



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: April 28, 2011
AGENDA DATE: May 5, 2011
PROJECT ADDRESS: 2409 Medcliff Rd (MST2011-00045)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner *Dyk*
Suzanne Riegler, Assistant Planner *SR*

I. PROJECT DESCRIPTION

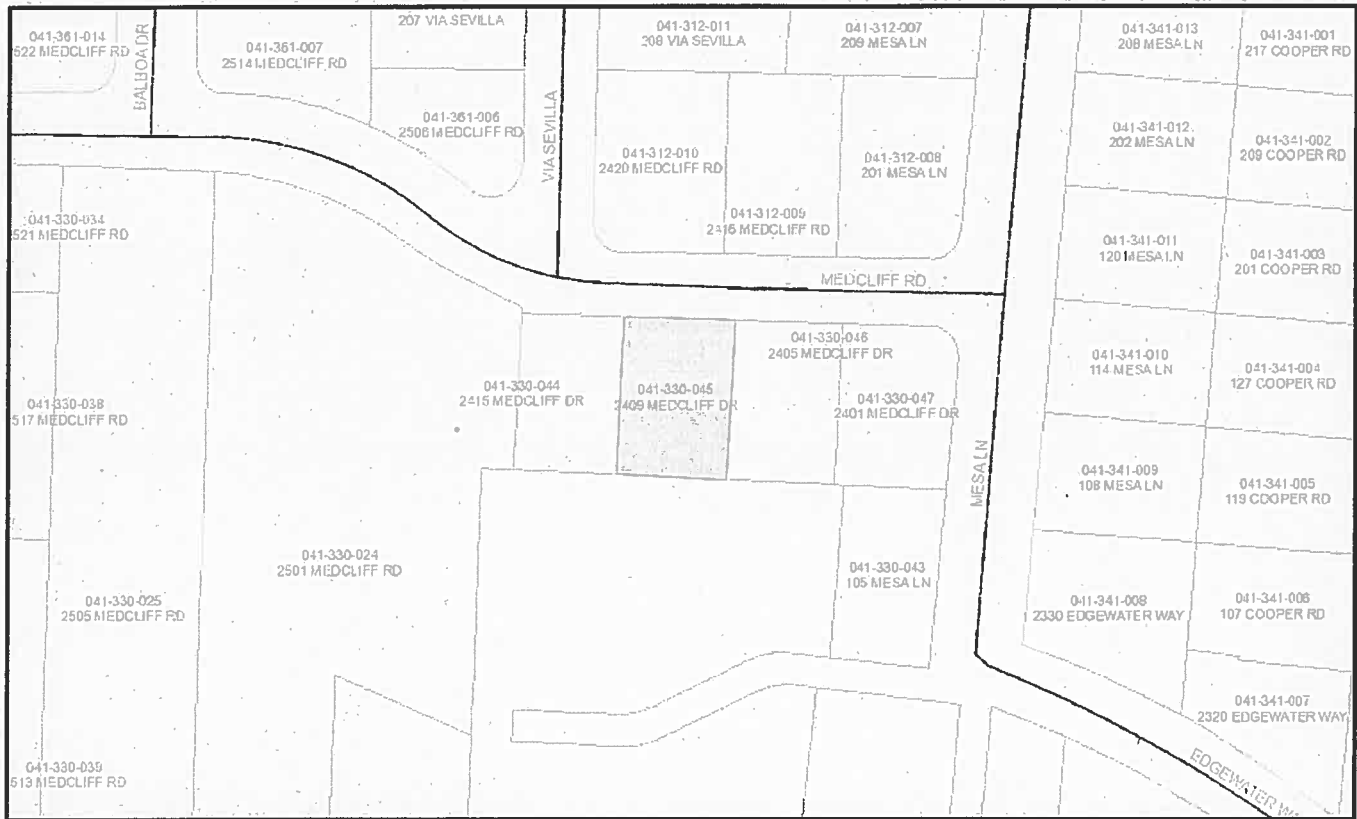
The project consists of a new 500 net s.f. garage with roof mounted solar panels, a new driveway approach, the conversion of the existing garage to habitable space, removal of existing driveway and approach, new landscaping, a new outdoor shower, and the addition of a new second floor balcony for an existing two-story single-family residence.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project is a Coastal Development Permit (CDP2011-00002) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009);

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General and Local Coastal Plans. 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.



APPLICATION DEEMED COMPLETE:
DATE ACTION REQUIRED:
PROJECT STATISTICS

March 17, 2011
 May 16, 2011 **SITE INFORMATION AND**

A. SITE INFORMATION

Applicant:	Michelle McToldridge	Property Owner:	Alex McGeever
Parcel Number:	041-330-045	Lot Area:	7,000 sf
General Plan:	Residential, 5 units/acre	Zoning:	E-3/SD-3
Existing Use:	Residential	Topography:	2 % Slope
Adjacent Land Uses: All Residential			

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,300	1,682
Garage	382	500
Total	1,682	2,182

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing		Proposed	
Setbacks					
-Front	20'	20'		20'	
-Interior	6'	6'		6'	
-Rear	6'	6'		6'	
Building Height	30'	23'		13'7"	
Parking	2 Covered	2 covered		2 covered	
Open Yard	1,250 sf	>1,250		>1,250	
Lot Coverage					
-Building	N/A	1,085	15.5%	1,585	22.6%
-Paving/Driveway	N/A	650	9.3%	650	9.3%
-Landscaping	N/A	5,265	75.2%	4715	68.1%

The proposed project would meet the requirements of the E-3/SD-3 Zone.

VI. ISSUES

A. COMPLIANCE WITH THE GENERAL PLAN

The project site 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 being primarily developed with small-lot, single-family residences. The project involves minor exterior changes to an existing two-story residence, conversion of existing garage to habitable space, a new 500 sf garage, demolition and replacement of 550 sf of paving, and a new driveway approach. The home would remain consistent with the pattern of single-family residential development in the area. No change in residential density is proposed.

As discussed in the Seismic Safety-Safety Element of the General Plan, the Mesa bluffs are subject to seacliff retreat. The project site is approximately 300 feet from the top of the coastal bluff. This distance has been determined to be an adequate seacliff retreat setback. Therefore, the project can be found in conformance with the General Plan.

B. COMPLIANCE WITH THE LOCAL COASTAL PLAN

The project site is located in Component Two of the Local Coastal Plan (LCP), which is located between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential, and that there is very limited additional development potential. The major coastal issues identified for Component Two include seacliff retreat and flooding hazards; public access along the bluffs, 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 anticipated to have archaeological significance given the previous ground disturbance, and the portion of the site proposed for development is not subject to flooding. As

discussed in the previous section, seacliff retreat is not an issue, as the project has an adequate setback from the blufftop. The site does not serve as a public facility, recreation area, or public coastal access point. The proposed development would not alter any natural landforms. The project can be found consistent with the applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines. Coastal issues applicable to the subject property are discussed below.

Views

The scenic and visual qualities of coastal areas should be considered and protected as a resource of public importance (Coastal Act Section 30251). Projects along the coast should be sited and designed to protect views to and along the ocean and scenic coastal areas (LCP Policy 9.1). The project site is currently developed with a two-story single-family residence, and the proposed project will not change the existing view to or from the beach or ocean.

Neighborhood Compatibility

LCP Policy 5.3 states that new development must be compatible in terms of scale, size and design with the neighborhood, and that new development shall not overburden public circulation or on-street parking resources. The project proposes that the new garage structure will match the existing architectural style and materials. The project will continue to provide the required two-car garage, which will accommodate the site's parking demand.

C. 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, Existing Facilities, as it involves minor alterations (interior and exterior) of, and a small addition (less than 50% of the permitted structure's floor area) to, an existing single-family residence.

VII. FINDINGS

The Planning Commission finds the following:

COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

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

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated January 26, 2011

PLANNING COMMISSION CONDITIONS OF APPROVAL

2409 MEDCLIFF ROAD
COASTAL DEVELOPMENT PERMIT
MAY 5, 2011

I. 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. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Pay Land Development Team Recovery Fee.
2. Record any required documents (see Recorded Conditions Agreement section).
3. Permits.
 - a. Make application and obtain a Building Permit (BLD) for construction of approved development.
 - b. Make application and obtain a Public Works Permit (PBW) for all required public improvements.

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

B. **Recorded Conditions Agreement.** The Owner shall execute a *written instrument*, which shall be prepared by Planning staff, 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 May 5, 2011 is limited to the conversion of approximately 382 square feet of existing floor area into habitable space, the construction of a second story balcony and the construction of a new detached 500 square foot two-car garage and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic 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, including any tree protection measures. 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 in a functioning state. 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 Owner 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 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.
 6. **Areas Available for Parking.** All parking areas and access thereto shall be kept open and available in the manner in which it was designed and permitted.
- C. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
 - a. **Approved Public Improvement Plans.** Public Improvement Plans as identified in condition D.1.d "Medcliff Road Public Improvements" shall be submitted to the Building and Safety Division of Community Development for review and approval by the Public Works Department. Upon acceptance of completed public improvement plans, a Public Works permit shall be issued concurrently with the Building permit.
 - b. **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 prepares said agreement for the Owner's signature.
 - c. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water Management Plan treatment, rate, and volume. The Owner shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City's Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the 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 including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc., or groundwater pollutants would result from the project.

- d. **Medcliff Road Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on Medcliff Road. As determined by the Public Works Department, the improvements shall include remove and replace to City standards, the following: approximately 22 linear feet of sidewalk and a driveway apron modified to meet Title 24 requirements with a maximum width of 18 feet. Any work in the public right-of-way requires a Public Works Permit.
- e. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways.

2. **Community Development Department.**

- a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in Section B "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.
- b. **Design Review Requirements.** Plans shall show all design, landscape, and tree protection elements, as approved by the appropriate design review board and as outlined in Section C "Design Review," and all elements/specifications shall be implemented on-site.
- c. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

		Date
Property Owner		
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, including demolition and grading.

- 1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name and telephone

number, construction work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. Said sign shall not exceed six feet in height from the ground if it is freestanding or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single-family zone.

2. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.
3. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified, and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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

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

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

- 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 public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where

tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

2. **Complete Public Improvements.** Public improvements, as shown in the building plans, including utility service undergrounding shall be completed.

F. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
2. **Approval Limitations.**
 - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
 - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
 - c. Any deviations from the project description, approved plans, or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
3. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid at time of building permit application.
4. **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 being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which

acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

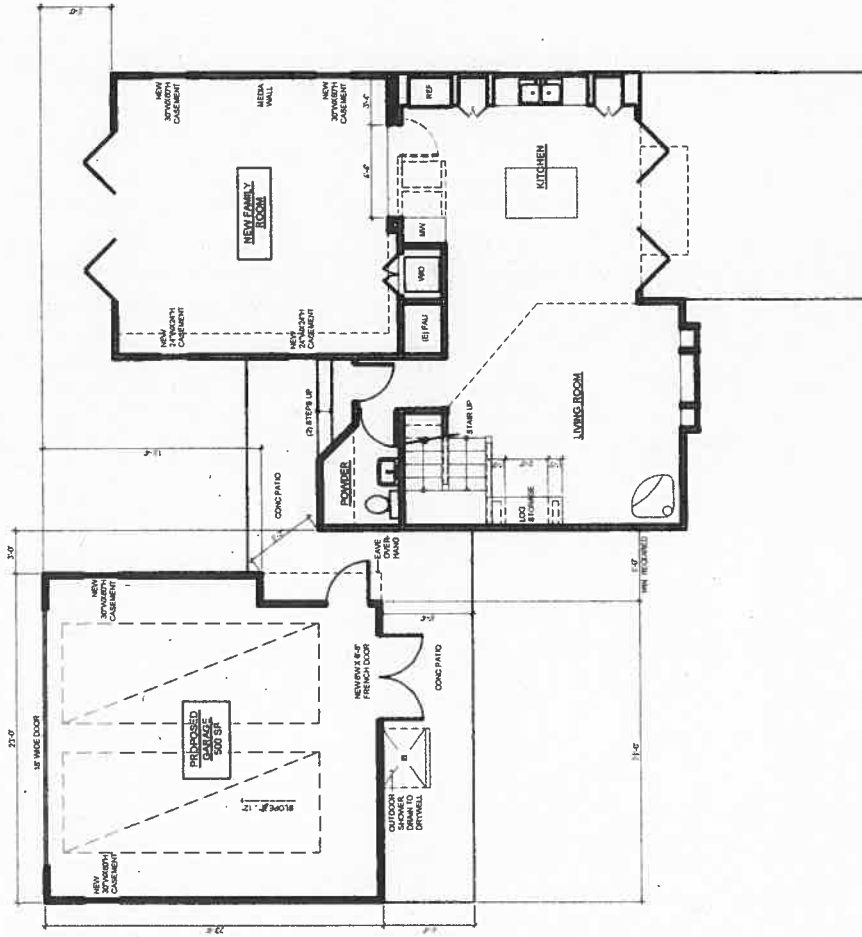
1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

Michelle B. MacTavidge
 Licensed architect

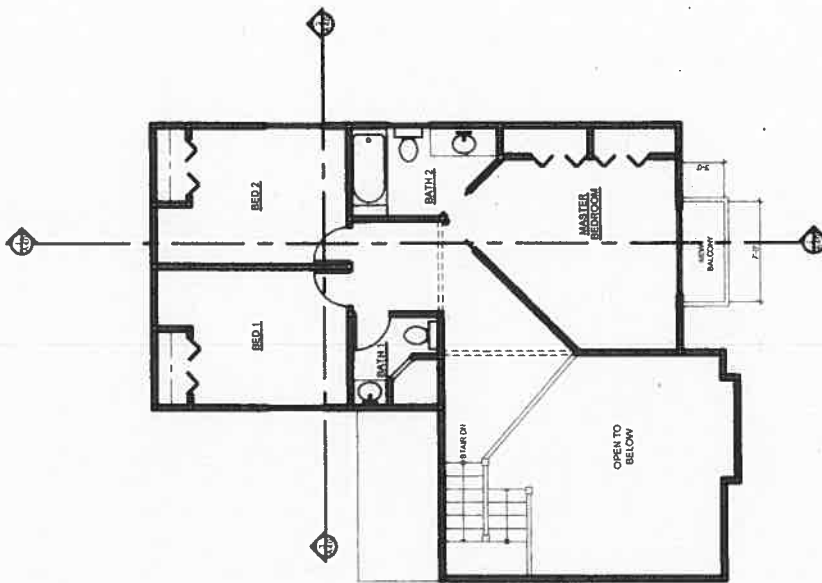
540 Brewer Place Road
 San Diego, CA 92108
 PH: 602.495.3879
 FX: 602.689.7587
 EMAIL: shel@shelter.net

**MC GEEVER
 RESIDENCE**
 2409 Medcliff Road
 Santa Barbara, CA

date: 04/11/09 01:30:11



FIRST FLOOR PLAN
 scale: 1/8" = 1'-0"

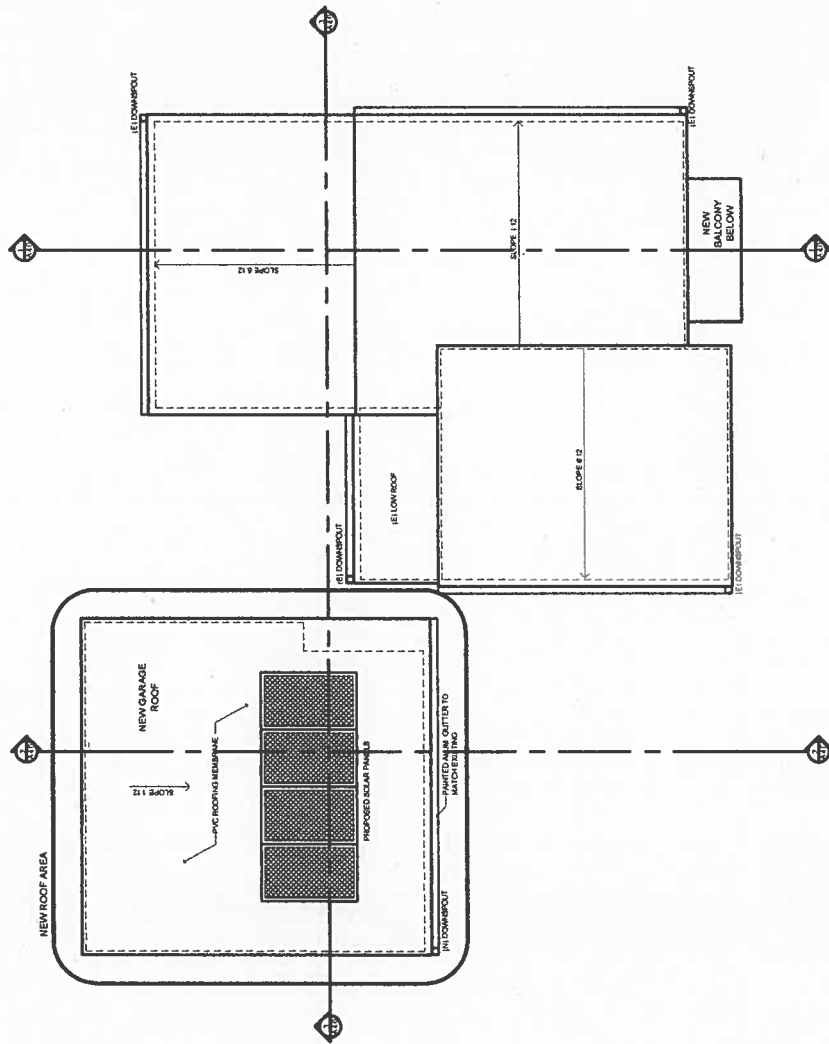


SECOND FLOOR PLAN
 scale: 1/8" = 1'-0"

Michelle B. McTague
Licensed architect

540 Bayview Drive, Road
Santa Barbara, CA 93108
PH 805.899.3879
FX 805.899.7887
E3404L shelter@shelter.net

**MCGEEVER
RESIDENCE**
2409 Medciff Road
Santa Barbara, CA
date: DAR/CDP 01.26.11

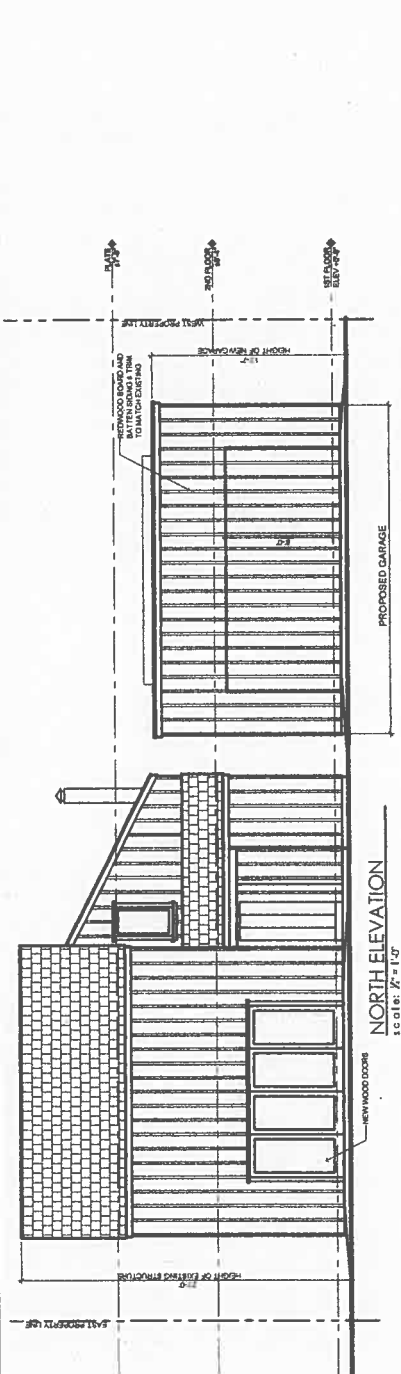


ROOF PLAN
SCALE: 7/8"=1'-0"

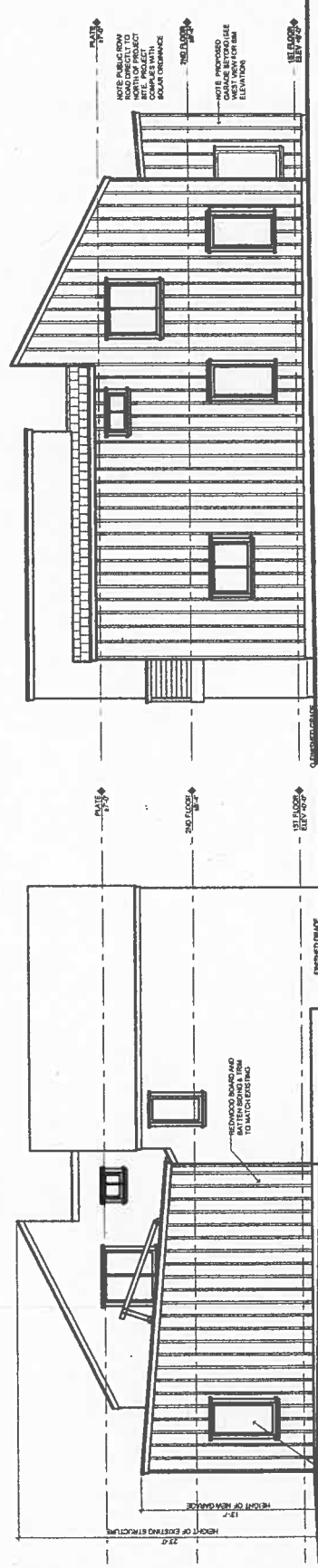
Michelle B. McVain
 licensed architect

640 Baker Pass Road
 Santa Barbara, CA 93109
 PH 805.895.3879
 FX 805.989.7507
 Email: shelter@shelter.net

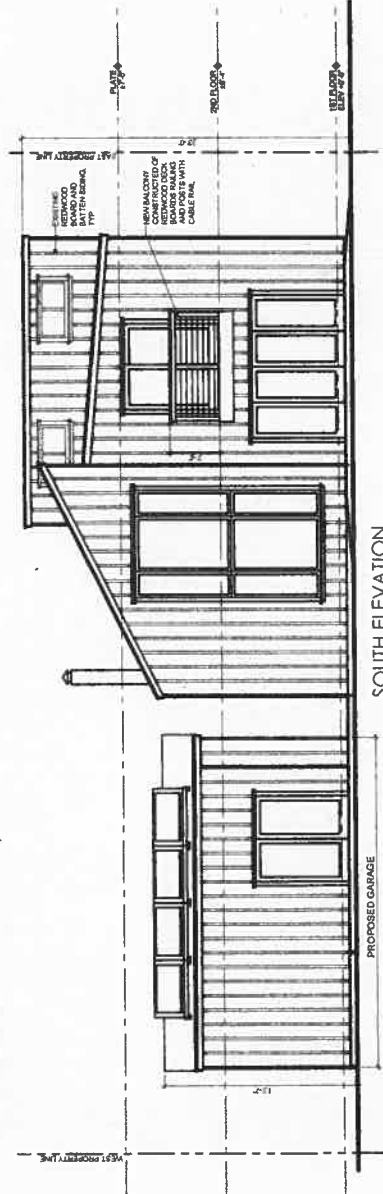
**MCGEEVER
 RESIDENCE**
 2409 Medciff Road
 Santa Barbara, CA
 date: DARP/COP 01.26.11



NORTH ELEVATION
 scale: 1/4" = 1'-0"



WEST ELEVATION
 scale: 1/4" = 1'-0"



SOUTH ELEVATION
 scale: 1/4" = 1'-0"

EAST ELEVATION
 scale: 1/4" = 1'-0"

SHELTER ARCHITECTURE / URBAN DESIGN

MICHELLE B. MCTOLDRIDGE

LICENSED ARCHITECT 29526

RECEIVED
JAN 28 2011

January 26, 2011

**CITY OF SANTA BARBARA
PLANNING DIVISION**

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

Project: Detached Garage at 2409 Medcliff Road APN 041-330-045
Owner: Alex McGeever

We are seeking a Coastal Development Permit (CDP) for a new garage structure proposed on a property located in the Appealable Coastal Area. A CDP in this area requires Planning Commission review and approval

Existing Conditions:

The 7,000 s.f. (.17 acre) parcel in the West Mesa neighborhood is home to an existing two-story single family residence of 1682 net s.f. The parcel is at the edge of the Appealable Coastal Area which is bounded by Medcliff Rd. The property is not within 50 ft of the coastal bluff or within the 75 year sea cliff retreat line. The property is not visible from beach areas. No geotechnical, resource or constraint studies have been prepared or sought necessary for this site and property. No existing recreational trails traverse the project site. The property is not located adjacent or near a creek or other water source.

Background:

We have met with City staff at the planning counter on several occasions to determine what approvals are required. Due to the projects location on the south side of Medcliff Road a Coastal Development Permit is needed which includes filing a DART application. We have determined ABR approval is not needed based on the checklist provided.

Proposal:

Our client would like to construct a detached garage of 500 net square feet. The site is level and no grading is proposed. The garage is to be located the required 5' from the existing two story residence and in conformance with all yard setbacks. The new garage is designed to comfortably house a full size truck and second vehicle. Vehicles are currently parked in the drive because the existing garage is smaller than current garage size requirements. The existing 382 s.f. garage space will be converted to a family room/ living space. The existing driveway will be removed and landscaped with native and low water use planting. A new concrete driveway of similar surface area will be located in front of the new garage which requires a new curb cut in the

public right of way. A concrete patio of 250 s.f. is proposed between the entrance of the residence and the new garage for access. The remaining site area will be finished with pervious material and planting. The roof of the new garage will slope to the south, toward the back of the property. This allows for roof drainage and run-off to be discharged on site. It also provides the south facing surface required for new solar panels that will provide much of the home's energy. A balcony off the upstairs bedroom facing the rear yard is also proposed. An street tree removal application has been filed for the removal of a single Monterrey Pine that poses a danger as it is close to falling. A Monterrey Cyprus in the front setback, will remain. We propose lights on either side of the garage door which will be high efficacy and shielded to throw light downward. A light is proposed at the two doors at the back of the garage per building code requirements. These lights will also be high efficacy and shrouded. The project will not involve the creation of smoke odors or new noise sources.

Construction Activity:

Only a minor amount of demolition is necessary for this project and involves removing the existing garage door and areas of drywall as needed for the interior remodel. Grading or site preparation will be minimal as well as the site is relatively flat and the new garage will be slab on grade. Construction activity will take approximately 3 months. 1-3 workers will be on site during the demo and construction process. The concrete slab pour will take only a day or two and involve concrete and pump trucks. The remaining construction activity will be small scale, within reasonable working ours and create minimal noise or impact to the surrounding neighborhood. Construction debris will be housed on-site and disposed of frequently. No hazardous materials are to be used or disposed of. There are no known hazardous materials or abandoned oil wells on site. We have signed a statement indicating the proposed project site is not on the list o hazardous waste sites maintained by the Secretary for Environmental Protection.

We look forward to presenting this small garage project to the Commission as soon as possible. If any additional information is needed please feel free to contact us.

Thank you,



Michelle B. McToldridge - Architect

Shelter – Architecture