



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: April 30, 2015
AGENDA DATE: May 7, 2015
PROJECT ADDRESS: 102 La Marina Drive (MST2015-00037)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4531
 Allison De Busk, Acting Senior Planner *ALD*
 Kelly Brodison, Assistant Planner *KAB*

I. PROJECT DESCRIPTION

The project consists of the construction of a new 1,531 square foot one-story residence and an attached 403 square foot two-car garage on a 9,289 square foot lot located at the corner of La Marina and Shoreline Drives. The existing 814 square foot residence, 209 square foot garage and 108 square foot storage shed would be demolished. The proposal is 58% of the maximum required floor-to-lot-area ratio.

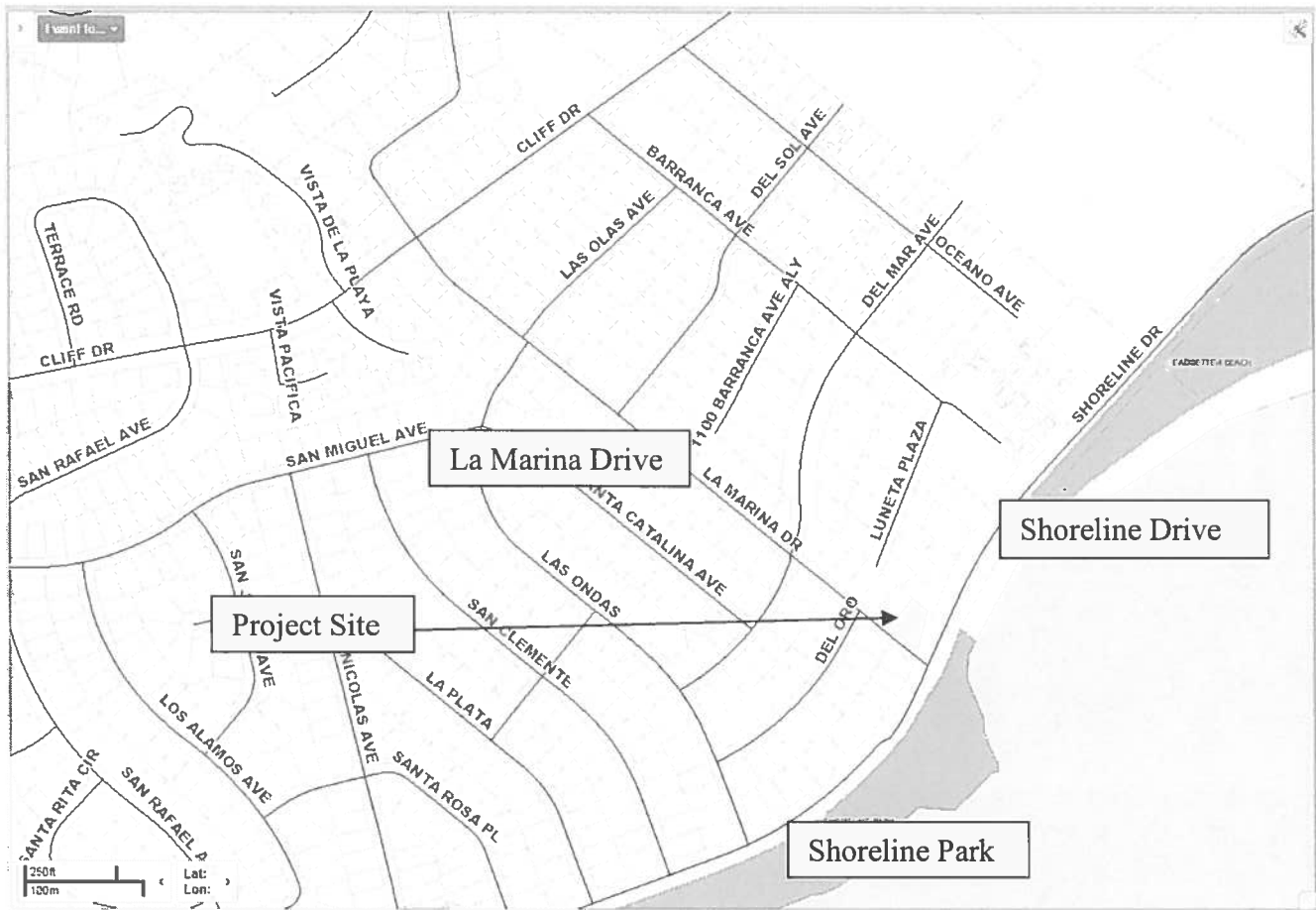
II. REQUIRED APPLICATION

The discretionary application required for this project is a Coastal Development Permit (CDP2015-00001) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

APPLICATION DEEMED COMPLETE: March 30, 2015
DATE ACTION REQUIRED: May 29, 2015

III. RECOMMENDATION

If approved as proposed, the project would conform to the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal Plan. The project is exempt from review by the Single Family Design Board; however, the size and massing of the new one-story home would be 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.



102 La Marina Drive – Vicinity Map

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Sophie Calvin		
Property Owner:	Gary and Sharon Gentile		
Site Information			
Parcel Number:	045-222-018	Lot Area:	9,289 square feet
General Plan: Low Density Residential (5 du/acre)		Zoning:	E-3/SD-3 Single-Family Residence and Coastal Overlay Zone
Local Coastal Plan: Residential 5 du/acre			
Existing Use: Residential		Topography:	~7% average slope
Adjacent Land Uses			
North – Residential		East – Shoreline Drive and Leadbetter Beach	
South – Shoreline Park and Pacific Ocean		West - Residential	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	814 sq. ft.	1,531 sq. ft.
Garage/Carport	209 sq. ft.	403 sq. ft.
Accessory Space	108 sq. ft.	NA
Floor Area Ratio	1,131 sq. ft. = 33% of Maximum Required FAR	1,934 sq. ft. = 58% of Maximum Required FAR

V. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior	20 feet 6 feet	~20 feet ~6 feet	20 feet 6 feet
Building Height	30 feet	14'	16'-6'
Parking	2 covered	1 covered	2 covered
Open Yard	1,250 sq. ft.	>1,250 sq. ft.	1,250 sq. ft.
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	1,223 sq. ft. 13% 3,743 sq. ft. 40% 4,323 sq. ft. 47%	2,096 sq. ft. 22% 2,236 sq. ft. 35% 3,986 sq. ft. 43%

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.

Easements

When the original Marine Terrace was subdivided, the lots along La Marina Drive were created with a 24' utility easement along the rear property lines. For the subject lot, there is the 24' wide utility easement along the northeasterly property line and an additional 20' wide sewer drain easement along the southeasterly property line. In addition to the constraints created by these easements, Shoreline Drive is approximately 80' wide at this location, so what appears to be a large front setback along Shoreline Drive is actually public right-of-way.

There is also a pedestrian beach access leading from Luneta Plaza to Shoreline Drive. This easement is located on the adjacent properties addressed as 1129 and 1131 Luneta Plaza and will not be affected by this project.

B. 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 Low Density 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.

C. 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 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 in this area is single-family residential and there is 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 an archaeologically sensitive zone. Public views would not be affected because there is an existing one-story home on the site which would be replaced by a new one-story home in generally the same location. The site is not a public facility and is not used for recreational purposes; 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. This project is exempt from review by the Single Family Design Board because it is a one story home and it is not located in the Hillside Design District. The project site is in a residential neighborhood that is developed with many one- and two-story homes. The project would be visually compatible with the character of the site and the surrounding Mesa neighborhood in terms of scale, size and design. The proposal includes a new two car garage, which provides the required parking for a single family residence. The project would not impact public circulation, as the driveway would remain on La Marina. Therefore the project can be found compatible with the surrounding neighborhood.

Views

Policy 9.1 of the LCP states that existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. The new one-story home would be set back 20' from the edge of the public right-of-way along La Marina and more than 50' from Shoreline Drive, and therefore would not inhibit existing public views to, from or along the ocean. In addition there is a 20' wide storm drain easement which precludes any development along the property frontage at Shoreline Drive. Although the new one story home would be approximately 2.5' taller than the existing home, public views of the ocean are not blocked, and

the project would not impact views along the ocean from any public viewing points. Therefore, this project is consistent with Policy 9.1 of the LCP.

VI. ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, which allows for new construction of a single-family residence in urbanized areas where it will not have a significant impact on the environment due to unusual circumstances.

VII. FINDINGS

Staff recommends that the Planning Commission finds the following:

A. 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 effects related to coastal resources, including views and public access, as described in Section V.C. 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 project is compatible with the existing neighborhood, is 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 affect a coastal bluff, as described in Section V.C. of the Staff Report.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, January 27, 2015
- D. Applicable Local Coastal Plan Policies

PLANNING COMMISSION CONDITIONS OF APPROVAL

102 LA MARINA DRIVE
COASTAL DEVELOPMENT PERMIT
MAY 7, 2015

I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

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

1. Pay the Land Development Team Recovery Fee Recovery Fee (30% of all planning fees, as calculated by staff) at time of building permit application.
2. Submit an application for and obtain a Building Permit (BLD) to demolish any structures / improvements and/or perform rough grading. Comply with condition D "Construction Implementation Requirements."
3. Record any required documents (see Recorded Conditions Agreement section).
4. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.

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 and the Community Development Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on May 7, 2015, is limited to an approximately 1,531 square foot one-story residence with a 403 square foot garage and the improvements shown on the plans signed by the Chair 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. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state and in accordance with the Storm Water BMP Guidance Manual and Operations and Maintenance Procedure Plan approved by the Creeks Division. 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.

- 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.
 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. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water BMP Guidance Manual, pursuant to Santa Barbara Municipal Code Chapter 22.87 treatment, rate and volume. The Owner shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City's Storm Water BMP Guidance Manual. 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 unpermitted construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants, or groundwater pollutants would result from the project.

- c. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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's 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 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 Public Works Director with a Public Works permit.
 - 3. **Air Quality and Dust Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:
 - a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
 - d. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
 - e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
 - f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
 - g. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
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.

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.

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.

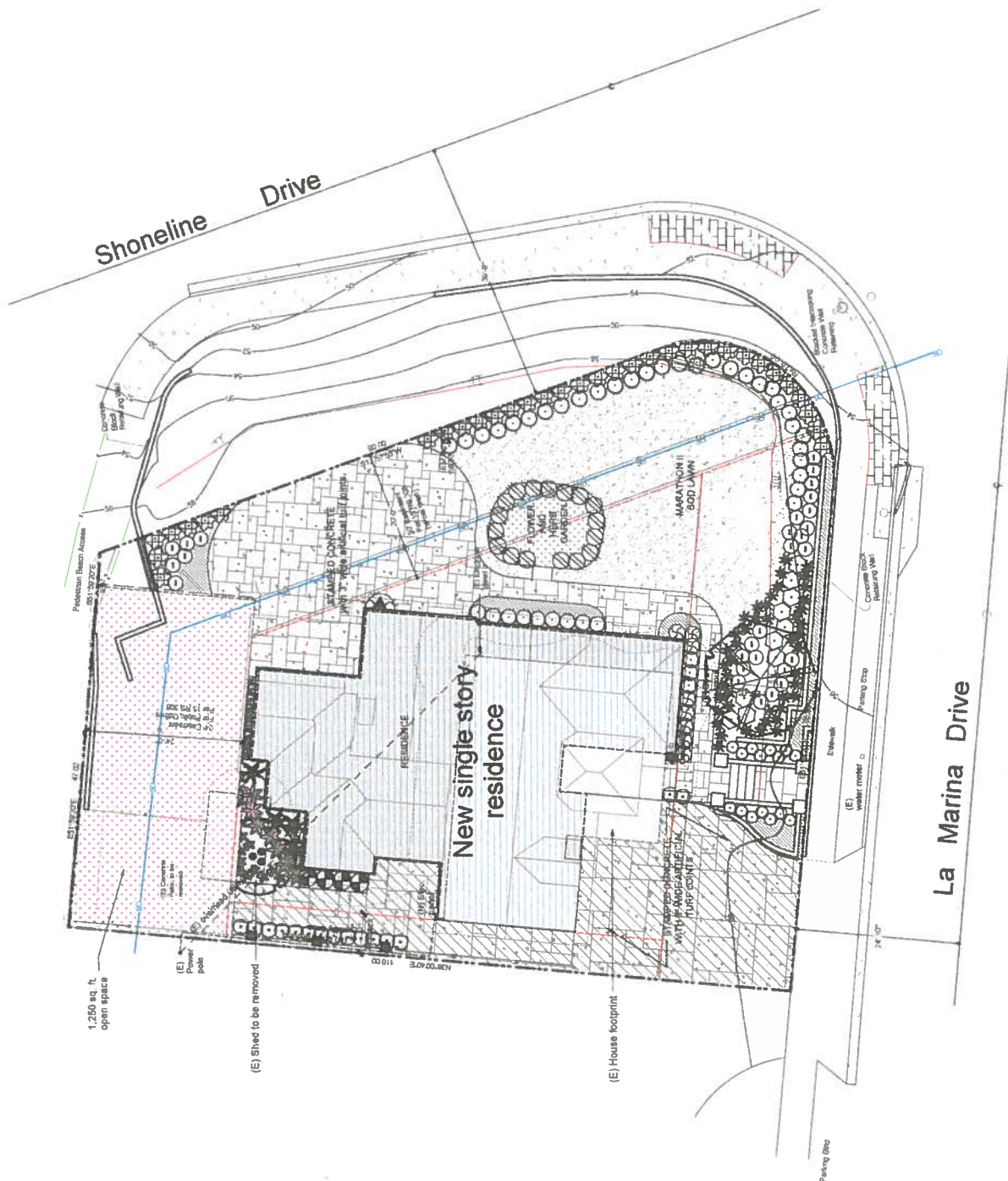
3. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party 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's 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.



Site plan
1/8" = 1'-0"

EXHIBIT B

January 27, 2015

Dear Planning Commission,

My name is Sophie Calvin, a residential designer, working with Mr. and Mrs. Gary Gentile at 102 La Marina Drive. We are proposing to demolish the existing single story, single-family residence, single car garage and small shed. We are proposing a new single family, single story residence with attached 2-car garage.

We are seeking a Coastal Development Permit and need Planning Commission approval.

Project description:

APN: 045-222-018

0.21 acre / 9,289 sq. ft. parcel

Zone: E-3/ SD-3

General plan: Mesa: East Mesa

	<u>NET</u>	<u>GROSS</u>
<u>To be demolished</u>		
(E) House:	814 sq. ft.	860 sq. ft.
(E) 1-car garage	209 sq. ft.	240 sq. ft.
(E) Detached shed	108 sq. ft.	123 sq. ft.
(N) House	1,531 sq. ft.	1,626 sq. ft.
(N) Garage:	<u>403 sq. ft.</u>	<u>441 sq. ft.</u>
(N) Covered entry		76 sq. ft.
(N) Covered porch off master bedroom		78 sq. ft.
(N) Trellis off living room		26 sq. ft.
Total when completed:	1,934 sq. ft.	2,067 sq. ft.

No trees will be removed. No drainage issues on site. Existing area drain located on south east corner of property that connect into existing storm water pipe that is located on the south side of the property. No grading proposed with this project. The property is surrounded by SFR to the east, west and north. Shoreline Park and Ocean are to the south of the property. Exterior light fixtures will be required outside every exterior doors. A soils report and Storm Water Infiltration report has been completed. The site is connected to City sewer and water. Demolition of the existing structure shall take approximately 2 weeks. Construction of the new house and garage shall take approximately 6-8 months. Staging of materials shall occur in the driveway. Construction parking shall be along public streets.

Please contact me if you have question.

Sincerely,

Sophie Calvin

Sophie Calvin,

Calvin Design

969-0559

102 La Marina Drive
Local Coastal Plan Policies

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.

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.

