



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: January 26, 2012
AGENDA DATE: February 1, 2012
PROJECT ADDRESS: 1202 Shoreline Drive (MST2011-00114)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Kelly Brodison, Assistant Planner *KAB*

I. PROJECT DESCRIPTION

The project consists of a remodel and two-story addition to an existing 990 square foot residence with a 530 square foot detached two-car garage. The addition consists of a 340 square foot addition on the first floor of the residence and a new 560 square foot second floor. The existing detached garage will be replaced by a new 400 square foot two-car garage. The proposal will result in a 2,290 square foot, two-story, single family residence, located on a 6,098 square foot lot in the appealable jurisdiction of the Coastal Zone, and is 85% of the maximum required floor-to-lot-area ratio.

II. REQUIRED APPLICATIONS

As submitted, discretionary applications required for this project are:

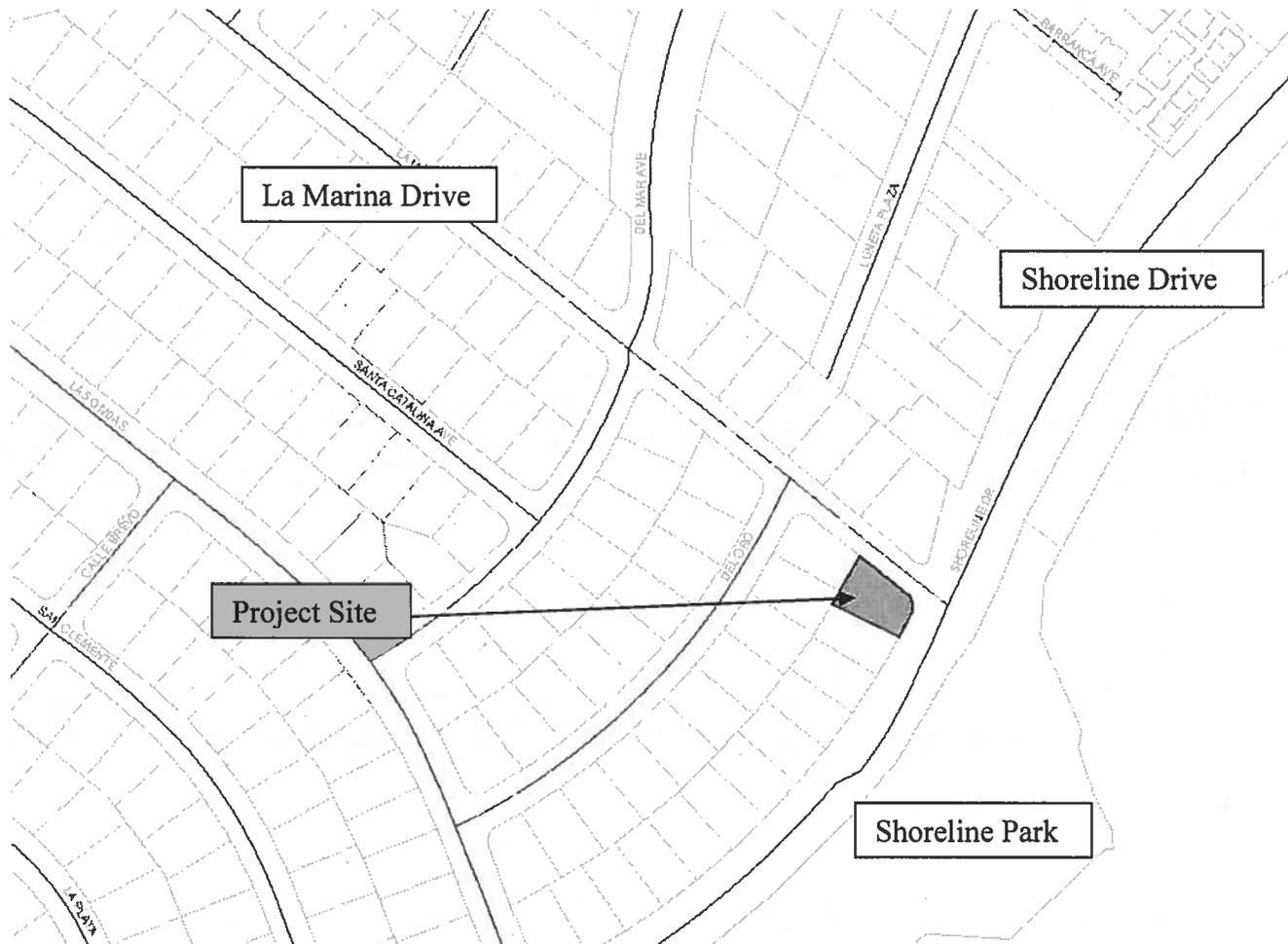
1. A Modification to allow the demolition and reconstruction of an existing legal non-conforming structure within the front setback on La Marina (SBMC §28.12.060.A and §28.92.110.A); and
2. A Modification to allow the combined wall/fence height to exceed 3.5' within 10' of the front lot line and within ten feet (10') of either side of a driveway for a distance of twenty feet (20') back from the front lot line (SBMC §28.87.170 and §28.92.110.A.3)
3. A Coastal Development Permit (CDP2011-00013) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44);

APPLICATION DEEMED COMPLETE: December 16, 2011
DATE ACTION REQUIRED: February 14, 2012

III. RECOMMENDATION

Staff recommends denial of the project as submitted. However, Staff can support a project with a reduced encroachment of five feet within the front yard setback, and does support the modification for the reconstruction of the overheight retaining wall. With these revisions to the proposed project and the approval of the recommended revised modifications as described in Section B, the project would conform to the City's Zoning and Building Ordinances and policies of the General Plan and the Local Coastal Plan. In addition, the size and massing of

the project would be consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, with less of a front setback encroachment of five feet, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



1202 Shoreline Drive – Vicinity Map

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Tom Ochsner, Architect, AIA		
Property Owner:	Russ Sheppel		
Site Information			
Parcel Number:	045-214-011	Lot Area:	6,098 square feet
General Plan:	Residential – 5 units/acre	Zoning:	E-3/SD-3
Existing Use:	Single Family Residence	Topography:	~14% slope
Adjacent Land Uses			
	North - Single-family residential	East – Shoreline Park & Pacific Ocean	
	South - Single-family residential	West - Single-family residential	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	990 sq. ft.	1,890 sq. ft.
Garage	530 sq. ft.	400 sq. ft.
Floor Area Ratio (FAR) (including carport)	1,522 net sq. ft. = 56% of Maximum Required FAR	2,290 net sq. ft. = 85% of Maximum Required FAR

V. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	20 feet	11 feet	11 feet*
-Interior	6 feet	12 feet	6 feet
-Rear	6 feet	6 feet	6 feet
Building Height	30 feet	One-story	23'
Parking	2 covered	2 covered	2 covered
Open Yard	1,250 sq. ft.	1,250 sq. ft.	1,250 sq. ft.
Lot Coverage			
-Building	N/A	1,613 sq. ft. 26.4%	1,867 sq. ft. 30.6%
-Paving/Driveway	N/A	2,882 sq. ft. 47.4%	1,838 sq. ft. 30.2%
-Landscaping	N/A	1,603 sq. ft. 26.2%	2,393 sq. ft. 30.2%

*Modification requested

With the approval of the Modifications described below, the project would meet the requirements of the E-3 Zoning Ordinance.

B. MODIFICATIONS

a. Overheight Wall Modification

The applicant is requesting a modification for the reconstruction of an existing retaining wall along the northwest property line. The existing wall is necessary because of the difference in grade between the subject property and the adjacent property to the north along La Marina addressed as 1201 Del Oro Avenue. The existing retaining wall is in disrepair and needs to be replaced. Because the wall exceeds 42" along the driveway, a modification is required to rebuild the wall. The purpose of limiting wall/fence height along driveways is to maintain visual sightlines for driving and an open streetscape for the neighborhood. Most of the proposed driveway is located more than 10' away from the wall, and just a very small portion is within 10'. Further, the driveway is 20' wide and proposed at a slight angle to allow for greater visibility and distance from the wall. Therefore, Transportation staff has concluded that the repair and reconstruction of the wall will provide for adequate visual clearance at the driveway. Because of the difference in existing grade between the two properties and the disrepair of the existing retaining wall, Staff believes that this modification is necessary to secure an appropriate improvement on the lot and is consistent with the purposes and intent of the ordinance.

b. Front Setback Modification

The existing residence is legally non-conforming to the required 20' front yard setback, encroaching between 4' and 9.5' into the front setback along La Marina. The proposal consists of a 340 square foot addition on the first floor and a new 560 square foot second story addition. The applicant is requesting to keep the existing non-conformancy on the first story and construct the two story house within the same foot print because that is how the house was originally built in the 1950s. None of the new square footage will encroach into any of the setbacks. The second story and all other portions of the home will comply with the required setbacks, however the applicant is requesting a modification to rebuild the legal non-conforming portion within the front yard. The Zoning Ordinance allows the demolition and replacement of an existing legal nonconforming building or structure as long as three conditions are met: 1. The basic, exterior characteristics of the replacement building are not changed (except as allowed in Section 28.87.030 of the Municipal Code), 2. The new structure complies with all applicable height and building story limitations, and 3. The demolition and replacement does not perpetuate a nonconforming use. The proposed project meets the last two conditions; however, the building will go from being two separate structures (house and detached garage) to one larger structure; will change from a one-story to a two story building; will undergo a significant amount of demolition and is almost doubling in size. Therefore, the basic exterior characteristics of the building are changing. For these reasons, a modification is required in order to keep the legal non-conformancy. Modifications should be avoided whenever possible and a project should be proposed that would comply with the current zoning standards.

In reviewing the site plan and the amount of proposed demolition staff believes that a more conforming design can be achieved that would be a more desirable solution for this prominent view corridor along Shoreline Drive. Staff understands the reasons for the applicant's request to retain the existing encroachment and agrees that some level of encroachment could be allowed without having negative effects on the surrounding neighborhood because the building has historically encroached. However, Staff believes that because most of the structure is being demolished that a more conforming option could be proposed, and has recommended that the applicant reduce the amount of encroachment on the La Marina frontage. Staff believes that a modification for a lesser encroachment of 5' into the front setback could be supported in order to secure an appropriate improvement on the lot and to prevent unreasonable hardship.

C. GENERAL PLAN CONSISTENCY

The project site 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 being primarily developed with small-lot, single-family residences with some multi-family developments in the vicinity of Oceano and Barranca Avenues. The project involves a remodel and a second story addition to an existing one-story residence. The newly remodeled two-story home would remain consistent with the pattern of single-family residential development in the area which is a mixture of one and two-story homes. No change in residential density is proposed.

D. 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 seacliff retreat and flooding, maintaining and providing public access 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 is not located in archaeologically sensitive zones. Public views will not be affected because there are no public view corridors on the project side of Shoreline Drive. Therefore, the project is consistent with these applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines.

Neighborhood Compatibility

Policy 5.3 of the Local Coastal Plan states that new development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and /or on-street parking resources of existing residential neighborhoods shall not be permitted

Views

Policy 9.1 of the LCP states that existing views to and from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. The proposed additions to the residence would not inhibit existing public views to, from or along the ocean or any scenic coastal areas. Therefore, this project is consistent with this Policy of the LCP.

VI. ENVIRONMENTAL REVIEW

Staff has determined that the project is categorically exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301 (Existing Facilities). Section 15301 allows for additions to existing private structures that do not exceed 10,000 square feet if the project is in an area where all public services and facilities are available (to allow for maximum development permissible in the General Plan) and the area in which the project is located is not environmentally sensitive.

VII. DESIGN REVIEW

This project was reviewed by the SFDB on April 11, 2011, (meeting minutes are attached as Exhibit C). The SFDB reviewed the proposal and provided positive comments regarding the architectural style and the quality of materials. The Board found no negative aesthetic impacts related to rebuilding the legally non conforming structure in the front setback on La Marina supported the associated roof design. The architect was asked to study reducing the massing by reducing plate heights and to study the front hip-roof corner element.

VIII. FINDINGS

Staff recommends that the Planning Commission finds the following:

A. OVERHEIGHT WALL MODIFICATION

The repair and reconstruction of the overheight wall along the northwest property line is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot because adequate vision clearance is provided when exiting the driveway and the wall height is necessary due to the six feet change in finished grade between the two properties.

B. FRONT SETBACK MODIFICATION

The front yard encroachment of five feet is appropriate because it reduces the encroachment of an existing legally non-conforming building within front setback on a corner lot, while still allowing the homeowner to construct an appropriate addition to their 1950s structure. The proposed addition is appropriate in that it will allow for a reasonable expansion of the small residence on an undersized E-3 zoned, corner lot with two 20' front yard setbacks.

C. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

1. The project is consistent with the policies of the California Coastal Act because it does not result in any adverse affects related to coastal resources, including views and public access, as described in Section VI.D of the Staff Report.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because

the additions are compatible with the existing neighborhood, are not visible from the beach, will not impact views from public view corridors, will not impact public access, will not contribute to safety or drainage hazards on the site, is not in an archaeological sensitivity zone and will not disturb the coastal bluff or, as described in Section VI.D of the Staff Report.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated July 13, 2011
- D. SFDB Minutes

PLANNING COMMISSION CONDITIONS OF APPROVAL

1202 SHORELINE DRIVE
COASTAL DEVELOPMENT PERMIT, MODIFICATIONS
FEBRUARY 2, 2012

I. In consideration of the project approval granted by the Planning 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. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee.
3. Make application and obtain a Building Permit (BLD) to demolish any structures / improvements and/or perform rough grading. Comply with condition E "Construction Implementation Requirements."
4. Record any required documents (see Recorded Conditions Agreement section).
5.
 - 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 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 February 1, 2012, is limited to approximately 900 square feet of first and second story additions to the existing 990 square foot single family residence and the demolition of the existing 530 square foot detached two-car garage and construction of a new 400 square foot attached two-car garage and the improvements shown on the 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 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. **Design Review.** The project, including public improvements, is subject to the review and approval of the Single Family Design Board (SFDB). The SFDB shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Screened Backflow Device.** The backflow devices for fire sprinklers, pools, spas, solar panels and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the SFDB.
 2. **Storm Water Quality Treatment.** Site shall be design with permeable paving per specifications in Section 6.8.3 of the City of Santa Barbara's Storm Water BMP Guidance Manual; Landscape Architect/Designer to ensure that site soil drain at a minimum of 0.5 inches/hr.; provide minimum 1 5" thick, no. 8 aggregate base under pavers with subsurface gravel layer (depth determined by soils infiltration rates in BMP manual); provide no. 8 aggregate between pavers with typical construction methods and all redeveloped landscape areas will be designed, graded and amended for maximum storm water infiltration.

D. **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. **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.
- b. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water Management Plan (treatment, rate and volume). 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. The engineer/designer will have to ultimately test the soil infiltration rate to confirm that the site soils drain at a minimum of 0.5 inches/hour per Sheet A-1.4 of project plans.
- c. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements, including the repair of the retaining wall, (including any required appurtenances) within their rights of way or easements shall be obtained by the Owner.
- d. **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 condition 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. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the 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:

Property Owner _____ Date _____

Contractor _____ Date _____ License No. _____

Architect _____ Date _____ License No. _____

Engineer _____ Date _____ License No. _____

- E. **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(s), construction work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing 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. **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.

4. **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.

- F. **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 and inspection of the required device shall be completed.

3. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11” board and submitted to the Planning Division.

G. 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 / Staff Hearing Officer.
 - 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 APPROVAL TIME LIMITS:

The Planning Commission action approving the Modification shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission / Staff Hearing Officer 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.

NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.



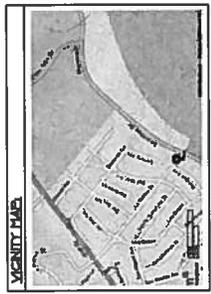
THOMAS OCHSNER
ARCHITECTS

Thomas Ochsner
Architect
1225 So. Hill Street, Suite 205 • Santa Barbara, CA 93101 • Phone (805) 964-1234 • Fax (805) 765-6558 • Cell (805) 962-3904

SHEPPEL
802 SHORELINE DRIVE
SANTA BARBARA, CA 93109
SITE PLAN

DATE: 11/11/07	PROJECT: SHEPPEL
DRAWN BY: GUL	SCALE: 1/8" = 1'-0"
CHECKED BY:	DATE: 11/11/07
APPROVED BY:	DATE: 11/11/07
DATE: 11/11/07	DATE: 11/11/07

A-12



PROJECT INFORMATION
 JOB NO.: 045-214-012
 JOB ADDRESS: 802 SHORELINE DRIVE
 CITY: SANTA BARBARA, CA 93109
 OCCUPANCY TYPE: R-1
 PROPERTY SIZE: 6.898 AC. FT. 7.14 ACRES

SITE PLAN NOTES:
 1. ALL utility NOTES AND FINISHED SURFACE OR FINISHED GRADE.
 2. SEE LANDSCAPING PLANS FOR MORE INFORMATION.
 3. SEE GRADING RECOMMENDATIONS ON SHEET 00000.
 4. SEE SANTA BARBARA COUNTY GRADING ORDINANCES OR SHEET 00000.
 5. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND IS TO RESPONSIBLY NOTIFY THE ARCHITECT OF ANY CHANGES TO ANY UTILITIES AND CONSTRUCTION.
 6. ALL GRADING SHALL BE UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER.
 7. MAKE SURE TO CALL FOR A TOL OF 1" OF ADJUST FROM STRUCTURE.

KEYNOTES:
 1. THESE WALLS TO BE 12" THICK CMU CONCRETE AND SHALL BE FINISHED WITH STUCCO TO MATCH EXISTING EXTERIOR FINISHES.
 2. CONCRETE SHALL BE 3000 PSI AND SHALL BE FINISHED WITH STUCCO TO MATCH EXISTING EXTERIOR FINISHES.

LEGEND:
 - - - - - EXISTING FINISHED GRADE OR FINISHED SURFACE
 - - - - - EXISTING 2" CONTOUR INTERVAL
 - - - - - NEW 12" CMU WALL
 - - - - - NEW 6" CMU WALL
 - - - - - EXISTING 2" CONTOUR INTERVAL
 - - - - - NEW 12" CMU WALL
 - - - - - NEW 6" CMU WALL
 - - - - - NEW 12" CMU WALL
 - - - - - NEW 6" CMU WALL
 - - - - - NEW 12" CMU WALL
 - - - - - NEW 6" CMU WALL

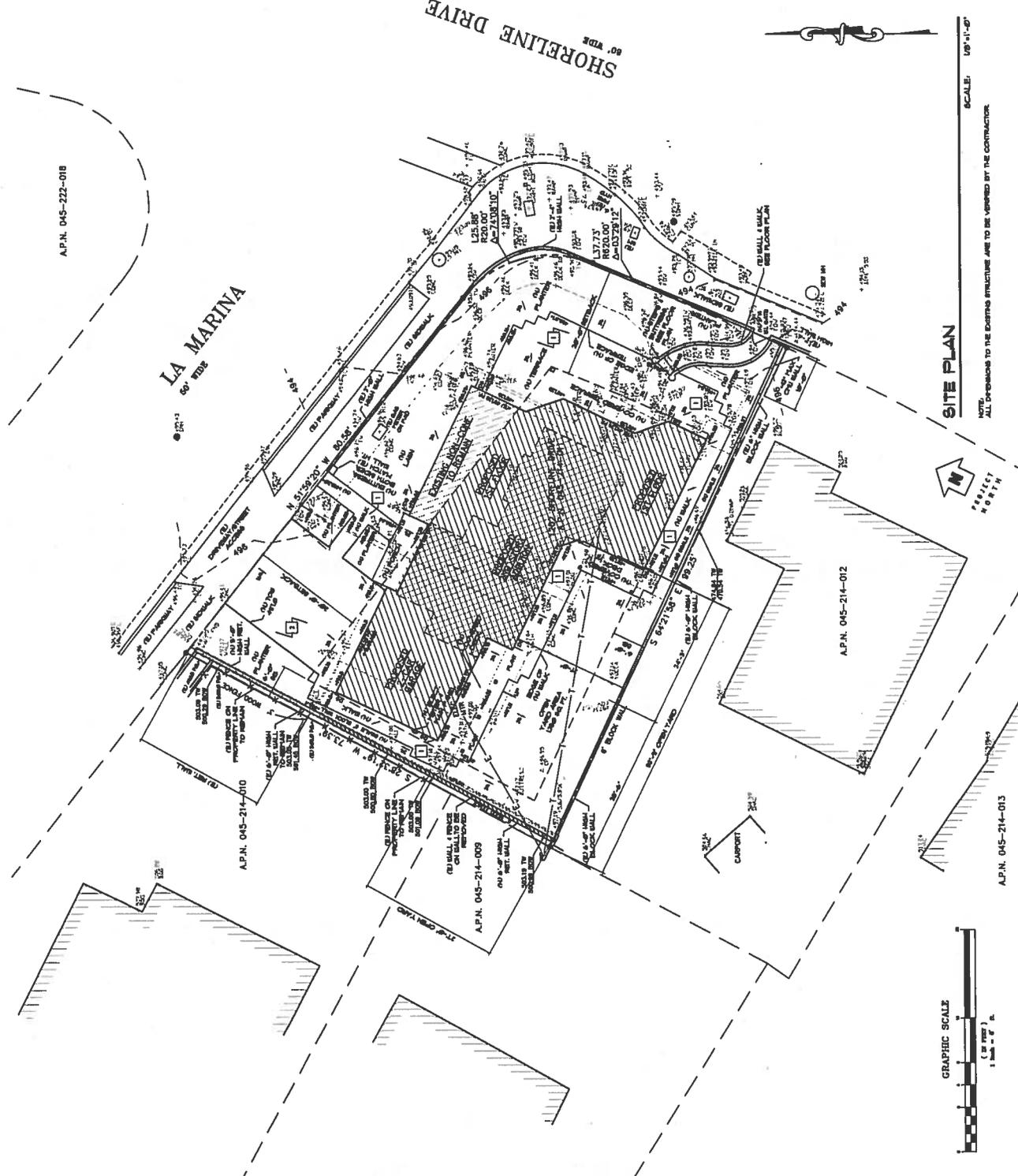


EXHIBIT B



GRAPHIC SCALE
 1" = 10'-0"

SCALE: 1/8" = 1'-0"
 ALL DIMENSIONS TO THE EXISTING STRUCTURE ARE TO BE VERIFIED BY THE CONTRACTOR.

SITE PLAN

PROJECT NORTH

60' WIDE
 60' WIDE
 60' WIDE

LA MARINA

SHORELINE DRIVE

AP.N. 045-214-010
 AP.N. 045-214-000
 AP.N. 045-214-012
 AP.N. 045-214-013

AP.N. 045-222-016



THOMAS OCHSNER
Architect

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

July 13, 2011

RE: Coastal Development Permit
1202 Shoreline Dr.
Santa Barbara, CA 93109

RECEIVED
JUL 14 2011

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Dear Planning Commission of Santa Barbara

We are seeking a Coastal Development approval for a partial demolition and reconstruction of an existing single family residence and detached garage, to include ground floor addition and a new 2nd story with a 2-car attached garage.

The existing 6,098 square foot site consists of an existing one story, 990 square foot single-family residence with 530 square foot detached garage. Single family residences exist within the immediate neighborhood. Some of the existing residence, and the entire garage, will be demolished. A portion of the existing residence projects into the La Marina front yard setback and requires a modification to remain. The existing pad elevation (finish floor) will be retained and the proposed residence will sit within the general location of the existing residence. After the proposed addition, the residence will be a two story configuration totaling 2,290 square feet, or 85% of the recommended FAR. The completed residence will consist of a new 400 square foot attached garage, and a 560 square foot second story. The relatively small second story is designed to be pulled back from all sides of the first floor to provide a wedding-cake effect to the massing. The residence will retain its front door on Shoreline Drive, while providing a back door adjacent to the garage off of La Marina as it has been historically. The stairway to the second floor is located near the back door to help minimize massing above the front door at Shoreline Drive.

We are proposing to deviate from the character of the existing residence by introducing a hip roof rather than the existing gable design. This has an effect on the findings that are inherent to the "non-conforming ordinance" in that it deviates from the "exterior characteristics or appearance of the existing residence." that projects into the La Marina setback. However, although roof design and character of the non-conforming portion will be altered, the proposed hipped roof will be of a lower pitch than the existing gable roof, therefore reducing the height. The hipped roof also appears more architecturally integrated into the existing neighborhood. The Single Family Design Review Board gave the project supportive comments. They were very supportive of the proposed modification for several reasons; among them was that the approval of the modification

EXHIBIT C

would allow for less square foot to be added to the second floor. Without the modification, the first floor would loose a bedroom, which would need to be relocated to the second floor, therefore increasing the mass of the second floor. The two front yards associated with this corner lot make it difficult to locate adequate square footage on the first floor.

The project will include Tier 2 Storm Water Management site design elements, which will feature a drought tolerant planting within the majority of the two front yards, with most of the paving to be pervious- type. The project includes an area for photovoltaic panels on the garage roof – out of public view.

Currently, there exists a wall along the northerly property line that extends all the way to the La Marina right of way. This wall exceeds the 3 -1/2 foot height allowed in the front yard, however, it retains earth for the neighboring yard, and therefore cannot be lowered with additional approvals not associated with this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Ochsner', written in a cursive style.

Tom Ochsner, AIA



SINGLE FAMILY DESIGN BOARD
CASE SUMMARY

1202 SHORELINE DR

MST2011-00114

R-ADDITION

Page: 1

Project Description:

Proposal for a complete façade remodel and the construction of a 340 square foot first-floor addition, and a 540 square foot second-story addition to an existing one-story, 990 square foot, single-family residence with an attached 530 square foot two-car garage. The proposal includes the demolition of the existing 530 square foot garage and construction of a new attached 400 square foot two-car garage. The proposal will result in a 2,290 square foot, two-story, single family residence, located on a 6,098 square foot lot in the appealable jurisdiction of the Coastal Zone, and is 85% of the maximum required floor-to-lot-area ratio. The project requires Planning Commission review for a Coastal Development Permit and a requested zoning modification for alterations within the required front setback.

Activities:

6/14/2011

SFDB-Correspondence/Contact

Spoke to Tom Oschner regarding the SFDB resubmittal rec'd 6-3-11. The revised project has increased in square footage and now exceeds the 85% required maximum FAR. The garage was inaccurately counted as a "basement" to achieve the 100% FAR credit reduction, however the maximum allowed reduction (per 28.15.083) is a 50% reduction. The revised project results in a 102% FAR, or 93% FAR when the 50% reduction of square footage is applied to the garage.

- also garage currently shown as net 511 sq. ft. however, the maximum allowed size for the garage is 500 sq.ft.

- Result - the SFDB resubmitted is postponed from further review until a solution is presented. If the applicant wishes to pursue the revised application with the 93% FAR the additional FAR fee is required as well as the 20 closest lots FAR analysis.

Prior to proceeding to SFDB for additional reviews, the applicant is going to submit and proceed with the 30-day DART review.

6/3/2011

SFDB-Resubmittal Received

Project has changed to include an underground garage.

Revised project stats form and FAR calculator sheets received.

EXHIBIT D

Activities:**4/11/2011 SFDB-Mailed Notice Prepared**

prepared 3/24/11; mail date by 3/31/11.

4/11/2011 SFDB-Concept Review (New) - PH

(Comments only; project requires Environmental Assessment and Planning Commission review for a Coastal Development Permit and a requested zoning modification for alterations within the required front setback.)

(4:00)

Present: Tom Ochsner, Architect; and Russ Sheppel, Owner.

Public comment opened at 4:13 p.m. As no one wished to speak, public comment was closed.

A letter expressing public view concerns from David Dolotta was acknowledged.

Motion: Continued indefinitely to Staff Hearing Officer with positive comments:

- 1) The Board finds the proposed hip-roof acceptable, rather than maintaining the existing gable-roof.*
- 2) The Board finds no negative aesthetic impacts to the requested modifications for the alterations within the required front yard setback.*
- 3) The Board appreciates the proposed design and architectural style, and finds the quality of materials is compatible with the neighborhood.*
- 4) Study reducing the massing through suggested reduction in plate heights.*
- 5) Study the front hip-roof corner element.*

Action: Woolery/Carroll, 7/0/0. Motion carried.

3/24/2011 SFDB-Correspondence/Contact

Spoke to Tom Ochsner (11:45 a.m. 3/24/11).

Advised applicant to:

- 1) revise the Coastal tenant labels for a 100-foot radius; resubmit by Tuesday, 3/29/11.*
- 2) Provide additional plans including the existing floor plan, demolition plan, show overlay of the existing footprint and the proposed footprint.*
- 3) provide additional site photographs;*
- 4) Indicate total grading quantities in cubic yards; if any.*