal Development Permit.)

(5:56)

Present: David Van Hoy, Architect.

Public comment opened at 6:17 p.m. As no one wished to speak, public comment was closed.

Staff comment: Mr. Boughman provided information regarding secondary dwelling units. Ms. Baker, stated the Board could stipulate exterior lighting conditions.

Motion: Continued indefinitely to the Planning Commission, and return on Consent Calendar with the following comments:
1) The project is Ready for Preliminary Approval. Preliminary and Final Approval can be made on Consent Calendar. Neighborhood Preservation Ordinance findings can be made on Consent Calendar.
2) Exterior lighting and interior shade for night glare to be reviewed on Consent Calendar.
Action: Zink/Woolery, 4/1/1. Motion carried. (Bernstein opposed. Carroll abstained. Mosel absent.)

4/28/2008 SFDB-NoticePrepared-PC/SHO Req
Activities:

4/28/2008 SFDB-Concept Review (New) - PH

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVALS OF A MODIFICATION AND A COASTAL DEVELOPMENT PERMIT.)

(4:02)

Present: David Vanhoy, Architect; Scott and Leslie Wiscomb, Owners; One other.

Public comment opened at 4:21 p.m.
Tom Morrison, in support: will be a nice addition to the neighborhood.
Michael Woodard, in support: a secondary garage should be included.
Public comment closed at 4:24 p.m.

Straw vote: how many can support the three-car garage 5/1/0.

DRAFT Motion: Continued indefinitely to the Full Board with the following comments:
1) Study the size and location of the second story deck.
2) Provide material and color board, or render materials.
3) Study providing more width at the rear setback.
4) Provide photos of the surrounding houses.
Action: Zink/Woolery, 6/0/0. Motion carried (Carroll absent.)
### Neighborhood Statistics

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<th>APN</th>
<th>Address</th>
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