



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 28, 2009
AGENDA DATE: June 4, 2009
PROJECT ADDRESS: 1712 Anacapa Street (MST2008-00435)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *AKD for DYK*
 Kelly Brodison, Assistant Planner *KAB*

I. CONCEPT PROJECT REVIEW

The project site is located at 1712 Anacapa Street between Valerio Street and Islay Street. The project includes a proposal to subdivide the existing 23,160 square foot lot into three lots that would have one single-family residence on each proposed lot. Parcel 1 would be 8,140 square feet, and would include a new two-story 2,650 square foot single-family residence with a new two-car garage. Parcel 2 would be 7,020 square feet, with a new two-story 2,440 square foot square foot single-family residence with a new two-car garage. Parcel 3 would be 8,000 square feet, and would be the site for a new two-story 2,720 square foot single-family residence with a new two-car garage. Pedestrian and vehicular access for all three units would be provided by a new 16 foot wide easement along the northwest property line. A total of 869 cubic yards of grading is proposed for the existing parcel.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a subdivision of one (1) existing lot into three (3) new lots (SBMC 27.07);
2. Two (2) Street Frontage Modifications to allow two of the newly created lots to have less than the required 60 feet of frontage on a public street (SBMC §28.15.080);
3. A Public Street Frontage Waiver from the requirement that each lot created by a new subdivision shall front upon a public street or private driveway serving no more than two lots (SBMC 22.60.300); and

III. RECOMMENDATION

Staff recommends that the Planning Commission conceptually review the proposed project, and comment on the project's consistency with the General Plan, based on the policies expressed in the General Plan text, the proximity of the project site to the residential density demarcation on the City's

General Plan map, the underlying zoning, and the nature of the existing development within the vicinity of the project site, and comment on the proposed discretionary applications. No formal action may be taken on the project at this hearing.



1712 Anacapa Street Vicinity Map

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Richard Untermann	Architect:	Paul Zink
Parcel Number:	027-111-014	Lot Area:	23,160 sq. ft.
General Plan:	Residential 3 units/acre	Zoning:	R-2
Existing Use:	Residential	Topography:	~7%
Adjacent Land Uses:			
	North – Single family & Multi-residential		East – Single family residential
	South – Multi-residential		West – Multi-residential

V. DISCUSSION

A. NEIGHBORHOOD COMPATIBILITY

The 23,160 square foot project site lies in the R-2 zone (Exhibit C), and is developed with a two-story single family residence and detached garage. Along Valerio Street to the south east, the lots are developed with two and three family developments. Parcels immediately adjacent to the northwest are zoned E-1 and are mostly developed with single family residences of varying sizes. The parcels across the street are zoned R-3 and are developed with a thirty (30) unit condominium complex, a five (5) unit apartment complex and a four (4) unit residential development. State Street, zoned C-2 (Commercial) is one block to the southwest and Alice Keck Park Memorial Garden, zoned R-O (Restricted Office), is one block to the southeast.

B. PROJECT STATISTICS

	Lot 1	Lot 2	Lot 3
Lot Size	8,140 sq. ft.	7,020 sq. ft.	8,000 sq. ft.
Living Area	2,650 sq. ft.	2,440 sq. ft.	2,700 sq. ft.
Garage	400 sq. ft.	500 sq. ft.	480 sq. ft.
Total	3,050 sq. ft.	2,940 sq. ft.	3,200 sq. ft.

C. ZONING AND GENERAL PLAN GENERAL PLAN CONSISTENCY

This project site lies in the R-2 zone (Exhibit C). A three-lot subdivision would meet the requirements of the R-2 zone, which state that “for lots of seven thousand (7,000) square feet or more, there shall be provided a lot area of three thousand five hundred (3,500) square feet or more for each dwelling unit hereafter erected”. The 23,160 square foot lot would allow for up to six (6) units. The project is generally consistent with the requirements of the R-2 zone, with the exception of the proposed street frontage modifications, which are necessary because of the configuration of the lot.

The General Plan Map shows the project site located just to the north of the line that divides the General Plan designations of Residential, 3 Units/acre (north of the line), and Residential, 12 Units/acre (south of the line, see Exhibit D). The line that divides the two General Plan Designations is located approximately 100' northwest of Valerio Street. The subject site is approximately 125' northwest of Valerio.

If the lines that delineate General Plan Designations were precise, the site's General Plan Designation would be Residential, 3 Units/acre (which does not match the R-2 zoning), and the project would not be consistent with the General Plan. In this case, the project could not be approved, because the City cannot approve a tentative map for a subdivision without finding that the proposed subdivision is consistent with the General Plan. SBMC 27.07.100, clearly states that approval shall be denied to any map which is not consistent with the General Plan or a specific plan adopted there under, or which depicts a land division or land use which is not compatible with the objectives, policies, general land uses and programs specified in the General Plan.

There are many areas within the City limits where the General Plan designation does not exactly match the underlying zoning. This is allowable for the City of Santa Barbara under state law because Santa Barbara is a charter city; however, one of the goals of the General Plan update is to correct these discrepancies.

When a parcel is on or very near the boundary between land use designations on the General Plan Map, the General Plan text should be interpreted together with the map as an integrated and internally consistent document. The city's General Plan is intended to be a compatible statement of policies for the adopting agency. Although General Plan diagrams and maps are expected to be consistent with the written policies and text of the various elements, conflicting standards cannot be reconciled by a subordination clause or provision.

State law does not require an exact match between a proposed subdivision and the applicable General Plan. A project may be found consistent with the General Plan if, considering all its aspects, it will further the objectives and policies of the General Plan and not obstruct their attainment. Because it is necessary to judge proposals in relation to stated policies of the General Plan in addition to the policy map itself, a proposal may be consistent even if not literally supported by the map. In this sense, the concept of consistency is very much a subjective determination for the appointed and elected officials of the City. Therefore, the question of a project's consistency is answered by the Planning Commission and the City Council.

The Planning Commission should consider both the General Plan map and the written text of the General Plan in order to determine whether the proposed project is consistent with the General Plan. The General Plan map and written text should be read as an integrated and consistent document. The Planning Commission has the discretion to determine whether a particular project is consistent with the General Plan.

There are many statements within the land use element of the General Plan that explain that the General Plan is a general document, that it is flexible, and that it serves as a guide for the adoption of more specific planning laws (Exhibit E). The description of the Upper East

neighborhood in the Land Use Element states that the neighborhood should be preserved with an overall density of three dwelling units to the acre. The next paragraph of the neighborhood description states, "Along the southern border of the Upper East neighborhood below approximately Valerio Street, apartment structures can be seen together with professional offices, churches, and schools. This type of development results from a mixture of commercial offices, hospital office, and multiple-dwelling zones, and it reflects the General Plan, which calls for a density of twelve dwelling units to the acre. Because of its conveniently close proximity to downtown, further redevelopment to a higher-density residential uses will probably occur in this section" (Exhibit F).

It is Staff's opinion that the General Plan Designation boundaries are not precise. They are broad-brush representations, which is unlike the Zoning Map, wherein zoning lines are drawn precisely, either following parcel lines or drawn at fixed distances from streets. In this case, Staff believes the project to be consistent with the general plan based on the policies expressed in the general plan text, the proximity of the project site to the residential density demarcation on the City's General Plan map, the underlying zoning, and the nature of the existing development within the vicinity of the project site.

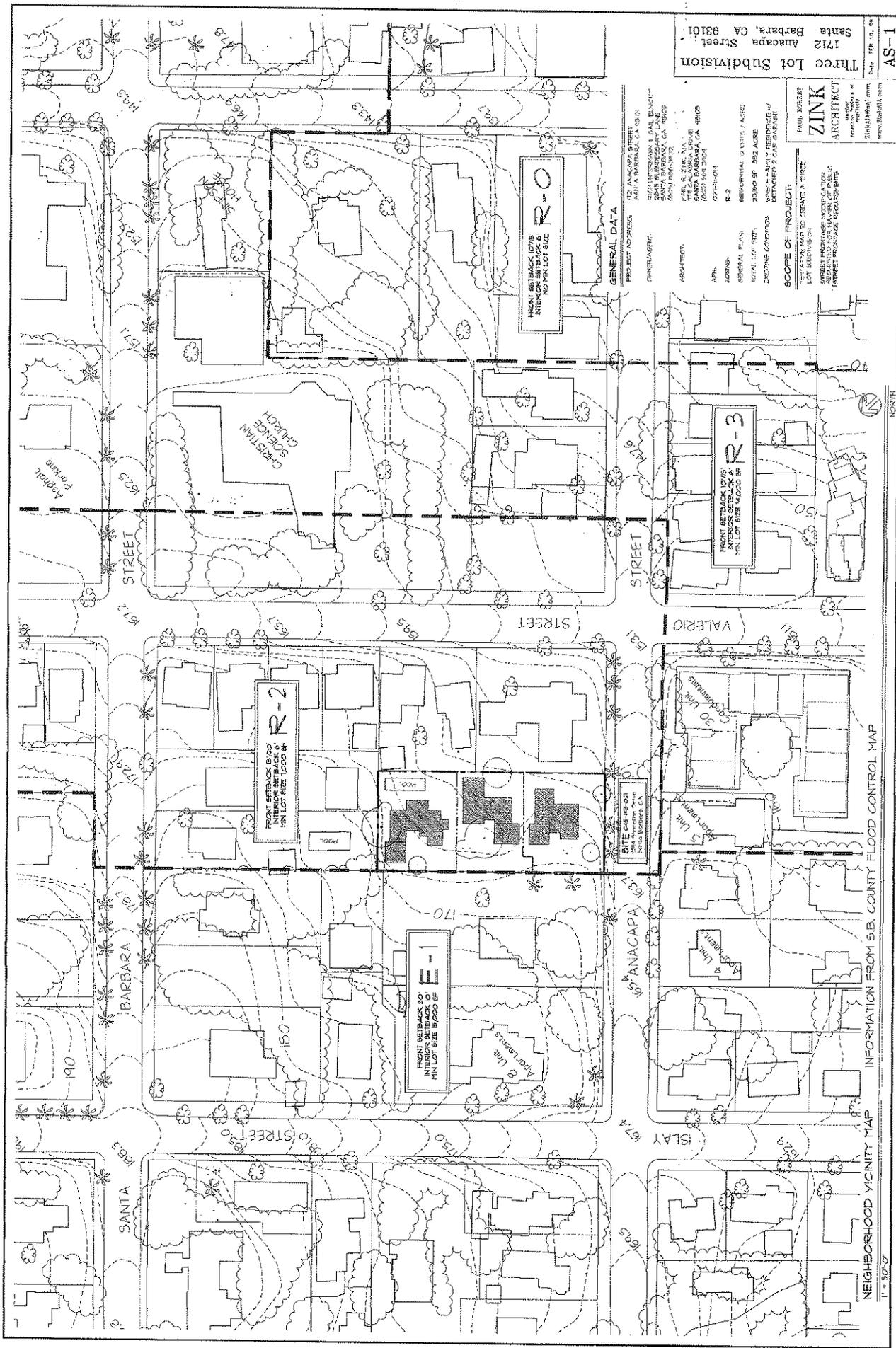
B. ENVIRONMENTAL REVIEW

Comments on General Plan consistency are necessary at this point because the appropriate environmental document depends on these comments. In a location where the project's zoning and General Plan designations match, the proposed project would most likely qualify for a Categorical Exemption from CEQA. However CEQA states that a project does not qualify for a Categorical Exemption unless it is found to be consistent with the General Plan Designation.

If the Planning Commission determines that the project is consistent with the General Plan, then it is likely that the project could be exempt from CEQA. However, if the Planning Commission determines that the project is not consistent with the General Plan, then a General Plan Amendment and either a Negative Declaration or an EIR would be required.

Exhibits:

- A. Project Plans
- B. Applicant's Letter
- C. Zoning Map
- D. General Plan Map
- E. General Plan Excerpt - Section 1 General Plans and the Planning Process
- F. General Plan Excerpt - Upper East Neighborhood Discussion



Three Lot Subdivision
 1712 Anacapa Street
 Santa Barbara, CA 93101

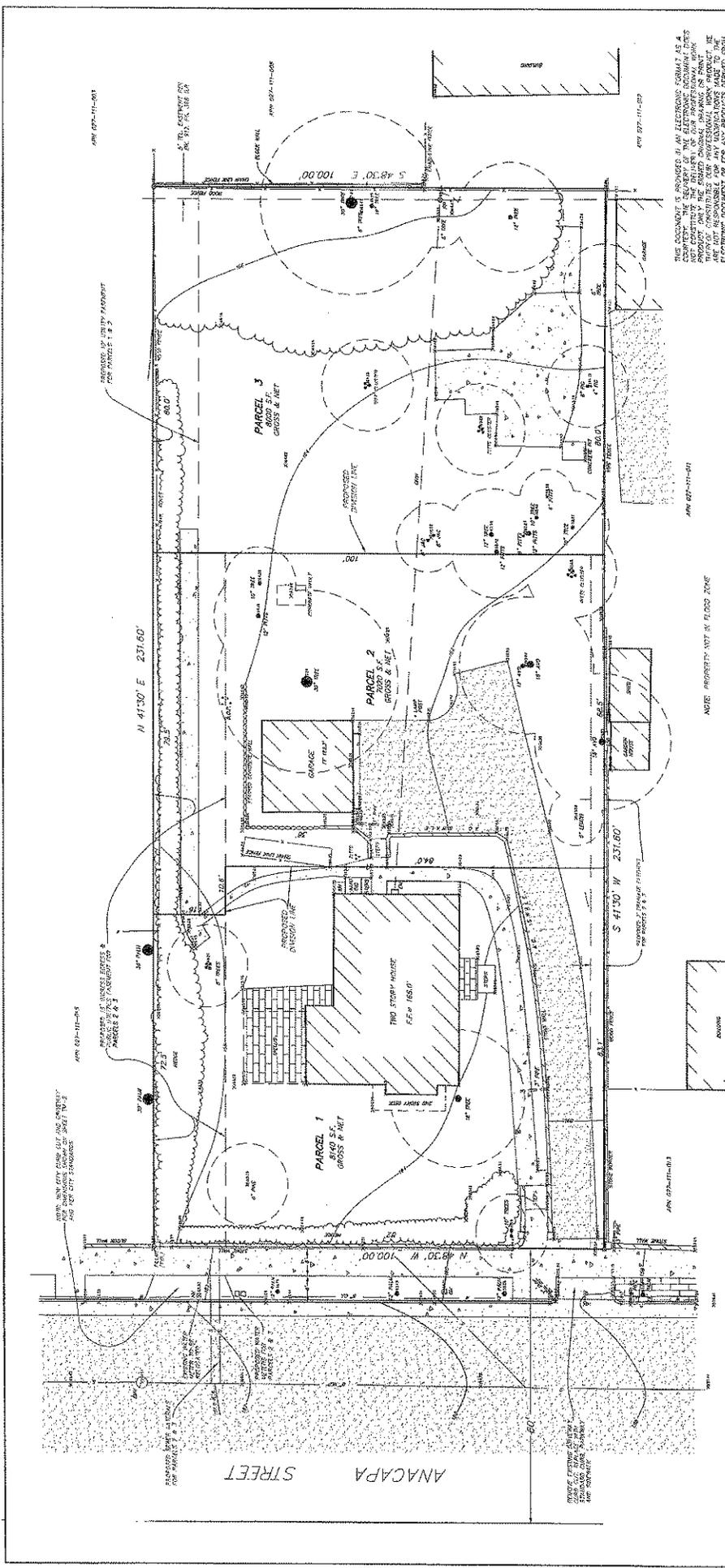
GENERAL DATA
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 1712 ANACAPA STREET
 SANTA BARBARA, CA 93101
 PROJECT ADDRESS: 1712 ANACAPA STREET
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 1712 ANACAPA STREET
 SANTA BARBARA, CA 93101

ZINK ARCHITECT
 PAUL ROBERT ZINK ARCHITECT
 1712 ANACAPA STREET
 SANTA BARBARA, CA 93101
 (805) 965-1000
 www.zinkarch.com

SCOPE OF PROJECT:
 PREPARE ARCHITECTURAL AND ENGINEERING DRAWINGS FOR A TRAIL
 LOT SUBDIVISION
 STREET FRONTAGE NOTIFICATION
 SUBMIT FOR REVIEW OF P.L.C.
 (SEE P.L.C. FOR MORE INFORMATION)

NEIGHBORHOOD VICINITY MAP
 INFORMATION FROM S.B. COUNTY FLOOD CONTROL MAP

EXHIBIT A



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OWNER / SUBDIVIDER
 16000 1/2 AVENUE, SUITE 200, SANTA BARBARA, CALIFORNIA 93101
 (805) 965-1815

LEGEND
 BM = BENCHMARK
 CL = CENTERLINE
 CU = CURBLINE
 GP = GROUND POINT
 PP = PROPERTY POINT
 PF = PROPERTY FOOTING
 AD = AREA DATA
 SV = SURVEY VALUE
 TEL = TELEPHONE
 CO = CLAIM OUT
 WH = WATER MAIN
 WHT = WATER TREATMENT
 WTS = WATER TOWER
 WTS = WATER TOWER
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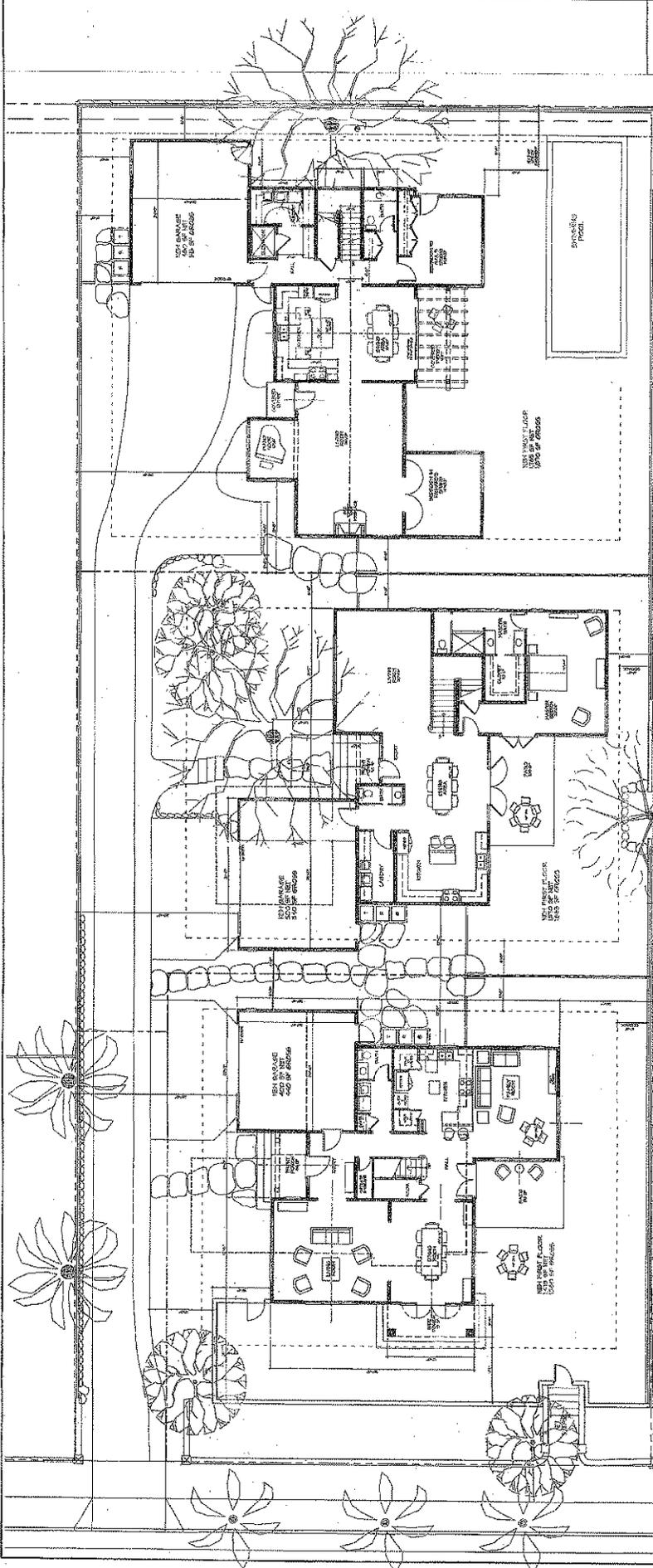
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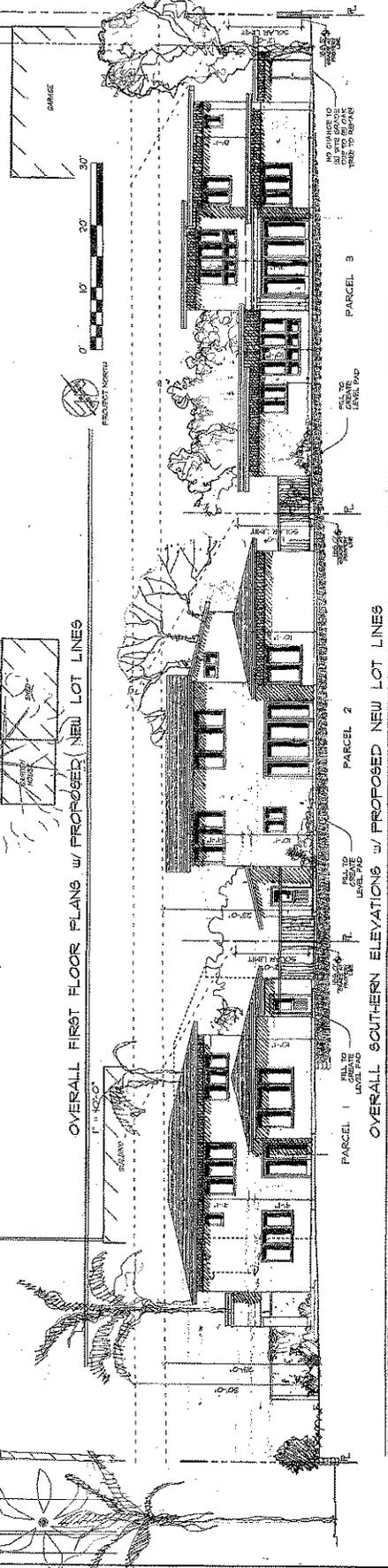
OWNER / SUBDIVIDER
 16000 1/2 AVENUE, SUITE 200, SANTA BARBARA, CALIFORNIA 93101
 (805) 965-1815



DATE SUBMITTED
ZINK
 ARCHITECT
 1712 Anacapa Street
 Santa Barbara, CA 93101
 www.zinkarch.com
 805-969-3379

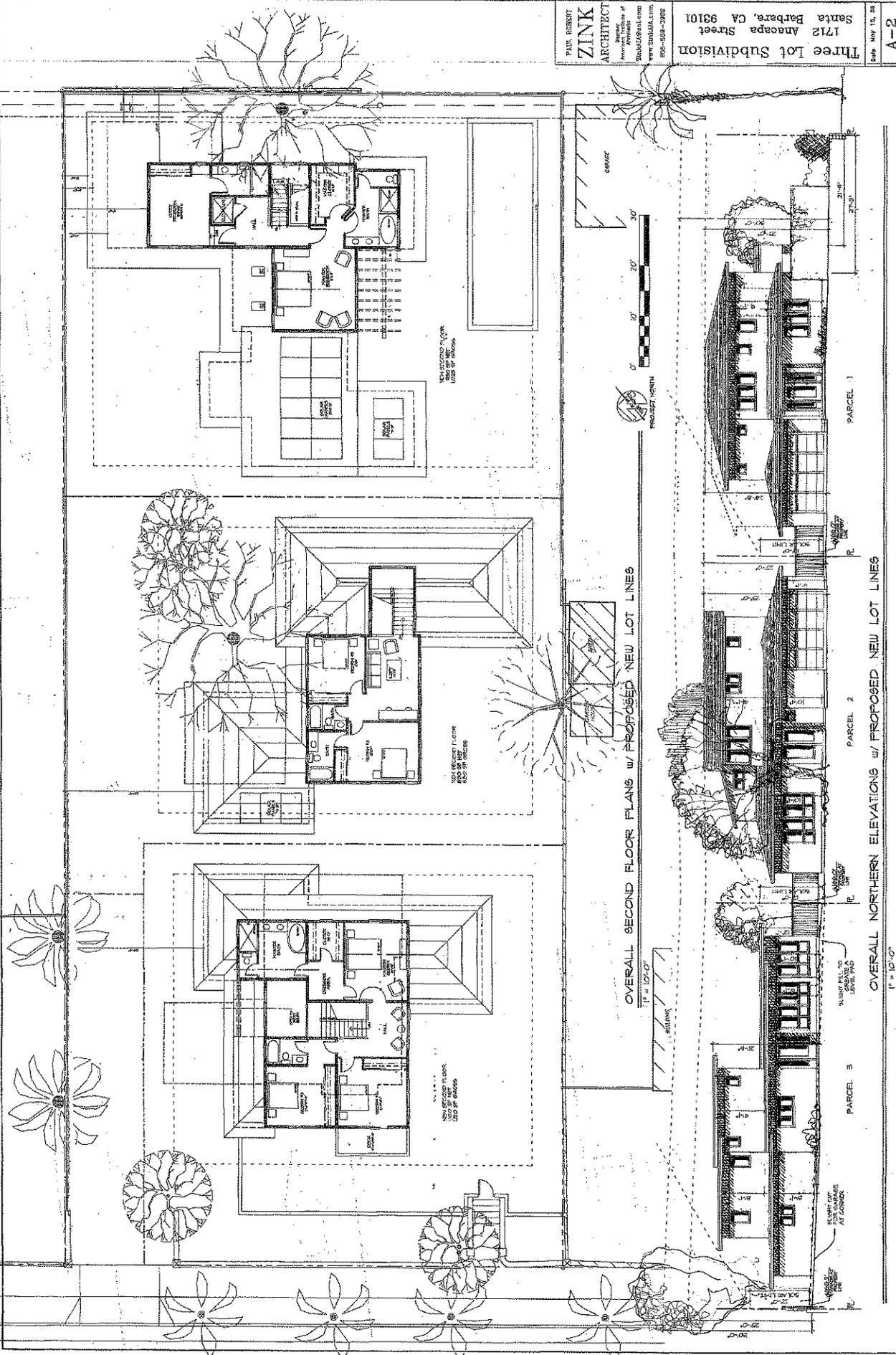
Three Lot Subdivision
 1712 Anacapa Street
 Santa Barbara, CA 93101
 805-969-3379

DATE MAY 15, 09
 A-1



OVERALL FIRST FLOOR PLANS w/ PROPOSED NEW LOT LINES

OVERALL SOUTHERN ELEVATIONS w/ PROPOSED NEW LOT LINES



OVERALL SECOND FLOOR PLANS w/ PROPOSED NEW LOT LINES
 1" = 10'-0"

OVERALL NORTHERN ELEVATIONS w/ PROPOSED NEW LOT LINES
 1" = 10'-0"

PARCEL 1

PARCEL 2

PARCEL 3

CORNER



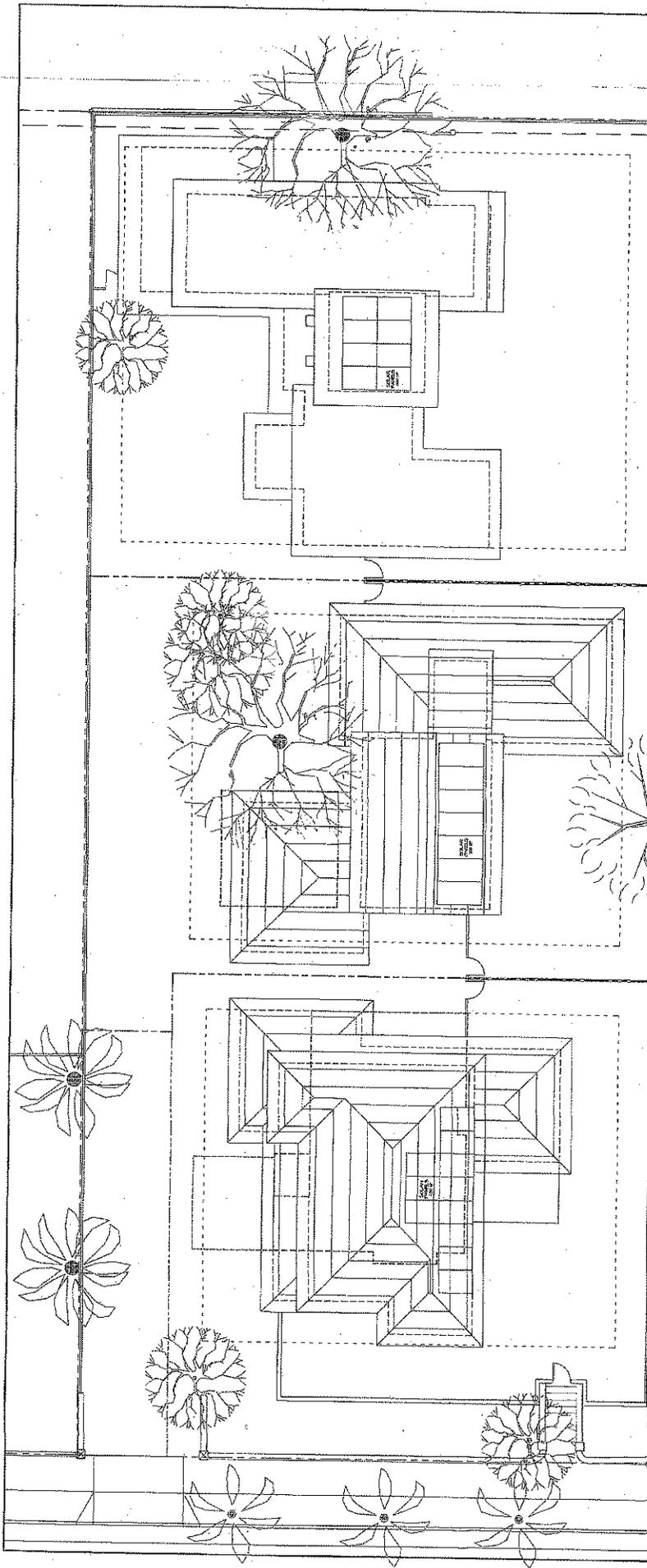
ALSO SEE TO
 SEE PLAN

ALSO SEE
 AT CORNER

NEW SECOND FLOOR
 USED BY 2011

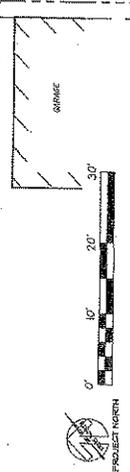
NEW SECOND FLOOR
 USED BY 2011

NEW SECOND FLOOR
 USED BY 2011

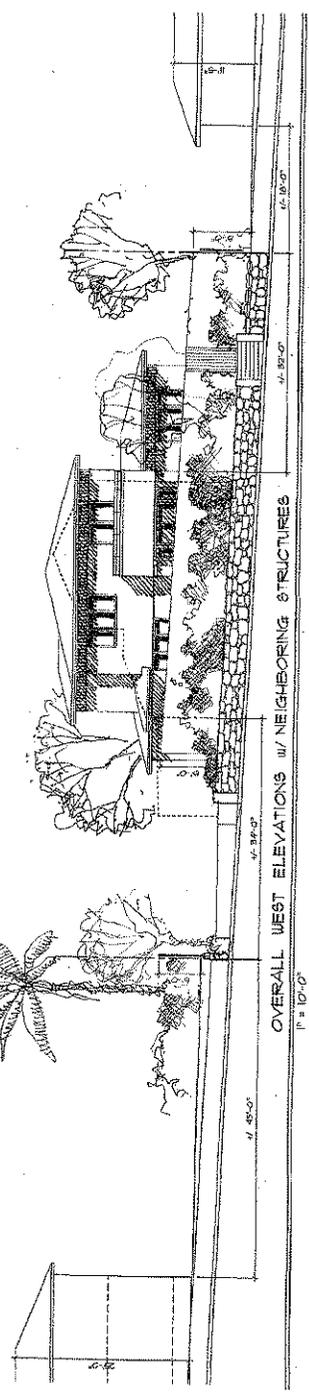


PAUL ROBERT
ZINK
 ARCHITECT
 1712 Anacapa Street
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 www.zinkarch.com
 805-969-3800

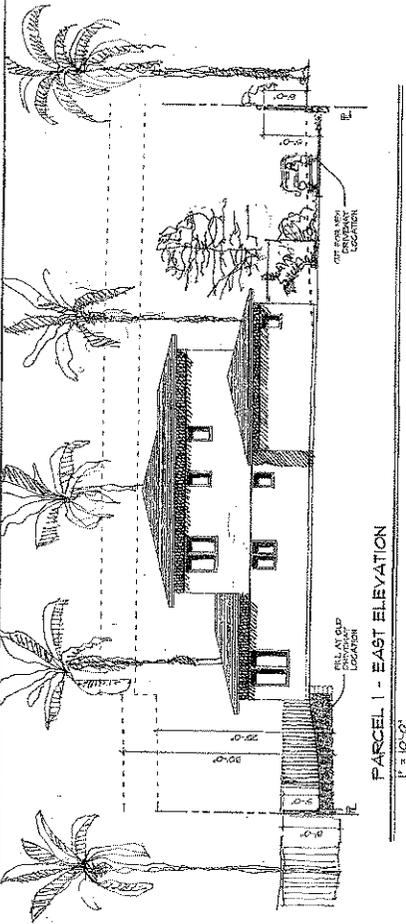
Three Lot Subdivision
 1712 Anacapa Street
 Santa Barbara, CA 93101
 Date: May 15, 09
A-3



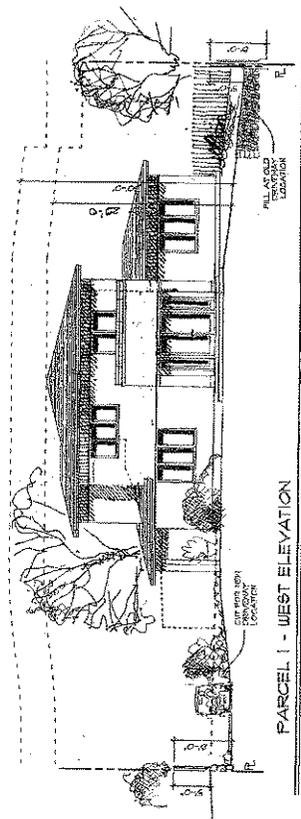
OVERALL ROOF PLANS w/ PROPOSED NEW LOT LINES
 P = 10'-0"



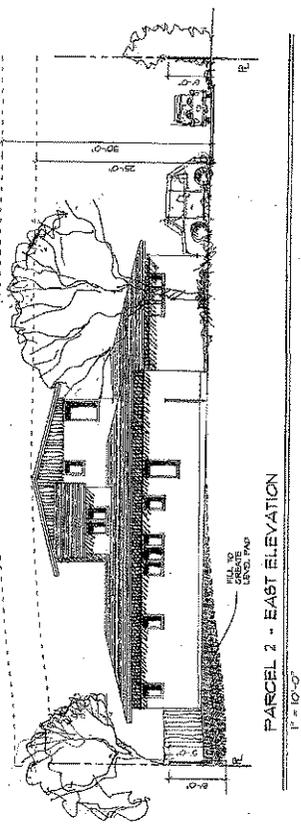
OVERALL WEST ELEVATIONS w/ NEIGHBORING STRUCTURES
 P = 10'-0"



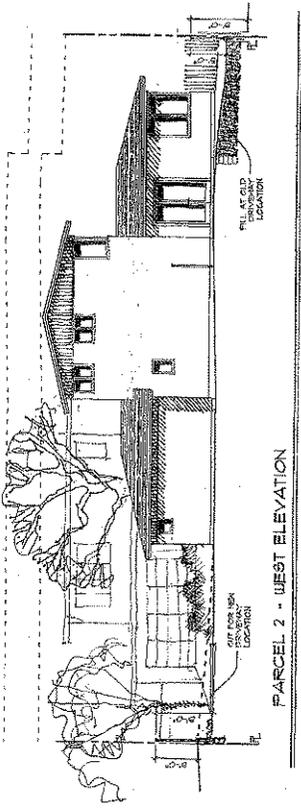
PARCEL 1 - EAST ELEVATION
1/8" = 10'-0"



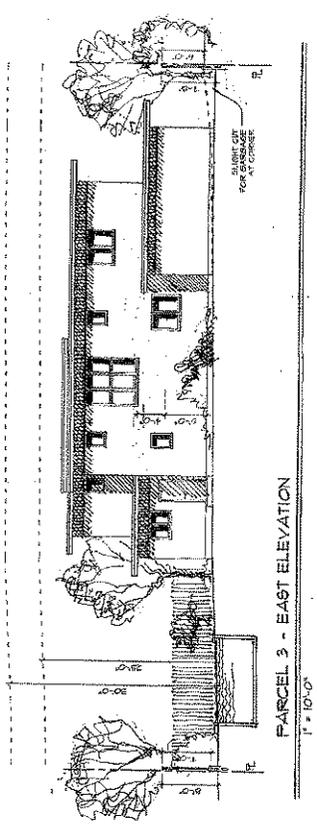
PARCEL 1 - WEST ELEVATION



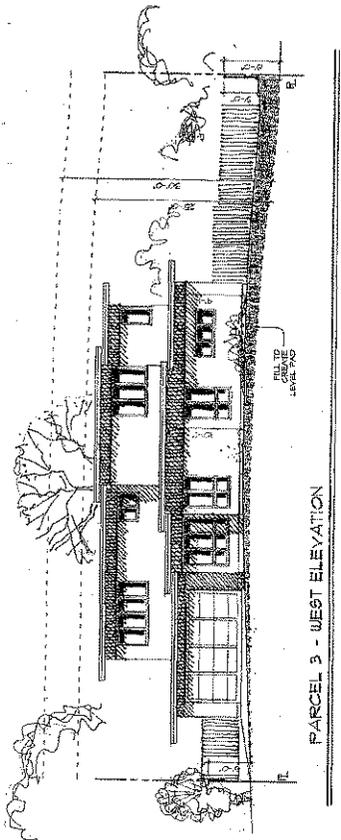
PARCEL 2 - EAST ELEVATION
1/8" = 10'-0"



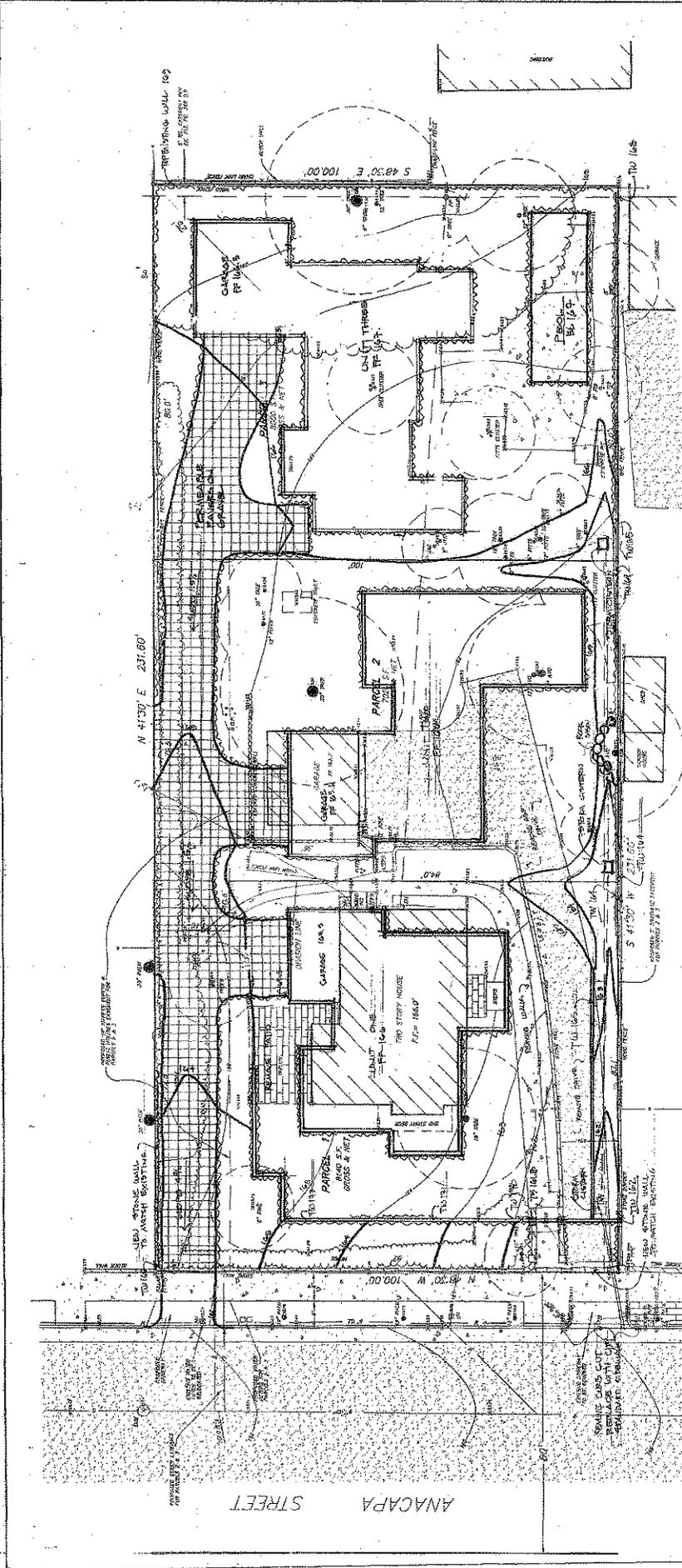
PARCEL 2 - WEST ELEVATION



PARCEL 3 - EAST ELEVATION
1/8" = 10'-0"



PARCEL 3 - WEST ELEVATION



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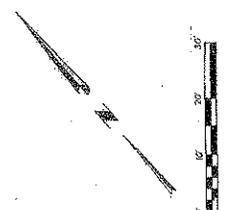
DESIGN LAD SURVEYING, INC.
 BOUNDARY DATA SET, NET NO. 2020-212688
 LOCAL RECONSTRUCTION OF METERS' CORNER OF
 ANACAPA STREET AND SANTA BARBARA STREET (2020-04-04) ELEV. = 201.57
 (2020-04-04) ELEV. = 201.43

CONCEPTUAL GRADING AND DRAINAGE PLAN

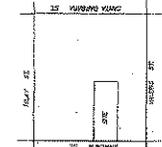
1712 ANACAPA STREET
 SUBDIVISION PLAN

Applicant: **ANACAPA**
 Address: **1712 ANACAPA STREET**
 City: **San Jose, CA 95128**
 Author: **Paul Zink, A.I.A.**
 Date: **11/11/2020**

- LEGEND**
- AW = WATER METER
 - GM = GAS METER
 - FM = FIRE METER
 - PA = FIRE HYDRANT
 - AD = AREA DRAIN
 - SM = SEWER MANHOLE
 - SMH = SEWER MANHOLE
 - SMV = WATER VALVE
 - CD = CEMENT TELEPHONE BOX
 - BEV = BACKFLOW VALVE
 - CEV = CEMENT VALVE
 - SWH = OVERHEAD WIRE
 - HW = WATER METER
 - BDP = BRD OF PARADISE
 - PITS = PITTSBOROUGH



- #### STANDARD EROSION/SEDIMENTATION CONTROL PLAN
- Project grading and construction shall be completed using techniques and methods that minimize erosion and sedimentation. All erosion control measures shall be installed and maintained in accordance with the Building Division Erosion Control Manual and other applicable regulations.
- (a) No grading shall occur within three feet of the drip-line of the existing trees.
 - (b) A modified Arborist shall be contacted using arborists and arborists shall be contacted to determine the drip-line of the trees which are to be protected.
 - (c) All excavation within the drip-line of the trees shall be done with hand tools.
 - (d) Any trees encountered shall be clearly cut and staked with a tree-rod.
 - (e) No heavy equipment, storage of materials or loading shall take place under the drip-line of the trees.
 - (f) Any soil piling and subsoiling shall be done under the direction of a qualified arborist.
 - (g) All trees within 25 feet of proposed construction activity shall be fenced three feet outside the drip-line for protection.



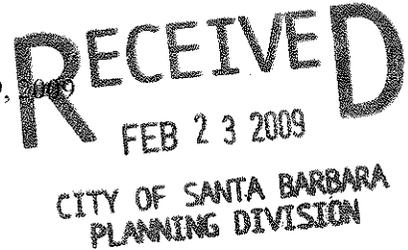
TENTATIVE PARCEL MAP

3 LOTS
 A PORTION OF RECORD MAP NO. 100,000, CITY OF SAN JOSE, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

APPROVED BY THE CITY OF SAN JOSE, CALIFORNIA
 DATE: 11/11/2020
 PROJECT NO. 2020-04-04
 SHEET NO. 1 OF 1
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

To: Santa Barbara Planning Commission
Re: # Lot Subdivision at 1712 Anacapa Street

Feb. 19, 2009



Dear Planning Commission Members

My wife, Gail Elnicky and I are requesting approval of a Tentative Map to create a three-lot subdivision on a 23,160 square foot (.532 acre) R-2 lot at 1721 Anacapa Street (APN: 027-111-14). We are, plan to demolish the existing house, and construct a new residence for ourselves, and 2 other houses for friends to form a small "retirement" enclave near downtown.

The proposal requires a Street Frontage Modification that each R-2 lot have 60 feet street frontage (SBMC 28.15.080) and wavier of the requirement that each new lot be on a public street (SBMC 22.60.300). The lot is zoned R-2 (Two family Residence Zone) which allows one dwelling unit per 3500 square feet or 6 units for this 23,160 square foot lot.

EXISTING USES The site is occupied by a single-family residence constructed in 1939, a garage, and an overgrown volunteer garden. Two large oaks and several other trees are incorporated into the final development. The 100 by 231 foot (half acre) lot slopes at approximately 3% towards the south. The adjacent zoning and uses are mixed residential immediately across Anacapa Street, where the land is zoned R-3, and contains a high density, 30 unit condominium, a 5 unit apartment, and a 4 unit key lot development. The land to our northeast and southeast is also zoned R-2, with mostly two family homes. To the northwest is the E-1 zone, with a variety of large and small houses known as the Upper East. Anacapa Street is a busy one-way street, whose traffic has had a negative impact on the neighborhood and on this property. The lot is not located in any Special Design or Review District, Flood, or Hillside Zone.

DESCRIPTION OF THE PROJECT: The proposed project involves the subdivision of the lot into three parcels, creating 2 new parcels (for a total of 3). Parcel 1 would include the remodeled house, with a new, 2-car garage on 8,140 square feet of land. Parcel 2 in the middle is a 7,020 square foot lot, including the access drive. We would rebuild the existing 2-car garage, and build a new 1800-2500 square foot house. Parcel 3 at the rear is 8000 square feet, for a future house with a 2-car garage. The units have not been fully designed, but would be scaled to fit in the Upper East, between 1800-2500 square feet in size. Each unit would contain more than the required 1200 square feet of open space. There are no Solar Access issues, given grade differences and proposed setbacks along the north property lines.

ACCESS Pedestrian and vehicular access for all three units would be via a 16' easement along the northwest property line, and guaranteed with a reciprocal egress and maintenance agreement. The lane would vary in width to serve driveway access, be heavily landscaped, and uniquely paved to be attractive to walk or drive on. Utilities would be located within this easement.

SIGNIFICANT VEGETATION. There are two large oaks and several other trees that we plan to save, and some volunteer trees that will be removed during construction. Mr. Peter West a Certified Arborist of Westree conducted a tree survey and prepared a report per Municipal standards. We plan to fully landscape the property, replanting many more trees than we remove. (Both the owners are landscape architects).

DEMOLITION The building has had a Historic Structures report prepared, that deemed it not significant. The report was accepted by the city staff and Historic Landmarks Board. We plan to demolish it, to remove the existing driveway, and all walkways and patios and some rock walls (saving the stone for new walls). Several volunteer trees will be removed to facilitate construction. All this will be in accordance with the city's Best Management Practices.

PROPOSED GRADING the site is relatively level, and grading would be for foundations, pool, and reshaping the land for drainage. The quantity of grading is 189 cu yds. for foundations compaction, 340 cu yd for crawl and new drive, with 340 cu yd used for fill along the south eastern property. Approximately 100 cu yd rubble concrete and asphalt from the existing paving will be taken off site for recycling.

PROPOSED DRAINAGE We plan to accommodate the increased runoff of the 25 and 100-year event 'on site'. The site is gently sloped to the south, with some storm water flowing to the adjacent garden and the remainder across the sidewalk to Anacapa Street. Some runoff from the lots to the north and east crosses our site, and these patterns would be maintained. We plan first, to minimize paved areas, and when we pave, use permeable paving. Flowers and Associates has prepared a Hydrology study and Storm Management design, with runoff directed to planted swales, rain gardens and, and modest retention devices.

OTHER INFORMATION. The new houses would be a detached, single-family residence, conforming to the R-2 setback, height and solar requirements. They each have several gardens and patios, and be fully landscaped. As retirement houses, they would be small - 2 or 3 bedrooms, 2-3 baths, living and dining rooms, kitchen and service rooms. There may be a den, shop or computer nook - nothing out of the ordinary for the Upper East neighborhood. There would be a 2-car garage for each residence. The houses would be modern in concept, with indoor-outdoor living, patios and courtyards, room for active gardening, and conforming to solar access and other green standards.

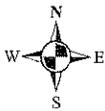
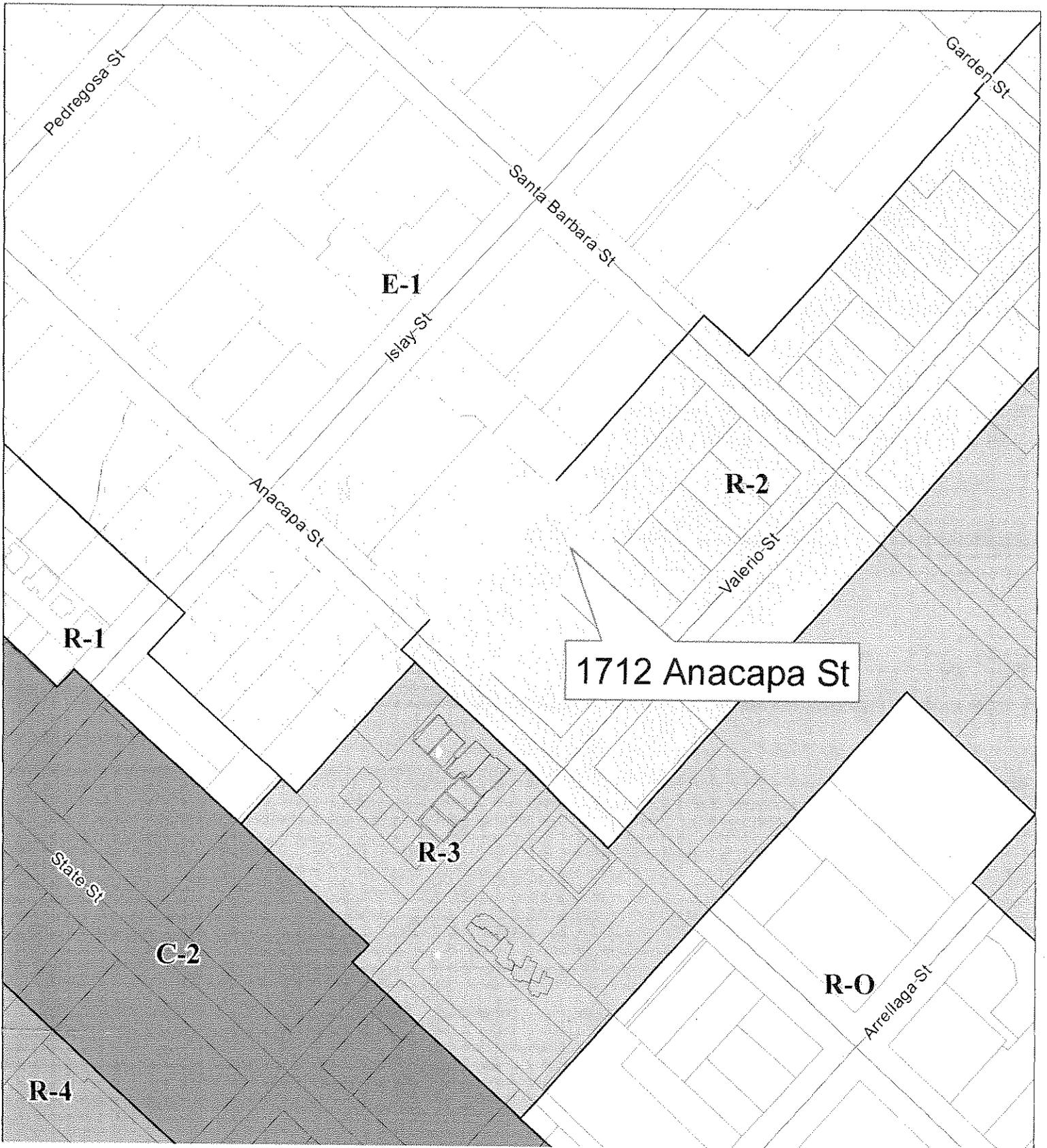
JUSTIFICATION We want to move downtown, to be in walking distance to town and to our hotel. Some of our friends also want to live downtown, and we would like to live near each other. The proposed 7000 square foot lots satisfy the standards of the Municipal Code, and the single-family nature, size and scale of proposed houses are in line with the Upper East character.

There are many key lots around town - for instance, the just across Anacapa, , four houses share a common driveway. The city recently approved a similar 3-lot subdivision adjacent at 1237-1241 East Cota, waiving the 60-foot frontage and need to be on a public street, and a similar submittal is in progress for the 400 block of Anacapa Street. Steve Epstein created a key lot subdivision off Los Olivios, three houses share a drive off Constance, and a 3 lot subdivision is under construction on the Mesa on Santa Rosa Street.

We met with Senior Staff to resolve issues about consistency with the general plan, and we also have had conversations with Autumn Malance of the Creeks Division

Kindest Regards,


Rich Untermann and Gail Elnicky



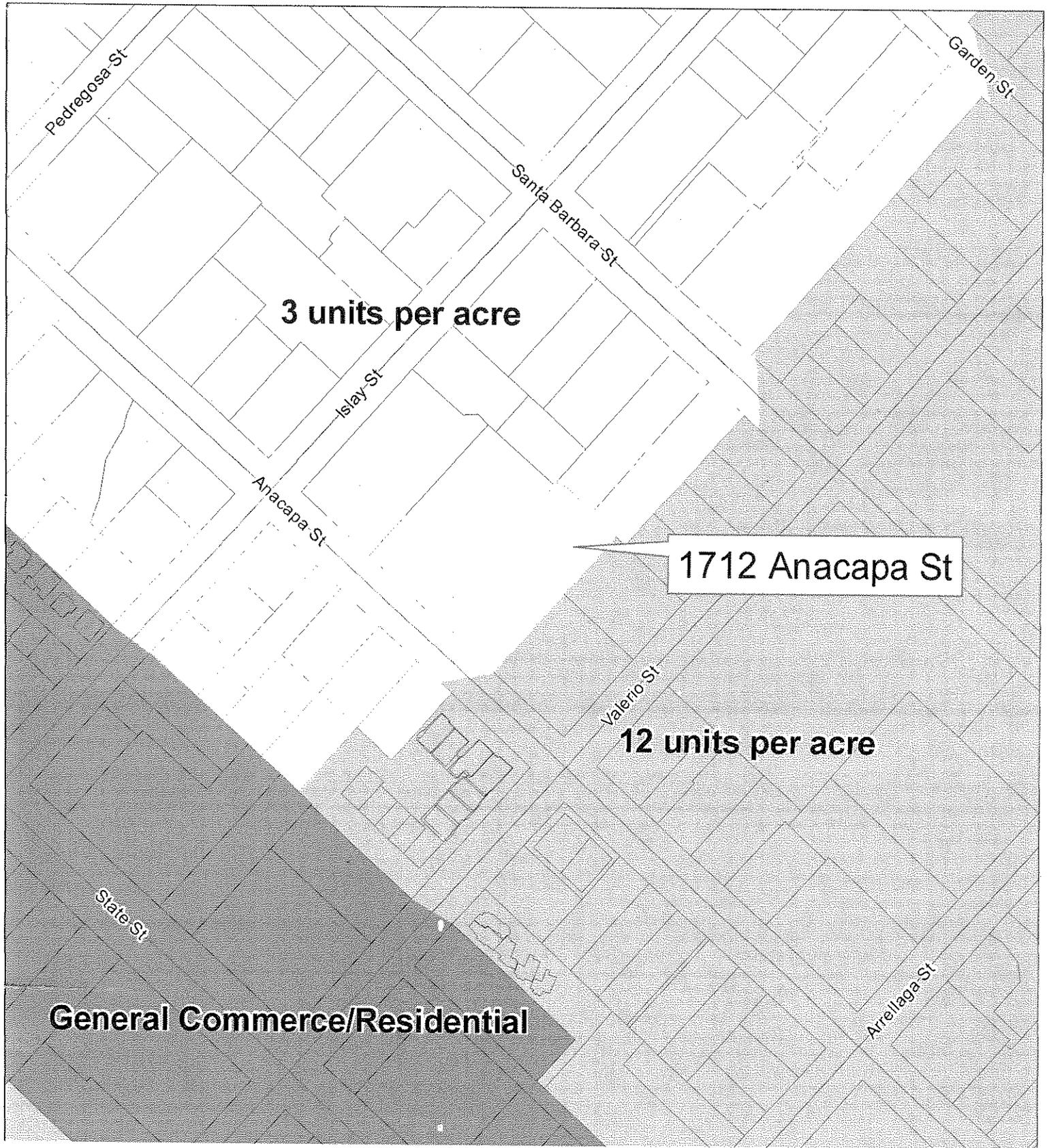
May 2009

Zoning Overview Map

Anacapa St



EXHIBIT C

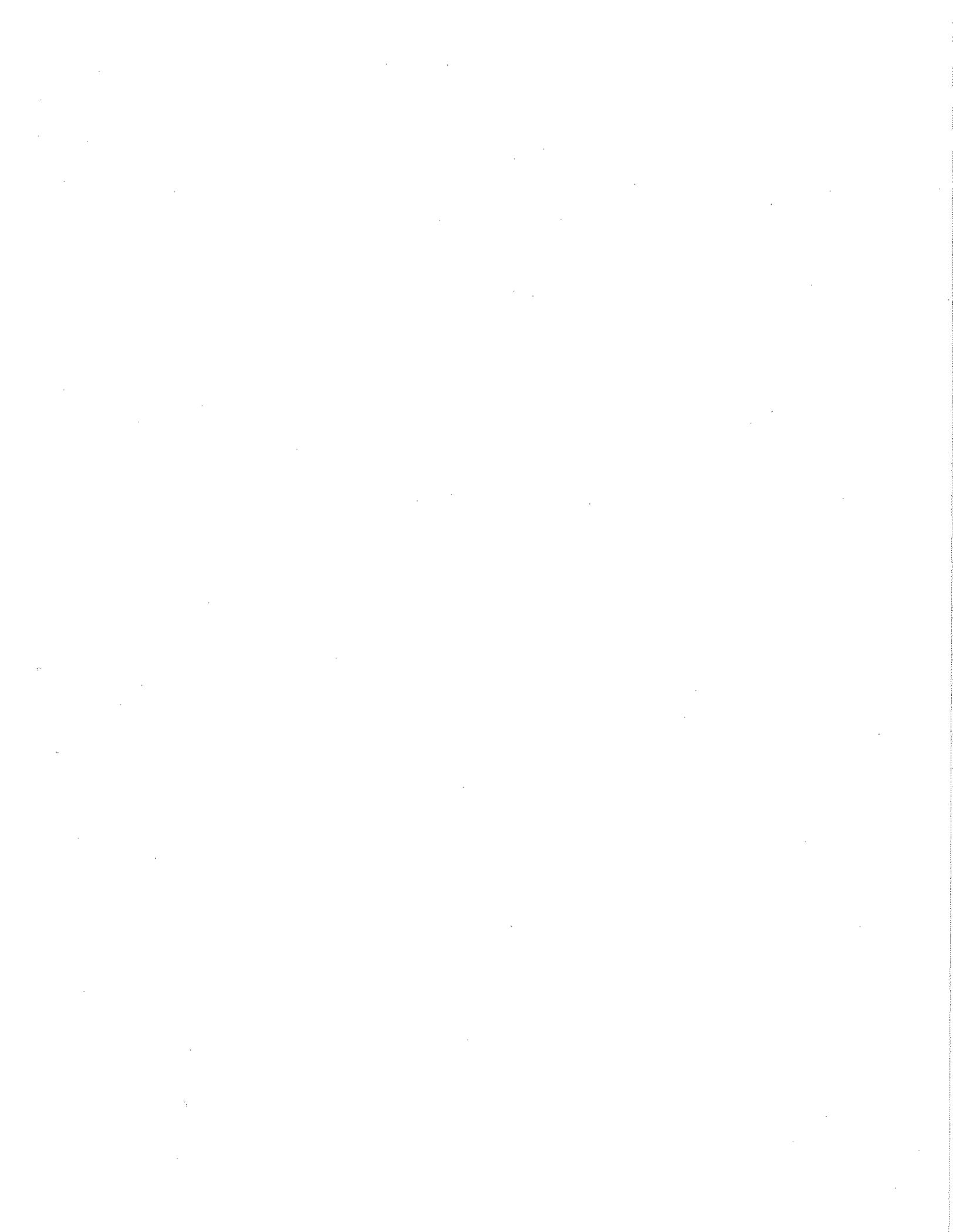


May 2009



General Plan Land Use Overview Map for 1712 A





SECTION I

GENERAL PLANS AND THE PLANNING PROCESS

In view of all the activity in the planning field since the end of World War II, the new and sometimes confusing rise of the status of the planning profession, the significant growth of planning budgets through all levels of government and the accelerated demand for the creation and adoption of General Plans, it might be assumed that the concept of the General Plan is a child of the Twentieth Century. Nothing could be farther from the truth. Since the time man first gathered together with others of his kind to form tribes, he has drafted and followed plans for the establishment and expansion of his environment. He has always been concerned with the form of his urban place, to use the term loosely, so as to afford the maximum protection, comfort, and benefit of the inhabitants. His Plan was usually simple, a product more of tradition, ritual and instinct than of his intellect. But it was sufficient to his needs and within his skill. The difference today lies not in the concept, but in the complexity of the environment, and with that comes the sophistication of the General Planning Process with its comprehensive characteristics concerned with activities of a multiplicity of people and their interests. There are no new ideas under the sun, just fresh interpretation of old ideas.

THE GENERAL PLAN IS NOT A LAW

One of the most important aspects of the modern General Plan is that it is not a law. It contains no strict provisions for its enforcement nor does it provide for punishment of those who do not adhere to it. We can interpret the spirit of it, but not the letter. In short, it is a statement of policy and is adopted by Resolution of the governing body. As a policy, it serves as a guide to the adoption of laws necessary to carry out its intent. For example, the Zoning Ordinance is a law regulating the use of specific lands. The policy established by the General Plan is used to guide the structure of the Zoning Ordinance and map so that the law will have maximum effectiveness in bringing about an orderly coordinated development of the community. There are many other laws to which the General Plan serves as a guide, such as street widening ordinances, design control ordinances, and subdivision ordinances. These and others will be discussed more thoroughly in a later section as techniques for effectuating the Plan. It further serves as a basis for public expenditures for schools, parks, street improvements, and so forth.

THE GENERAL PLAN IS A COMPREHENSIVE, LONG-RANGE POLICY GUIDE

The term "General Plan" is used rather than "Master Plan" to emphasize the policy nature of its proposals. Because the Plan is a comprehensive document, covering all aspects of our physical environment, and because it takes the long-range view, it must be general. To illustrate, the Plan suggests a system of circulation based primarily on the existing street system. It does not state right-of-way widths, pavement widths, grades, or precise alignments. These more detailed matters must await precise planning in the years ahead.

The General Plan provides a preliminary outline of future growth and development, both through outward expansion and by rebuilding and modernization within. It establishes the framework on which to build. It also identifies and suggests the redesign of malfunctioning elements of the environment. It can be an effective source of fresh and dynamic ideas. By identifying goals, it can be a stimulus to finding new techniques to satisfy those ends. Its goals and objectives are for private as well as public action. Above all, it is an expression of what the people want their environment to be.

THE GENERAL PLAN IS A LIVING DOCUMENT

In taking the long-range view of the future of Santa Barbara, we are not wise enough to predict exactly what will happen nor the rate at which it will happen. The forces now in effect that direct the course of our development are constantly changing. The improvements in our technology, living and educational standards, and the changes in community opinion and in our economic influences will in time outmode many of our present concepts and ideas. For example, it is obvious that ten years ago we could not have been aware that the Federal Government would activate missile facilities at Vandenberg Air Force Base, thus materially altering the labor force and economy of that area. Similarly, we cannot know now in what way this place of employment may be modified or expanded in the years to come. Again, we suspect that because of the adverse effects on our environment caused by the automobile with the air pollution, congestion, and usurpation of the land that it causes, that in time it will cease to be the primary means of transportation. Just how and when this will occur, however, we cannot say. Because of these and many other inevitable changes, the General Plan must be reviewed and modified periodically. It must always reflect current thinking. If it does not, it becomes an archaic document, unused, with only historical value.

THE STATE PLANNING LAWS

There is ample evidence of the concern of the State of California for the orderly development of its cities and counties under the constant pressure of a rapidly expanding population and economy. Article 7, Chapter 3, Title 7 of the Government Code sets forth the authority for and scope of general or master plans. The urgency of the situation is demonstrated by the mandatory nature of the law. Article 7 provides, in part, that, "Each commission or planning department shall prepare and the commission shall adopt a comprehensive, long-term general plan for the physical development of the city, county, area, or region, and of any land outside its boundaries which in the commission's judgment bears relation to its planning." Further, it specifies that "the master or general plan shall consist of a map and a statement describing it and a statement covering objectives, principles, and standards used to develop it; and shall include all of the following elements: A land use element... A circulation element...; A statement of the standards of population density and building intensity recommended for the various districts...; Supporting maps, diagrams, charts, descriptive materials and reports." The law then goes on to enumerate many other elements which a general plan may contain, but are not required. Some of these are conservation, recreation, transportation, transit, public services and facilities, public buildings, and community design. Some are included in these original studies and others will be added later. Specifically, the elements of schools, parks, recreation, and transportation, and portions of public services and facilities, public buildings and community design elements have been included in this General Plan along with the required elements.

Article 9 of the above Chapter 3, sets forth procedures for the administration of the General Plan and provides, in part, that, "whenever a county or city planning commission and a county or city legislative body has adopted a master or general plan... no street, square, park, or other public ground or open space shall be acquired by dedication or otherwise, no street shall be disposed of, closed or abandoned, and no public building or structure shall be constructed or authorized in the area to which the master or general plan applies, until its location, purpose, and extent have been submitted to and reported upon by the planning commission having jurisdiction."

FREE ENTERPRISE FOR THE COMMON GOOD

In the relationship between the control by government over the matter in which we, as individuals, use our property, and the basic philosophy of free enterprise, there appears to be an inherent contradiction. That is to say, if one were to be interpreted as an absolute right, either by the individual or by government, it would preclude the other. This seems a simple maxim, yet it is surprising how often one hears just such an interpretation being made from one side or the other. The basic meeting ground is, of course, the point of greatest common good. It is an elusive point, to be sure, which must be constantly reestablished and defined, instance by instance. The role of the General Plan in establishing this point is a large one. In addition to serving as a broadly based study to determine just what the common good is, it gives coherent direction and purpose to those controls which it shows necessary to obtain the common good. It does this by relating all of the uses of the land and our various activities to each other, balancing the relative amounts and locations of each to achieve the desired goals. Zoning, for example, in the absence of a General Plan often seems arbitrary. Certainly, zoning changes would be arbitrary without some overall guide, and might, in some instances, be overstepping the point of the greatest common good by granting special privilege.

Inevitably, what is economically sound for the community may not be for all individuals. Planning and governing bodies everywhere are familiar with the situation of a growing community wherein the market prices of land have largely outstripped the economic feasibility of developing it within the zoning regulations. In communities without a General Plan, the tendency is to change the zoning under the assumption that the economic forces creating the situation are more valid than the zoning. This might very well be the case, but the end result of such decisions is to create a land use pattern bearing little relation to the other factors in the community such as schools, parks, circulation, etc. However, in cases where a General Plan exists and is being followed, where the General Plan represents the ordered statement of what the community wants to be, it is reasonable to conclude that the individual finding himself in such a situation has simply paid too much for the land and would have no recourse in the rezoning process unless such a rezoning substantially complies with the General Plan. It can be just as much a guide, therefore, to private enterprise as it is to government. It also represents a sense of stability for people seeking an environment that is not subject to capricious change; thus homes, for example, will not be surrounded by encroaching industry or commerce.

Matters such as the one above cannot be considered separate from all the other functions of a city, for the city is an organic unit. It is a complex structure of interrelated facilities and services, all interdependent, and all affected to some degree from the breakdown or malfunction of any part.

THE THREE PHASES OF THE PLANNING PROCESS

The Planning Process is divided into three major phases. The first is research, the second is general planning, and the third is precise planning and effectuation. This report will deal primarily with the first and second phases, but will suggest some items for the third. It is important to restate that none of the phases is ever complete. The research, the gathering, updating and analysis of data, the continuing reevaluation of the community and all its parts must go on in order to provide a sound basis for the constant scrutiny of the General Plan. The General Plan itself must be amended as the times and influences change. The program of precise planning, which really begins after the adoption of the General Plan, is geared to the development of the community and must progress in harmony with it. All of this leads to effectuation and a good, economically sound city - the end result of any good plan.

The Upper East neighborhood contains one of Santa Barbara's best known features, the Old Mission. In addition, the neighborhood has a highly significant concentration of the cultural and religious institutions serving the entire city, including St. Anthony's Seminary, the Museum of Natural History and Alameda Plaza.

LAGUNA

Area: 330.4 acres

Existing Dwelling Units: 1,872

The Laguna neighborhood is bounded on the north by Sola, Olive, and Micheltorena Streets; on the south by Cota Street; on the east by Milpas and Canon Perdido Streets, and the eastern boundary of Santa Barbara Junior High School; and on the west by Santa Barbara Street.

Laguna is presently developed as a residential area in its eastern and northern portions with single-family dwellings, duplexes, and higher-density multiple units interspersed throughout the neighborhood. On the west, as it merges into downtown, mixed residential and commercial uses appear.

Because it is within walking distance to both the Central Core and the industrial area, which compose the City's major employment center, Laguna's conversion into duplex and multiple dwellings is appropriate. To enable such development, the General Plan calls for twelve dwelling units to the acre throughout the entire neighborhood. Since such a large amount of the multiple family (R-3) zoned area in the neighborhood is currently being used for single-family houses, the development potential of Laguna is great. As a result, the gradual reuse of the area for apartments is now in progress. A small area above Victoria Street and northeast of Olive Street, where the General Plan calls for duplex development, is zoned R-2.

One of the problems in this area is the C-2 zoning in the southern portion. Although this commercial zoning has been on the land since 1925, very few commercial developments have taken place. The General Plan proposes the development of this area for residential uses. This would be in the best interest of the City as a whole, and also in the best interests of the individual property owners in the area. The present zoning for the area works against the owners' best interests because little demand exists for commercial activities in this location, and there is danger of poor commercial facilities coming onto the land on a lot-by-lot, scattered basis.

The Presidio Springs Redevelopment Project, a major feature of the Laguna neighborhood, should help to correct this zoning problem. The redevelopment area, consisting of seven city blocks, is bounded by Canon Perdido, Quarantina, Ortega, and Garden streets. A three-block portion of this redevelopment area lies within the commercially zoned land mentioned above and will be rezoned to allow appropriate multiple-unit residential development to take place, with necessary convenience shopping.

Because Lincoln Elementary School which serves this area will ultimately be in a non-residential section, it is recommended that this school be relocated to the general vicinity of the high school. The General Plan also proposes a community level park between Cota and Ortega Streets from Santa Barbara Junior High School to Garden Street. More than half this area is now owned by the City. This community park would also serve the adjacent residential district as a neighborhood park.

Laguna contains Santa Barbara High School, Santa Barbara Junior High School, the National Guard Armory, Ortega Park, and is adjacent to Alameda Plaza. The restored Presidio will be located at the intersection of Santa Barbara and Canon Perdido streets on Laguna's western border.

EASTSIDE

Area: 445 acres

Existing Dwelling Units: 2,456

The Eastside is bounded on the north by Canon Perdido Street; on the south by Highway 101; on the east by the base of the Riviera; and on the west by the rear of the commercial strip along the east side of Milpas Street.

Throughout most of the Eastside, the General Plan calls for a density of twelve dwelling units to the acre. This is an area of modest homes with a scattering of duplex and apartment development. Although most of the area above approximately Carpinteria Street is zoned R-2, only marginal duplex development has taken place. In the northeast corner of the Eastside, above approximately Cota Street and east of Soledad Street, development consists entirely of single-family homes. The General Plan recognizes the small-lot, single-family development now on the land, and seeks to preserve it with a density of five dwelling units to the acre in order to provide an area for moderate-cost, single-family housing situated within walking distance to both shopping and employment areas.

Below Carpinteria Street, the General Plan also calls for twelve dwelling units to the acre, but here the current zoning is R-3. Mixed with a considerable number of single-family homes, some new multiple dwellings have been constructed in this area. To the east of Salinas Street, however, in order to insure a lower density for future development, the area is zoned R-2.

The area close to the freeway is now zoned for trailer parks and there is considerable development of this type, although much of it is substandard at present. The General Plan considers trailer parks a proper use for the area and proposes that they continue, but in a somewhat improved and different manner. The location of this area close to the freeway, and within one-fourth mile of the beach, indicates that it is an excellent site for facilities catering to the vacation and weekend traveler. A pedestrian underpass beneath Highway 101 and the railroad tracks would bring the area within a safe and easy walking distance of the ocean and would do much to stimulate the construction of vacation trailer park facilities.