



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: January 10, 2013
AGENDA DATE: January 17, 2013
PROJECT ADDRESS: 1220 Shoreline Drive (MST20012-00441)
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. This project is a renewal of a previously expired permit.

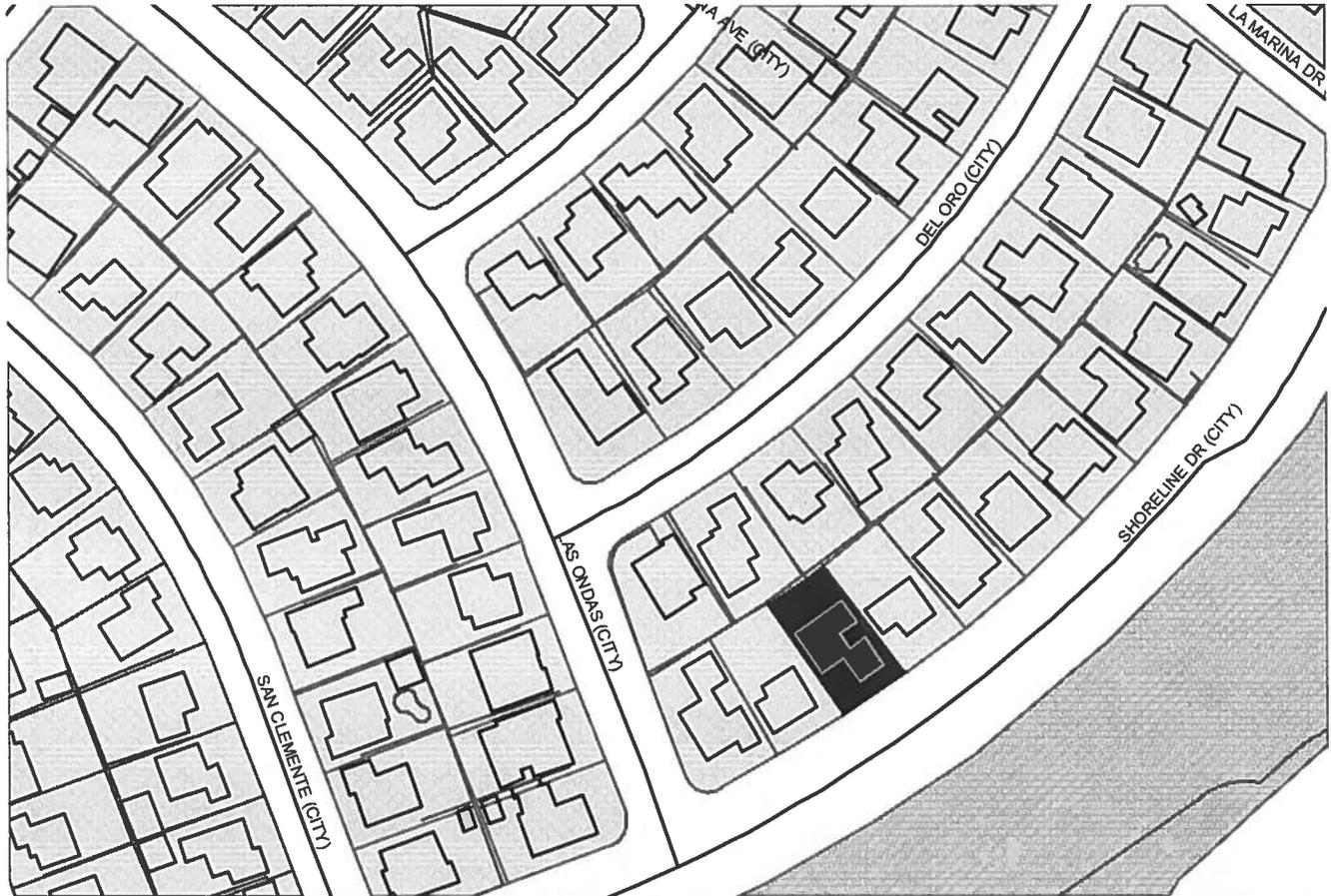
II. REQUIRED APPLICATIONS

The discretionary applications required for this project are is a Coastal Development Permit (CDP2012-00009) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009);

APPLICATION DEEMED COMPLETE: December 11, 2012
DATE ACTION REQUIRED: February 9, 2013

III. RECOMMENDATION

The proposed project would conform 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.



1220 Shoreline Drive – Vicinity Map

IV. BACKGROUND

This project was reviewed and approved by the Planning Commission on September 2, 2010, and was valid until September 2, 2012. The application is requesting approval of the same project that was previously approved.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: James Zimmerman	Property Owner: Greg & Jennifer Kniss
Parcel Number: 045-214-020	Lot Area: 5,663 sq. ft.
General Plan: Low Density Residential	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.
Total:	1,443 sq. ft.	2,213 sq. ft.
Floor Area Ratio	1,443sq. ft. = 56% of Maximum Required FAR	2,213 sq. ft. = 85% of Maximum Required FAR

C. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	20'	14' (<i>modification approved in 2004</i>)	No Change
-Interior	6'	6'	6'
-Rear	6'	30'	25'
Building Height	30'	1 story	25'
Parking	2	2 covered	2 covered
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 previously reviewed by the Single Family Design Board (SFDB) and received Project Design and Final Approvals (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 was subsequently approved by the Planning Commission on September 2, 2010, and returned to Full Board receiving both Project Design Approval on September 27, 2010 and Final Approvals on November 22, 2010. Project Design Approvals are valid for three years and the project has not changed, therefore, it was not required to return to SFDB.

C. NEIGHBORHOOD COMPATIBILITY

The maximum FAR allowed on this 5,663 square foot lot is 56% of the lot area which would be 2,616 square feet. The existing home is a 1,443 square foot, one-story residence with an attached two-car garage. 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.

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 November 5, 2012
- D. SFDB Minutes
- E. PC Resolution #011-10
- F. PC Minutes September 2, 2010
- G. LCP and Coastal Act Policies

PLANNING COMMISSION CONDITIONS OF APPROVAL

1220 SHORELINE DRIVE
COASTAL DEVELOPMENT PERMIT
JANUARY 17, 2013

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. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee.
3. Record any required documents (see Recorded Conditions Agreement section).
4. Permits.
 - a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.
 - b. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said 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 January 17, 2013 is limited to approximately 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 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 allow for the continuation of any historic 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 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.
- 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. **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 2 of the Storm Water Management Plan by implement one or more basic storm water best management practices (BMP) designs. (treatment, rate and volume). The Owner shall submit worksheets from the Storm Water BMP Guidance Manual for Post Construction Practices 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.

- c. **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 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.
----------	------	-------------

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 name, 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. **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. 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 public improvement plans or building plans, 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.

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

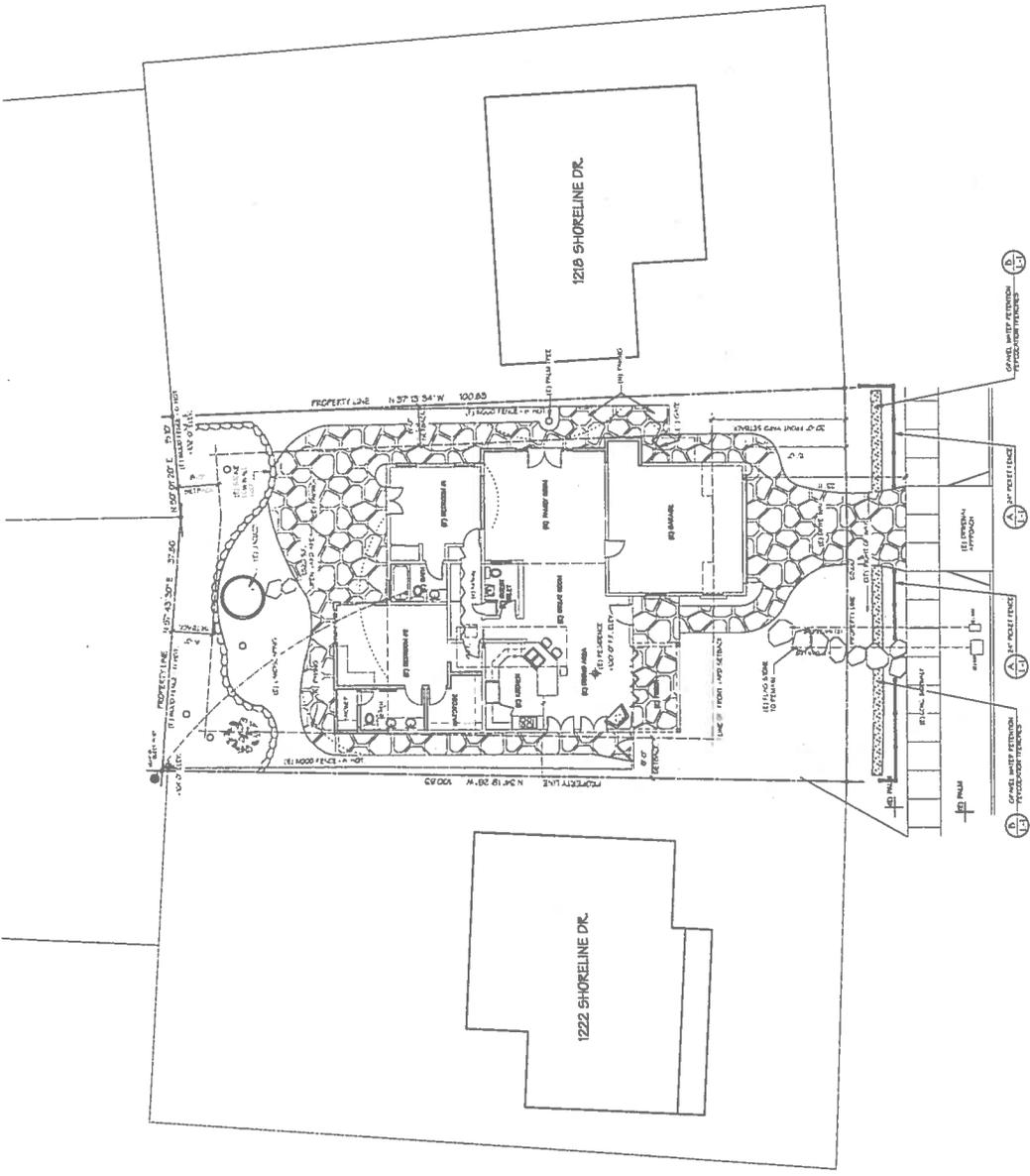
agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California 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 / 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.

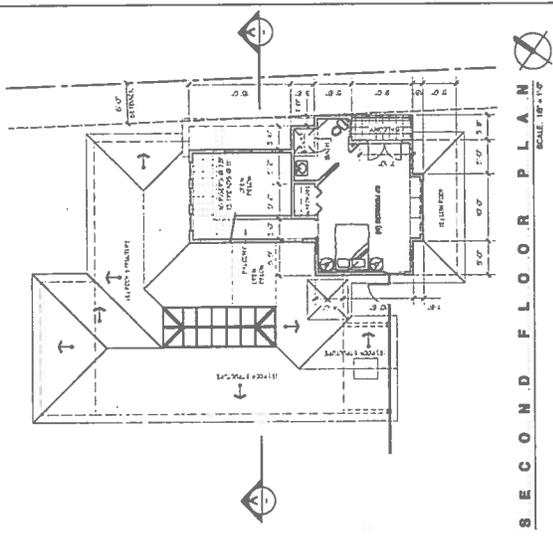
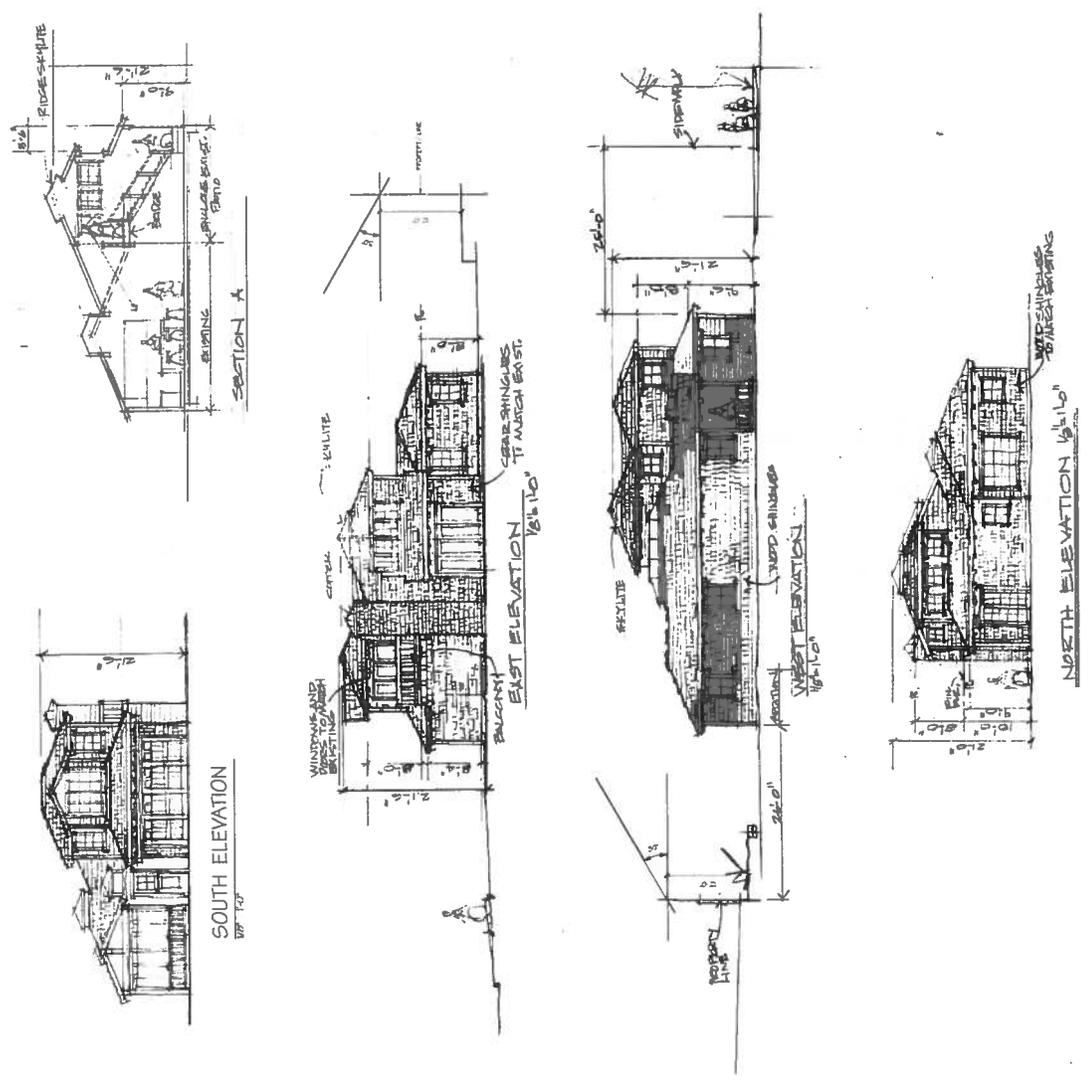


PROPOSED SITE PLAN
 SCALE: 1/8" = 1'-0"

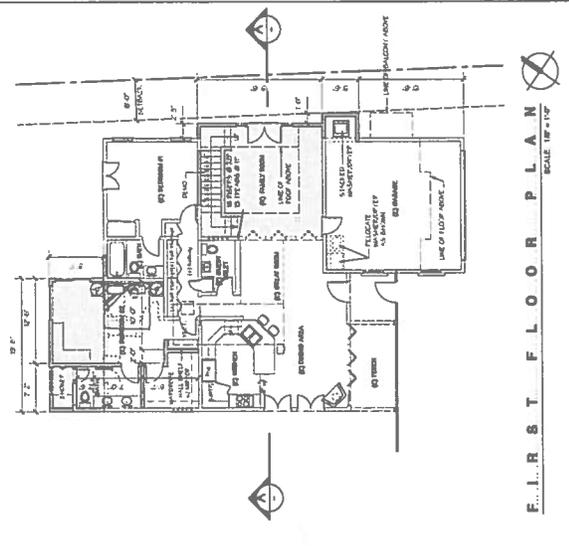
RECEIVED
 DEC 14 2012
 CITY OF SANTA BARBARA

EXHIBIT B

NOTE: ARCHITECTURAL DETAILS, INCLUDING WINDOWS, DOORS, ROOF SECTIONS, AND RAILING TO MATCH EXISTING.
 ROOF MATERIAL AND COLOR TO MATCH EXISTING.
 SERRIS MATERIALS TO MATCH EXISTING.



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



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

James Zimmerman Architects
 10 W. ARDEN ST. SUITE 8 - SANTA BARBARA, CA 93101 PHONE: 805.784.4888
 FAX: 805.784.4889 - EMAIL: JZIMMERMAN@JZARCH.COM

Jennifer Kruss
 Proposed Remodel & Addition
 1220 Shoreline Drive
 Santa Barbara, CA 93109

SHEET TITLE:
 (R) Floor Plan
 (N) Elevations
 DATE: December 13, 2012
 SCALE: AS SHOWN
 DRAWN BY:

SHEET: **A-5**
 OF: 05
 REVISIONS:

RECEIVED
 CITY OF SANTA BARBARA
 PLANNING DEPARTMENT

JAMES J. ZIMMERMAN, A.I.A.

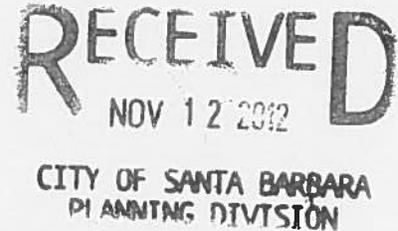
ARCHITECTS

MASTER PLANNING, COMMERCIAL, RESIDENTIAL & INTERIOR DESIGN

November 5, 2012

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 Mesa 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,

A handwritten signature in black ink, appearing to read "James J. Zimmerman". The signature is fluid and cursive.

James J. Zimmerman, A.I.A.



SINGLE FAMILY DESIGN BOARD
CASE SUMMARY

1220 SHORELINE DR

MST2009-00512

R-ADDITION

Page: 1

Project Description:

Proposal for a 447 square foot first-floor addition, a 331 square foot second-story addition, and exterior remodel to an existing 1,443 square foot one-story single family residence and attached 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. The project received Planning Commission approval for a Coastal Development Permit (Resolution No. 011-10).

Activities:

11/22/2010 **SFDB-Final Approval - Project**

11/22/2010 **SFDB-Final Review Hearing**

(Preliminary Approval granted on 9/27/10. Final Approval is requested.)

Actual time: 5:30

Present: James Zimmerman, Architect.

Public comment opened at 5:34 p.m.

A letter of concern from Paula Westbury was acknowledged by the Board.

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

Motion: Final Approval as submitted.

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

11/17/2010 **SFDB-FYI/Research**

Routed one set of plans to Kelly Brodison, the case planner. Project scheduled for final review on 11/22/10.

Activities:**11/16/2010 SFDB-Resubmittal Received**

3 sets submitted.

10/25/2010 SFDB-In-Progress Review Hrg

(Project requires compliance with the city's Tier 3 Storm Water Management Program (SWMP).)

(3:29)

Motion: To table Item #1, 1220 Shoreline Drive so the applicant can get the correct set of drawings for review.

Action: Woolery/Miller, 5/0/0. Motion carried. (Zimmerman stepped down, Bernstein absent)

Motion: To un-table Item #1, 1220 Shoreline Drive.

Action: Deisler/Woolery, 5/0/0. Motion carried. (Zimmerman stepped down, Bernstein absent)

(4:39)

Present: Jim Zimmerman, Architect.

Public comment opened at 4:44 p.m. As no one wished to speak, public comment was closed.

A letter of concern from Paula Westbury was acknowledged by the Board.

Motion: Continued indefinitely to Full Board with comments:

- 1) Provide front wall elevations.*
- 2) Provide lighting details for lighting at the front column.*
- 3) Provide details on the new pedestrian entryway.*
- 4) Address compliance with Tier 3 SWMP requirements on the plans, and provide details on impacts to the existing landscaping due to new construction, including elements for compliance with the Storm Water Management Program.*

Action: Woolery/Miller, 6/0/0. Motion carried. (Zimmerman stepped down, Bernstein absent).

10/18/2010 SFDB-Resubmittal Received**9/27/2010 SFDB-Preliminary Review Hrg**

(Project requires compliance with Planning Commission Resolution No. 011-10.)

(3:08)

Activities:

Present: James Zimmerman, Architect.

Public comment was opened at 3:12 p.m.

A letter in opposition from Paula Westbury was acknowledged.

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

Motion: Preliminary Approval with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code and continued to the Full Board for in-progress review with the following comments:

- 1) Provide all architectural details, including windows, doors, roof intersections, and railings on the drawings.*
- 2) Provide a cut sheet and information exterior light fixtures.*
- 3) Provide a landscape plan showing compliance with the required Storm Water Management Program (SWMP).*
- 4) Provide a color board; include a picture and scale of the existing weather vane.*
- 5) The project provides quality architecture; the bulk, mass, and scale are compatible with the neighborhood.*

Action: Deisler/Woolery, 3/1/1. Motion carried. (Bernstein opposed; Woolery abstained. Carroll absent; Zimmerman stepped down.)

9/27/2010 **SFDB-Prelim Approval - Project**

9/20/2010 **SFDB-Resubmittal Received**

preliminary review. PC approval granted.

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 vane 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*

Activities:

*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.

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.*

Activities:

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***

11/23/2009 ***SFDB-FYI/Research***

*Jim Zimmerman called must postpone Dec 7 hearing. Wanted to renoticed that hearing is postponed.
Was willing to pay for it.*

11/11/2009 ***SFDB-Posting Sign Issued***



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 011-10
1220 SHORELINE DRIVE
COASTAL DEVELOPMENT PERMIT
SEPTEMBER 2, 2010 2010

**APPLICATION OF JAMES ZIMMERMAN, ARCHITECT FOR LARRY & LAUREN KURZWEIL,
PROPERTY OWNERS, 1220 SHORELINE DRIVE, APN 045-214-020, E-3/SD-3 ZONES, GENERAL
PLAN DESIGNATION: RESIDENTIAL, FIVE UNITS PER ACRE (MST2009-00512)**

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.

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).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Structures.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 26, 2010.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Approved the subject application making the following findings and determinations:

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.

- II. Said approval is subject to the following conditions:

- 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.
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:

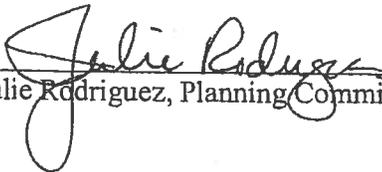
Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the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

This motion was passed and adopted on the 2nd day of September, 2010 by the Planning Commission of the City of Santa Barbara, by the following vote:

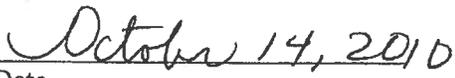
AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jacobs)

PLANNING COMMISSION RESOLUTION No. 011-10
1220 SHORELINE DRIVE
SEPTEMBER 2, 2010
PAGE 7

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.



Julie Rodriguez, Planning Commission Secretary



Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

September 2, 2010

CALL TO ORDER:

Chair Bartlett called the meeting to order at 1:06 P.M.

I. ROLL CALL

Chair Bruce Bartlett, Vice-Chair John Jostes, Commissioners Charmaine Jacobs, Mike Jordan, Stella Larson, Sheila Lodge, and Deborah L. Schwartz.

Commissioner Charmaine Jacobs arrived at 1:33 P.M.

STAFF PRESENT:

Danny Kato, Senior Planner
Steve Wiley, City Attorney
N. Scott Vincent, Assistant City Attorney
Pat Kelly, City Engineer / Assistant Public Works Director
George Johnson, Senior Creeks Planner
Dan Gullett, Associate Planner
George Johnson, Senior Creeks Planner
Kelly Brodison, Assistant Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of August 19, 2010
2. Resolution 010-10
2501-2511 Medcliff Road

MOTION: Lodge/Schwartz

Approve the minutes and resolutions as corrected.

This motion carried by the following vote:

Ayes: 6 Noes: 1 Abstain: As noted. Absent: 1 (Jacobs)

Commissioner Jostes abstained from the Minutes and Resolution of August 19, 2010.

Commissioner Jordan abstained from the Minutes of August 19, 2010 and Resolution 010-010 regarding 2501-2511 Medcliff Road.

- B. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

- C. Announcements and appeals.

None.

- D. Comments from members of the public pertaining to items not on this agenda.

Chair Bartlett opened the public comment hearing at 1:08 P.M. and, with no one wishing to speak, closed the hearing.

III. CONSENT ITEM:

ACTUAL TIME: 1:08 P.M.

APPLICATION OF JAMES ZIMMERMAN, ARCHITECT FOR LARRY & LAUREN KURZWEIL, PROPERTY OWNERS, 1220 SHORELINE DRIVE. APN 045-214-020, E-3/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, FIVE UNITS PER ACRE (MST2009-00512)

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.

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).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Structures.

Case Planner: Kelly Brodison, Assistant Planner

Email: KBrodison@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4531

Commissioner Jostes requested that the Planning Commission waive the Staff Report.

MOTION: Jostes/Larson

Waive the Staff Report

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jacobs)

Chair Bartlett opened the public hearing at 1:09 P.M., and with no one wishing to speak, closed the hearing.

MOTION: Jostes/Jordan

Assigned Resolution No. 011-10

Approve the project, making the findings for The Coastal Development Permit as outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jacobs)

Chair Bartlett announced the ten calendar day appeal period.

IV. NEW ITEMS

ACTUAL TIME: 1:11 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Jostes recused himself due to his wife owning property in the vicinity of the project. Commissioner Jostes left the dais at 1:11 P.M.

A. APPLICATION OF CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT, APPLICANT FOR VIRGINIA & RENA CASTAGNOLA AND FAMILY, 15 E. CABRILLO BLVD., APNS 033-111-012 & -011, HRC-2 AND SD-3 ZONES, COASTAL PLAN DESIGNATIONS: HOTEL & RELATED COMMERCE II, BUFFER/STREAM (MST2010-00033)

The proposed project involves the partial demolition of an existing 142-seat Rusty's Pizza Parlor building; construction of an approximately 1,020 square foot second story addition, 250 square foot second story balcony, and 150 square foot trash enclosure; remodel; and new creek-side landscaping. The project is associated with the approved Cabrillo Bridge Replacement Project (MST2004-00878, PC Resolution. 029-07), which includes demolition of 447 square feet of the restaurant building and the 350 square foot exterior patio over Mission Creek to facilitate replacement of the Cabrillo Bridge and provide for Mission Creek flood control improvements.

The discretionary applications required for this project are:

1. Front Setback Modification on E. Cabrillo Blvd. to allow encroachment of a two-story building into the 20 foot front setback on E. Cabrillo Blvd. (SBMC §28.22.060 & §28.92.110);
2. Front Setback Modification on Helena Ave. to allow encroachment of a two-story building into the 20 foot front setback on Helena Ave. (SBMC §28.22.060 & §28.92.110); and

Local Coastal Plan Policies

GENERAL POLICIES

Policy 1.1 The City adopts the policies of the Coastal Act (Public Resources Code Sections 30210 through 30263) as the guiding policies of the land use plan.

Policy 1.2 Where policies within the land use plan overlap, the policy which is the most protective of the resources, i.e. water, air, etc. shall take precedence.

Policy 1.3 Where there are conflicts between the policies set forth in the land use plan and those set forth in any other element of the City's existing General Plan or existing regulations, the policies of the land use plan take precedence.

Housing

LCP Policy 5.3 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.

Water and Marine Environments

LCP Policy 6.9 The City shall support the programs, plans, and policies of all governmental agencies, including those of the Regional Water Quality Control Board with respect to best management practices for Santa Barbara's watersheds and urban areas.

Hazards

LCP Policy 8.1 All new development of bluff top land shall be required to have drainage systems carrying run-off away from the bluff to the nearest public street or, in areas where the landform makes landward conveyance of drainage impossible, and where additional fill or grading is inappropriate or cannot accomplish landward drainage, private bluff drainage systems are permitted if they are:

- (1) sized to accommodate run-off from all similarly drained parcels bordering the subject parcel's property lines;
- (2) the owner of the subject property allows for the permanent drainage of those parcels through his/her property;
- (3) the drainage system is designed to be minimally visible on the bluff face.

LCP Policy 8.2 With the exception of drainage systems identified in Policy 8.1, no development shall be permitted on the bluff face except for engineered staircases or accessways to provide public beach access and pipelines for scientific research or coastal dependent industry. To the maximum extent feasible, these structures shall be designed to minimize alteration of the bluff and beach.

Visual Quality

LCP Policy 9.1 The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following:

- (1) Acquisition of land for parks and open space;
- (2) Requiring view easements or corridors in new developments;
- (3) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development;
- (4) Developing a system to evaluate view impairment of new development in the review process.

LCP Policy 9.3 All new development in the coastal zone shall provide underground utilities and the undergrounding of existing overhead utilities shall be considered high priority.