



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** August 26, 2010  
**AGENDA DATE:** September 2, 2010  
**PROJECT ADDRESS:** 1220 Shoreline Drive (MST2009-00512, CDP2010-00006)  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner  
 Kelly Brodison, Assistant Planner

### I. PROJECT DESCRIPTION

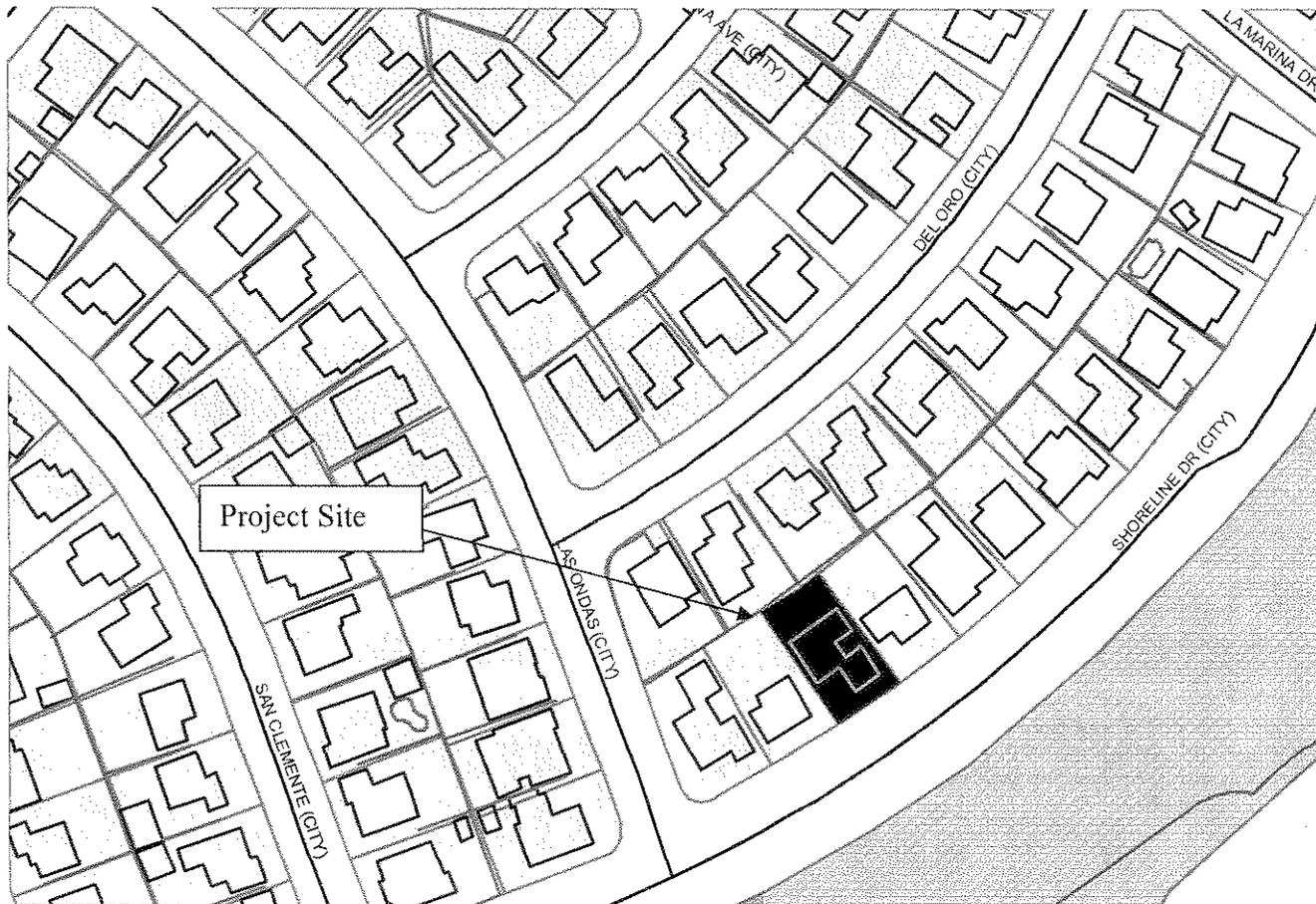
The project consists of a 770 square foot two-story addition to an existing 1,064 square foot one-story residence with an attached 379 square foot garage on a 5,663 square foot lot in the appealable jurisdiction of the Coastal Zone.

### II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Coastal Development Permit (CDP20010-00006) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44);

### III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the Conditions of Approval in Exhibit A.



Vicinity Map

**APPLICATION DEEMED COMPLETE:**  
**DATE ACTION REQUIRED:**

August 2, 2010  
October 1, 2010

**IV. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant: James Zimmerman	Property Owner: Larry and Lauren Kurzweil
Parcel Number: 045-214-020	Lot Area: 5,663 sq. ft.
General Plan: Residential – 5 units/acre	Zoning: E-3/SD-3
Existing Use: Residential	Topography: ~2%
Adjacent Land Uses: North - Residential South – Shoreline Park East - Residential West - Residential	

**B. PROJECT STATISTICS**

	Existing	Proposed
Living Area	1,064 sq. ft.	1,820 sq. ft.
Garage	379 sq. ft.	393 sq. ft.
<b>Total:</b>	<b>1,443 sq. ft.</b>	<b>2,213 sq. ft.</b>

**V. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	20'	14' ( <i>legally non-conforming</i> )	No Change
-Interior	6'	6'	6'
-Rear	6'	30'	25'
Building Height	30'	1 story	25'
Parking	2	2 covered	2 covered
FAR	2,616 sq. ft. 46%	1,157 sq. ft. 18%	2,213 sq. ft. 39%
Open Yard	1,250 sq. ft.	>1,250 sq. ft.	>1,250 sq. ft.
Lot Coverage			
-Building	N/A	1,555 sq. ft. 27%	2,356 sq. ft. 41%
-Paving/Driveway	N/A	1,691 sq. ft. 30%	1,393 sq. ft. 25%
-Landscaping	N/A	2,417 sq. ft. 43%	1,914 sq. ft. 34%

The proposed project is consistent with the regulations of the E-3, single-family residence zone related to building height, setbacks, solar access, open yard requirements and parking.

## **VI. ISSUES**

### **A. ENVIRONMENTAL REVIEW**

Staff has determined that the project qualifies for an exemption from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 Additions to Existing Structures.

### **B. DESIGN REVIEW**

This project was reviewed by the Single Family Design Board (SFDB) on two separate occasions (meeting minutes are attached as Exhibit D). On January 4, 2010, the SFDB asked the applicant to reduce the massing and height of the single story stair element, bring down the height of the second story on the east side and to lower the faux chimney.

The applicant responded to the Board's comments and returned for a second review on May 24, 2010. The Board stated that the size, bulk, scale and architecture of the proposal are compatible with the neighborhood and the coastal environment and forwarded the project to the Planning Commission. The project must return to Full Board subsequent to the Planning Commission hearing for Preliminary Approval.

### **C. NEIGHBORHOOD COMPATIBILITY**

The maximum FAR allowed on this 5,663 square foot lot is 56% of the lot area. The existing home is a 1,443 square foot, one-story residence with an attached two-car garage with a 25% floor to lot area ratio (FAR). The proposed project results in a 2,213 square foot, two-story residence with an attached two-car garage and an FAR of 39%, which is 85% of the maximum FAR.

### **D. COMPLIANCE WITH THE GENERAL PLAN AND LOCAL COASTAL PLAN**

#### ***GENERAL PLAN CONSISTENCY***

The proposed project is located in the East Mesa neighborhood, as identified in the Land Use Element of the General Plan, and has a land use designation of Residential, five units per acre. This area is recognized as uniformly developed with small-lot, single-family residences with some multi-family developments in the vicinity of Oceano and Barranca Avenues. The new residence would remain consistent with the pattern of single-family residential development in the area, which is a mixture of one and two-story homes. Further, the new single family residence is located on a 0.13-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. The major coastal issues identified for Component Two include hazards of sea cliff retreat and flooding, maintaining and providing public access, both vertically and laterally along the bluffs, preventing overuse of public facilities; protection of recreational access; protection of archaeological resources and the maintenance of existing coastal views and open space. 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**

### **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 addition is 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, 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. Site Plan
- C. Applicant's letter, dated June 7, 2010
- D. SFDB Minutes



**PLANNING COMMISSION CONDITIONS OF APPROVAL**

1220 SHORELINE DRIVE  
*COASTAL DEVELOPMENT PERMIT*  
SEPTEMBER 2, 2010

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 Conditions 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 prepared by Planning staff, 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 September 2, 2010 is limited to a 770 square foot two-story addition to an existing 1,064 square foot one-story residence with an attached 379 square foot garage on a 5,663 square foot lot in the appealable jurisdiction of the Coastal Zone and the improvements shown on the project plans 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 onto 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 (SFDB).
  4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.
  5. **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 prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded

area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit are 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.

- B. **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. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
- C. **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.
  2. **Basic Storm Water Management Best Management Practices (BMP) Requirement.** The City's Manual guides the user in the selection, integration, design and implementation of a variety of BMP options for a project site to meet the City's post-construction storm water management requirements for development and redevelopment projects. This project is required to comply with Tier 2 of the Storm Water Runoff Requirements which requires that one of the options that are provided in A Homeowner's Guide to Managing Storm Water Practices shall be incorporated into the project plans. Please refer to the City's Storm Water BMP Guidance Manual, posted at [www.sbcreeks.com](http://www.sbcreeks.com).
  3. **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., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by

any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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

D. **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:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31st
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

2. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
  - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
  - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
  - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
3. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:
  - a. Site grading and transportation of fill materials.
  - b. Regular water sprinkling; during clearing, grading, earth moving or excavation.
  - c. 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.
  - d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
  - e. 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.
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. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
7. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
8. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
9. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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

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

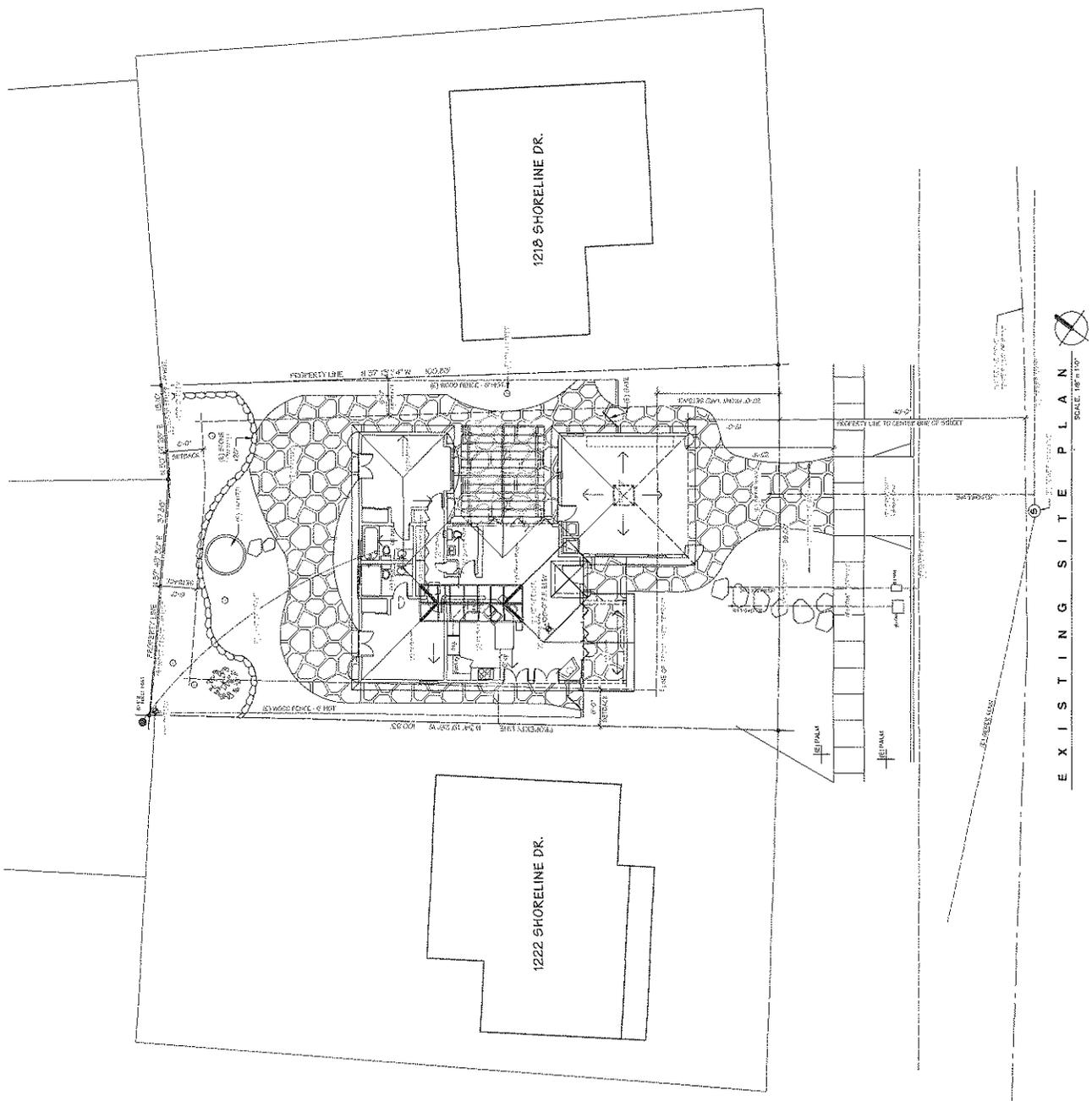
- E. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
  1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review 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.

- F. **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.

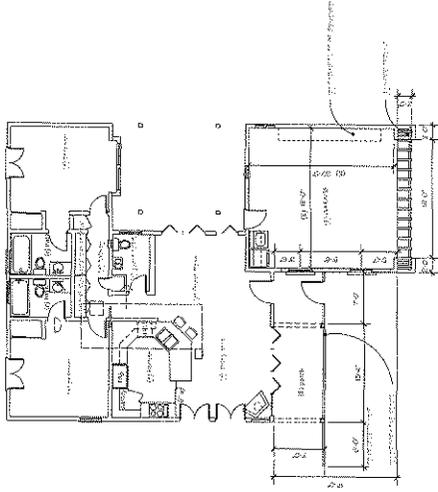
**NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

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.

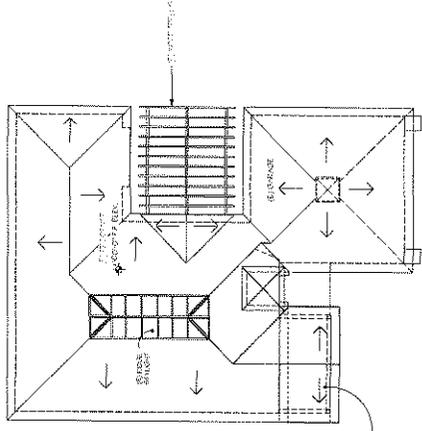


EXISTING SITE PLAN  
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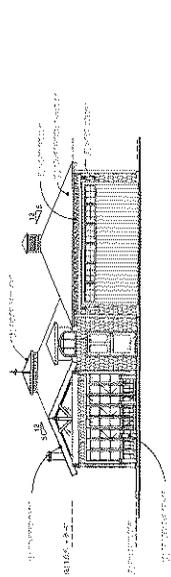
**EXHIBIT B**



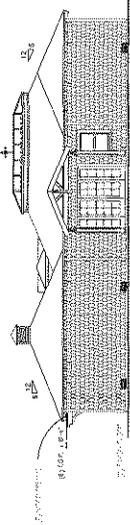
**FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"



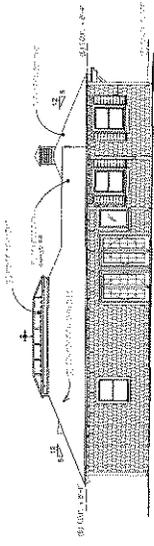
**ROOF PLAN**  
 SCALE: 1/8" = 1'-0"



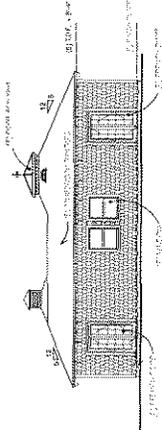
**FRONT ELEVATION**  
 SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"



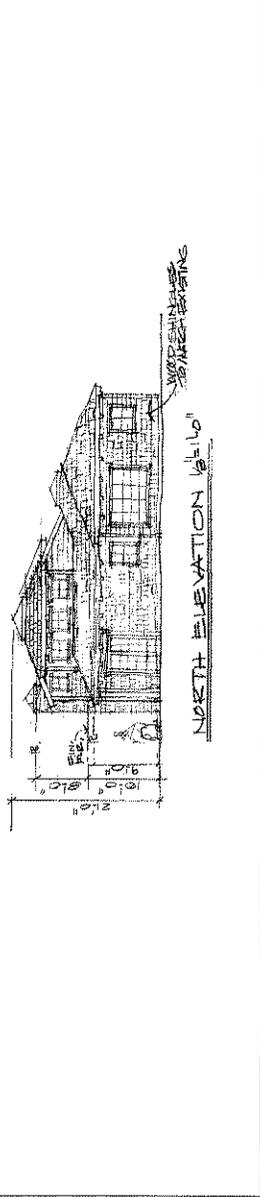
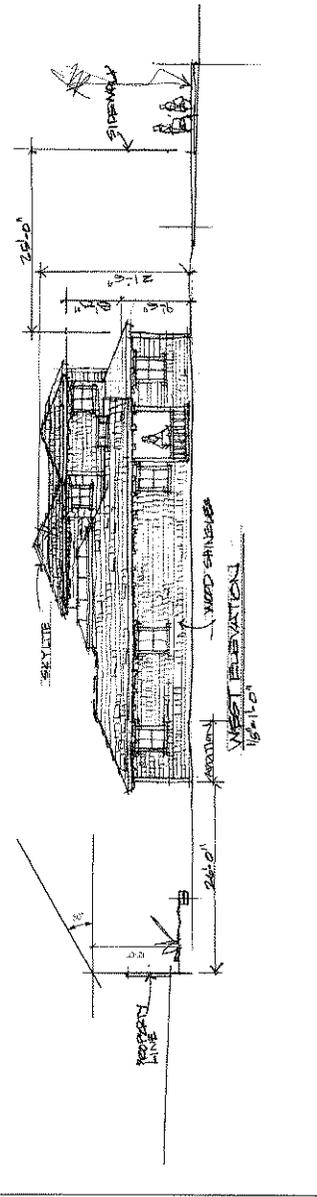
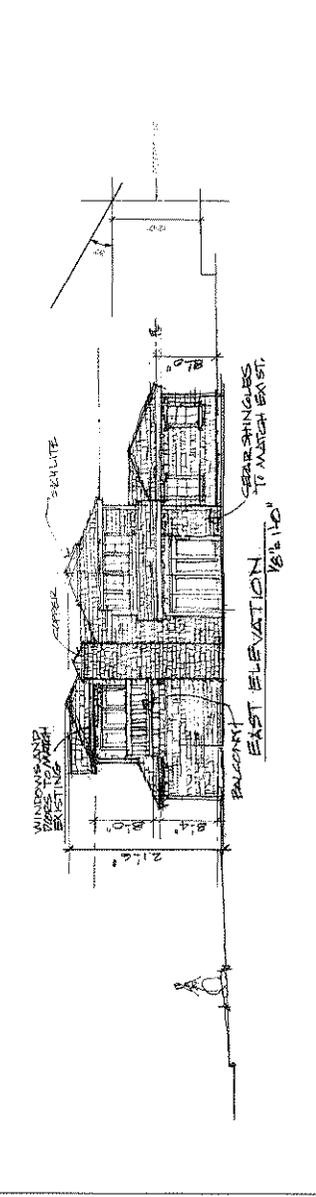
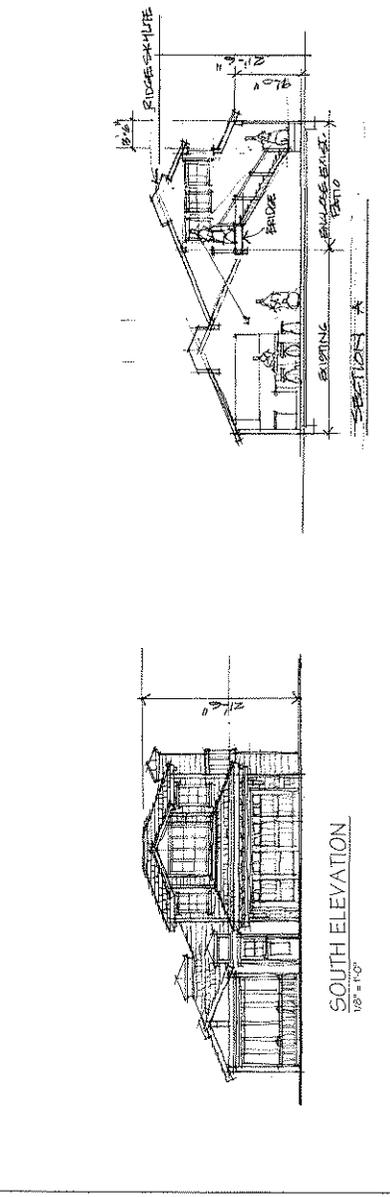
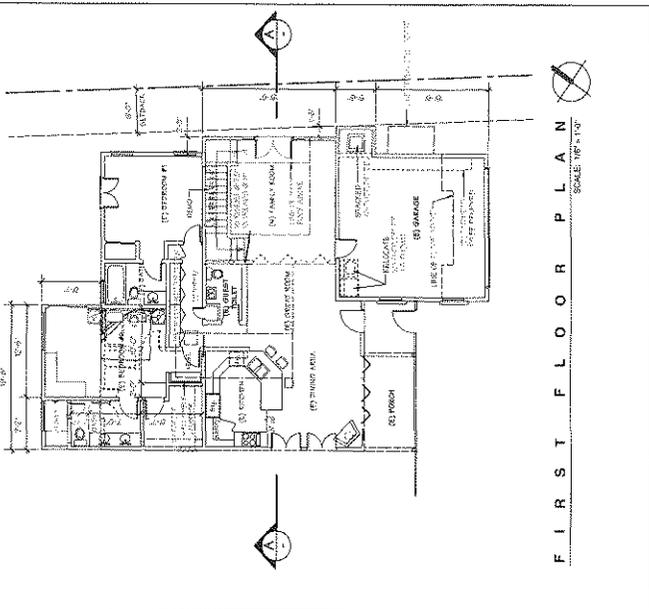
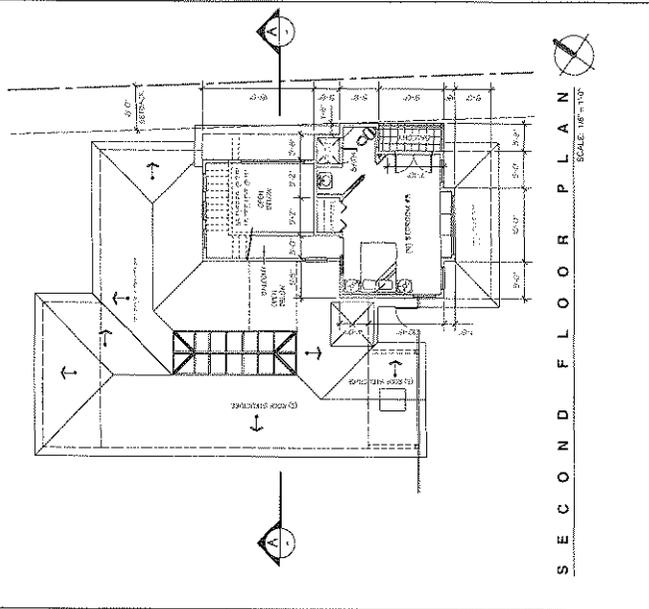
**WEST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**NORTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



DATE: July 14, 2010
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CHECKED: [Signature]
PROJECT NO. [Number]
PROJECT NAME: [Name]
PROJECT ADDRESS: [Address]
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PROJECT STATE: [State]
PROJECT ZIP: [Zip]
PROJECT COUNTY: [County]
PROJECT DISTRICT: [District]
PROJECT ZONING: [Zoning]
PROJECT PERMIT NO.: [Permit No.]
PROJECT PERMIT DATE: [Permit Date]
PROJECT PERMIT EXPIRES: [Permit Expires]
PROJECT PERMIT ISSUED BY: [Permit Issued By]
PROJECT PERMIT TYPE: [Permit Type]
PROJECT PERMIT STATUS: [Permit Status]
PROJECT PERMIT COMMENTS: [Permit Comments]



June 7, 2010

Planning Department  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93101

**RE:** Coastal Development Permit  
1220 Shoreline Drive  
Santa Barbara, CA 93109

Dear Planning Commission of Santa Barbara,

We are seeking a Coastal Development approval from the Planning Commission for the addition and remodel to an existing single-family residence with an attached 2-car garage.

The existing structure includes a one-story 1,064 square foot single-family residence with 379 square feet attached garage, located on a 5,663 square foot lot. Our proposal would consist of a 331 square feet addition to the second story directly above the existing garage, 447 square feet of first floor additions and remodel approximately 232 square feet. This project also includes 8 square feet of demolition located on the first floor. The proposed total of 2,213 square feet on the 5,663 square foot lot in the appealable jurisdiction of the Coastal Zone is 85% of the maximum floor to lot area ratio.

We feel this design conforms to the characteristics of the neighboring residences along Shoreline Drive. The design received good comments from Single Family Design Board (S.F.D.B.) The proposed design compliments this portion of the waterfront being across from Shoreline Park and has received Shoreline neighborhood compatibility approval.

Do not hesitate to contact me if you have any questions regarding this request.

Sincerely,

James J. Zimmerman, A.I.A.

**EXHIBIT C**





SINGLE FAMILY DESIGN BOARD  
CASE SUMMARY

1220 SHORELINE DR

MST2009-00512

R-ADDITION

Page: 1

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**Project Description:**

Proposal for a 331 square foot addition to the second-story, 447 square feet of first-floor additions, and remodeling for an existing 1,064 square foot one-story single family residence and attached 379 square foot two-car garage. The proposed total of 2,213 square feet on the 5,663 square foot lot in the appealable jurisdiction of the Coastal Zone is 85% of the maximum floor to lot area ratio. Planning Commission approval of a Coastal Development Permit is requested.

**Activities:**

5/24/2010

***SFDB-Concept Review (Cont.)***

*(Second review. Comments only; project requires environmental assessment and Planning Commission approval of a Coastal Development Permit.)*

*Actual time: 4:44*

*Present: James Zimmerman, Architect; Lauren Kurzweil, Owner.*

*Public comment was opened at 4:58 p.m.*

*A letter in opposition from Paula Westbury was acknowledged.*

*As no one wished to speak, public comment was closed.*

*Motion: Continued indefinitely to the Planning Commission and return to Full Board with the following comments:*

- 1) The size, bulk, scale, and architecture are compatible with the neighborhood and coastal environment, the project provides high quality materials and details.*
  - 2) Show a window on east elevation of the tower. Provide a weather vain on top of the tower.*
  - 3) The balcony at the front will not negatively impact the neighbor's privacy, and therefore does not set a precedent and in this instance the guideline for a 15 foot distance from the property can be waived.*
- Action: Mahan/Deisler, 6/0/0. Motion carried. (Carroll absent.)*

5/17/2010

***SFDB-Resubmittal Received***

*Three sets responding to last comments on 1/4/2010.*

**Activities:****2/16/2010 SFDB-Concept Review (Cont.)**

*(Second concept review. Comments only; project requires environmental assessment and Planning Commission review of a Coastal Development Permit.)*

**1/19/2010 SFDB-Concept Review (Cont.)**

*(Second concept review. Comments only; project requires environmental assessment and Planning Commission approval of a Coastal Development Permit.)*

*Postponed two weeks at applicant's request.*

**1/14/2010 SFDB-Resubmittal Received**

*received three revised A-3 sheets (ok per Tony B.) for concept review continued on 1/19/10.*

*Threw these away, superceded by plans received on 5/17/10. TB*

**1/4/2010 SFDB-Concept Review (New) - PH**

*(Comments only; project requires environmental assessment and Planning Commission approval of a Coastal Development Permit.)*

*Actual time: 4:50*

*Present: James Zimmerman, Architect; Loren Kurzweil, Owner.*

*Public comment was opened at 4:56 p.m.*

*A public comment letter in support from Christan and Jim Scheib, and a letter in opposition from Paula Westbury were acknowledged.*

*Public comment was closed.*

*Motion: Continued two weeks to the Full Board with the following comments:*

- 1) Study reducing the massing and height of the single-story stair element.*
- 2) Consider lowering the faux chimney and study its materials.*
- 3) Reduce the balcony to a maximum of 20 feet.*
- 4) Staff to correct the project description.*

*Action: Mahan/Woolery, 7/0/0. Motion carried.*

**12/7/2009 SFDB-Mailed Notice Prepared**