III.B

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PLANNING COMMISSION
STAFF REPORT

REPORT DATE: September 27, 2018
AGENDA DATE: October 4, 2018
PROJECT ADDRESS: 104 Jorgensen Lane (MST21017-00713)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4539
Beatriz Gularte, Senior Planner BEG
Tony Boughman, Assistant Planner TB

I. PROJECT DESCRIPTION

The project consists of a two-lot subdivision of an existing 4.37 acre lot resulting in Lot 1 at 2.28 acres and Lot 2 at 2.09 acres (1.66 acres net), and construction of a new two-story single residential unit and attached three-car garage on Lot 2. The proposed house and garage on proposed Lot 2 total approximately 5,114 square feet and is 95% of the guideline maximum floor-to-lot area ratio (FAR). Proposed grading consists of 625 cubic yards of cut and 300 cubic yards of fill. The project would be served by an existing 20 foot private street. A development envelope on Lot 1 exists for the existing house, and a development envelope is proposed for the new Lot 2.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

A. A Tentative Subdivision Map to allow the division of one parcel into two lots (SBMC Chapter 27.07);

B. Two Modifications to allow the proposed two lots to have less than the required street frontage on a public street because Jorgensen Lane is a private street (SBMC §30.250.020.B); and

C. Two Public Street Waivers to create two new lots that are not served by a public street because Jorgensen Lane is a private street (SBMC §22.60.300.B).

APPLICATION DEEMED COMPLETE: September 4, 2018
DATE ACTION REQUIRED PER MAP ACT: October 24, 2018

III. RECOMMENDATION

If approved as proposed, the project would conform to the City’s Zoning and Building Ordinances and policies of the General Plan. In addition, the configuration and sizes of the proposed lots and massing of the proposed development on the new lot are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve
the project, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.

IV. BACKGROUND

In 2007, a previous subdivision was approved at 561 West Mountain Drive which included the subject property and the creation of the private street now known as Jorgensen Lane. At that time a four-lot subdivision was approved by the Planning Commission with two lots on the south side of the proposed Jorgensen Lane, and two lots on the north side. The Planning Commission received much public comment, generally in opposition, including a petition in opposition with 87 signatures. Reasons given for opposition were mainly emergency evacuation concerns related to the project’s location within a High Fire Hazard area; the adequacy of the private road; increased traffic in the area impacting vehicular and pedestrian safety; size of the proposed houses; and noise from future occupants.
Neighbors appealed the Planning Commission’s approval to the City Council, asserting that the project, by increasing residential density in a High Fire Hazard Area, would negatively impact public safety. On appeal, the City Council directed the applicant to revise the project to a three-lot subdivision, resulting in only one lot on the north side of Jorgensen Lane rather than two (shown in the vicinity map above). The City Council’s action on the appeal to reduce the subdivision to three lots was a compromise in consideration of the appellant and other public commenters.

This lot is now proposed to be subdivided into two lots with the current application. The previous City Council action does not preclude a new application for a subdivision as allowed by the State Subdivision Map Act. In fact, Government Code section 66424.1 specifically provides that cities “shall not, by ordinance or policy, prohibit consecutive subdivisions of the same parcel or any portion thereof either by the same subdivider or a subsequent purchaser because the parcel was previously subdivided.” Cities can, however, impose appropriate conditions or requirements on the consecutive subdivisions, or deny the subdivision due to other substantive factors. Planning Staff supported the proposed four-lot subdivision as presented to the Planning Commission, recommended denial of the appeal to the City Council, and supports the current proposal now for the reasons described in this report.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Mark Lloyd, L&amp;P Consultants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
<td>Jason L. Rick</td>
</tr>
</tbody>
</table>

Site Information

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Lot Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>021-110-038</td>
<td>4.37 acres</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>General Plan</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential 1 unit/acre</td>
<td>RS-1A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Existing Use</th>
<th>Topography</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family Residential</td>
<td>19% - 20% Slope</td>
</tr>
</tbody>
</table>

Adjacent Land Uses

- **North** – Single Family Residential
- **South** – Single-Family Residential
- **East** – Single-Family Residential
- **West** – Single-Family Residential

B. PROJECT STATISTICS

<table>
<thead>
<tr>
<th></th>
<th>Lot 1 (Existing House)</th>
<th>Lot 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (Net)</td>
<td>2.28 acres</td>
<td>1.66 acres</td>
</tr>
<tr>
<td>Development Envelope Slope</td>
<td>16.65% within envelope</td>
<td>14.07% within envelope</td>
</tr>
<tr>
<td>Living Area</td>
<td>3,521 square feet</td>
<td>4,316 square feet</td>
</tr>
<tr>
<td>Garage</td>
<td>700 square feet</td>
<td>798 square feet</td>
</tr>
</tbody>
</table>
VI. POLICY AND ZONING CONSISTENCY ANALYSIS

The Tentative Subdivision Map is required to comply with the City’s Zoning Ordinance, the City’s General Plan, and the State’s Subdivision Map Act.

A. ZONING ORDINANCE CONSISTENCY

The project site is zoned RS-1A, Residential Single Unit. In the RS-1A zone, the minimum lot size requirement is 1 acre (43,560 square feet). Slope density requirements are applied to the site in recognition of the steep topography, which increases the required minimum lot size based on the slope of the lot. Project compliance with these requirements is identified in the following table:

<table>
<thead>
<tr>
<th>Subdivision Standard</th>
<th>Requirement/ Allowance</th>
<th>Proposed Subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area with Slope Density</td>
<td>2 acres (for 20-30% slope)</td>
<td>Lot 1: 2.28 acres (20.05% slope)</td>
</tr>
<tr>
<td></td>
<td>1.5 acres (for 10-20% slope)</td>
<td>Lot 2: 1.66 acres net (18.78% slope)</td>
</tr>
<tr>
<td>Street Frontage Per Lot</td>
<td>100 feet on Public Street</td>
<td>&gt; 100 feet on Private Street*</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot Development Standard</th>
<th>Requirement/ Allowance</th>
<th>Proposed Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setbacks</td>
<td>35 feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>-Front</td>
<td>15 feet</td>
<td>55 feet</td>
</tr>
<tr>
<td>-Interior</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Height</td>
<td>30 feet</td>
<td>25 feet approximately</td>
</tr>
<tr>
<td>Parking</td>
<td>Two Covered Spaces</td>
<td>Three Covered and Two Uncovered</td>
</tr>
<tr>
<td>Max. Accessory Floor Area</td>
<td>1,500 square feet</td>
<td>798 square feet (garage)</td>
</tr>
<tr>
<td>Open Yard</td>
<td>1,250 square feet</td>
<td>&gt; 1,250 square feet</td>
</tr>
</tbody>
</table>

*Modification requested

The proposed project would comply with the requirements of the RS-1A Zone, with the exception that there will be no lot frontage on a public street for each newly created lot because Jorgensen Lane is currently a private street.

Street Frontage Modifications

Santa Barbara Municipal Code, Table 30.20.030.A (Development Standards – Residential Single Unit Zones) requires that newly created lots in the RS-1A Zone have a minimum of 100 feet of frontage on a public street. The two proposed lots each have more than 100 feet of frontage on Jorgensen Lane. Neither of the newly created lots would have any frontage on a public street.
because the subject parcel is landlocked, and accessed by Jorgensen Lane, a private street. Therefore, a Street Frontage Modification for each lot is necessary. This is a common occurrence in the surrounding area as can be seen by the configuration of parcels on the vicinity map above. Because the existing and proposed lots are landlocked and do not have frontage on a public street, the requested street frontage modifications are necessary to secure an appropriate improvement, are consistent with the purpose and intent of the Zoning Ordinance, and result in development that is generally consistent with existing patterns of development for the neighborhood.

**B. GENERAL PLAN CONSISTENCY**

Before a Tentative Subdivision Map can be approved, it must be found consistent with the City’s General Plan. Based on staff’s analysis, the proposed subdivision is consistent with the applicable policies of the City of Santa Barbara.

*Land Use Element* Policy LG14 calls for maintaining and protecting the character and quality of life of single family zoned neighborhoods as low density. The project site is located in the Cielito Neighborhood with a General Plan designation of Residential, One Dwelling Unit Per Acre. The majority of this neighborhood is developed with single-family houses, most on lots in excess of one acre. Density of residential development in the City’s hillside areas is constrained through the Slope Density Ordinance which requires that new lots within certain ranges of average slopes provide greater minimum lot area as shown in the table in Section VI.A above. The proposed two-lot subdivision and residential development would be consistent with the existing development pattern and vision for the neighborhood. The subdivision can be found consistent with Policy LG14 of the General Plan.

*Environmental Resources Element* Policy ER11, Native and Other Trees and Landscaping, calls for protecting and maintaining native trees and the use of native and drought-tolerant species. The proposed development envelope and site plan are designed to minimize impacts to resources. The project proposes to remove five trees within the footprint of the proposed house and driveway and replace them on the site with oak trees at a 3:1 replacement ratio. The subdivision can be found consistent with Policy ER11.

*Environmental Resources Element* Policy ER12.5, Riparian Woodland Protection, calls for siting new development outside of riparian woodlands to the extent feasible. The project proposes to reduce the existing development envelope and expand the area where development is presently restricted by 4,510 square feet to provide a 50 foot buffer from the small seasonal drainage on Lot 2. In this buffer area appropriate riparian landscaping is proposed as approved by City Creeks Division staff. All proposed grading and retaining walls are located within the proposed development envelope and consists largely of cut grading into the uphill slope for the building footprint. The subdivision can be found consistent with Policy ER12.5.

*Environmental Resources Element* Policy ER31.3, Subdivisions in Single-Family Zones, calls for subdivisions to be permitted in areas where noise levels are low. Jorgensen Lane is centrally located within a large area of single-unit residential zoning, and existing and future legal land uses pose no concerns for higher noise levels. The subdivision can be found consistent with Policy ER31.3.
Housing Element: The Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. The proposed project would result in one future additional housing unit. Housing Element Policy H10, New Housing, states, “given limited remaining land resources, the City shall encourage the development of housing on vacant infill sites and the redevelopment of opportunity sites both in residential zones, and as part of mixed-use development in commercial zones.”

The neighborhood surrounding the project site is comprised of single-family residential development. The approval of the subdivision allowing the opportunity for a new residential unit, within the existing residential neighborhood, is a prime example of infill development. Therefore, the proposed development would be consistent with this policy of the Housing Element.

C. SUBDIVISION ORDINANCE (TITLE 27)

The proposed Tentative Subdivision Map is in compliance with the requirements of the Subdivision Map Act, and with the Requirements for Approval in SBMC §27.07.100. The proposed map is consistent with the General Plan. The site is physically suited for the proposed single-unit residential use, and consistent with the vision for the Cielito neighborhood at one dwelling unit per acre. This takes slope density into account with the proposed Lot 1 with 20.05% slope having more than two acres at 2.28 acres, and Lot 2 with 18.78% slope having more than 1.5 acres at 1.66 acres (see the table in Section VI.A above). The design of the project will not cause substantial environmental damage because the grading and development is proposed to be contained within a development envelope, outside of any sensitive areas. The siting of the house, driveways, and garage preserves existing trees to the extent feasible and provides replacements for removed trees, and provides a 50 foot riparian buffer.

Staff has reviewed the surrounding development pattern, General Plan policies, and Zoning requirements, and has determined that the two-lot subdivision is supportable. Staff made this determination based on several factors. First, the lot sizes proposed are greater than the minimum required by the zone district, and slope density. Second, the subdivision would not result in lots that are large enough to be subdivided in the future. Third, the additional new lot will reduce each individual lot owner’s road and infrastructure maintenance costs, thus supporting the maintenance prescribed in the Declaration of Covenants, Conditions and Restrictions for Maintenance of Private Road and Formation of Private Road Owners’ Association (Jorgensen Lane). Fourth, the proposed lots are consistent and compatible with the surrounding lots in the vicinity and those in the Cielito neighborhood, many of which also lack the required frontage on public streets.

VI. OTHER

Public Street Waivers

Santa Barbara Municipal Code, Section 22.60.300 (New Lots to be Served by Public Streets) requires that each lot created by a subdivision be served by a public street unless the subdivision is served by a private road, lane, drive, or driveway serving no more than two lots, or unless the Planning Commission waives this requirement. In order to waive the public street frontage requirements, the Planning Commission must find that:
1. The proposed driveway would provide adequate access to the subject sites, including access for fire suppression vehicles.

2. There is adequate provision for maintenance of the proposed private driveway through a recorded agreement.

3. The waiver is in the best interest of the City and will improve the quality and reduce the impacts of the proposed development.

Pursuant to 22.60.300.B, the designee of the Public Works Director reviewed the request for a waiver of the requirement to be served by a public street. Staff supports the requested waivers because the existing private Jorgensen Lane provides adequate access to the proposed lots and provides adequate fire suppression access. Furthermore, there is an owner’s association and robust recorded private street maintenance agreement with adequate provisions for owner maintenance of Jorgensen Lane, without the City being responsible for maintenance. The owner of the new lot shall automatically become a member of this association. In addition, the Public Works Department is not interested in additional maintenance obligations that would come with accepting private lanes such as Jorgensen.

**Fire Hazard**

The subject parcel is located in the Foothill High Fire Hazard Area. The proposed project would follow High Fire building code requirements, and High Fire Hazard Area Landscape Guidelines. Jorgensen Lane is constructed to sufficient paving standard and width, and has a turnaround area for fire trucks, and there are fire hydrants adjacent to each proposed lot. The proposed Lot 2 would be landscaped following the City’s High Fire Hazard Area Defensible Space, and Landscape Requirements, thus reducing wildfire fuels. Earlier this year the City’s preparation of a local ordinance regulating Accessory Dwelling Units considered whether to allow them in the Foothill High Fire Hazard Area. The adoption of Ordinance 5834 on May 15, 2018 involved analysis of the road networks, and emergency evacuation during wildfire events and it was determined that additional dwellings could be allowed in the Foothill High Fire Hazard Area without compromising public safety.

**VIII. ENVIRONMENTAL REVIEW**

Staff’s environmental review for this project considered the extensive analyses and reports done for the previous 2007 subdivision for their applicability to the present proposal, including arborist report, biological evaluation, soils engineering report, drainage study, fire protection plan, and an access and circulation analysis. The previous subdivision was found to be Categorically Exempt from further review per CEQA Guidelines Section 15303, New Construction.

The current project scope and its potential impacts are more limited because the site is now largely developed, and construction of Jorgensen Lane is completed. The development on the new lot must comply with Tier 3 Storm Water Management Program requirements. All proposed grading will occur within the development envelope. The Conditions of Approval in Exhibit A took into consideration the conditions for the prior subdivision project, carrying forward those which are applicable to the present proposal’s scope of work. The proposed house is designed to be compatible with the designated Structure of Merit “Jorgensen Ranch House” at 107 Jorgensen Lane. The current project is Categorically Exempt from further review per CEQA Guidelines Section 15303, New Construction.
VIII. DESIGN REVIEW

This project was reviewed by the Single Family Design Board (SFDB) on July 9, 2018 (Exhibit D, Minutes). The SFDB stated they are comfortable with the bulk and size of the propose house; the plate heights should be lowered to be more proportional to human scale; they appreciate the architectural style; and it is appropriate for the neighborhood. The SFDB will continue to review the grading plan, house design, and landscaping and make the required Neighborhood Preservation Ordinance findings, Hillside Design District findings, and Grading findings upon approval of the project.

IX. FINDINGS

The Planning Commission finds the following:

A. THE TENTATIVE MAP (SBMC §27.07.100)

As described in Section VI.C of the Staff Report, the proposed Tentative Subdivision Map is in compliance with the requirements of the Subdivision Map Act, and with the Requirements for Approval in SBMC §27.07.100. The proposed map is consistent with the General Plan. The site is physically suited for the proposed single-unit residential use, and consistent with the vision for the Cielito neighborhood at one dwelling unit per acre. This takes slope density into account with the proposed Lot 1 having more than two acres, and Lot 2 having more than 1.5 acres (see the table in Section VI.A above). The design of the project will not cause substantial environmental damage because the development is proposed to be placed outside of any sensitive areas, preserves existing trees to the extent feasible and provides replacements for removed trees. The development envelope sets aside more than 50% of the lot area as development-restricted open space, and includes riparian landscaping appropriate for the area of the seasonal drainage channel. The proposed improvements will not cause serious public health problems. The design of the development and type of improvements does not conflict with easements. The site does not front on any public natural resources requiring public access. The project will meet water quality requirements and comply with City standards for sewer, and the project will comply with the Conditions of Approval.

B. STREET FRONTAGE MODIFICATIONS

As described in Section VI.A of the Staff Report, the requested modifications are necessary to secure an appropriate improvement because the existing and proposed lots are landlocked and do not have frontage on a public street, are consistent with the purpose of the Zoning Ordinance, and result in development that is generally consistent with existing patterns of development for the neighborhood. The proposed lots have more than 100 feet of frontage on the private Jorgensen Lane that was constructed to City street standards for the roadway. There is a private road maintenance agreement and owners’ association to maintain Jorgensen Lane. The owner of the new lot shall automatically become a member of this association, and share the maintenance responsibility.

C. PUBLIC STREET WAIVER

As described in Section VII. of the Staff Report, the existing lot and proposed lots are landlocked and do not have frontage on a public street and therefore not served by a public street. The City Public Works Director recommends that the Planning Commission waive the requirement that
the lots created by the proposed subdivision front upon a public street because the existing private street provides adequate access to the proposed lots, provides adequate fire suppression access, the recorded private street maintenance agreement has adequate provisions for owner maintenance, and the waiver is in the best interests of the City.

Exhibits:

A. Conditions of Approval
B. Site Plan
C. Applicant's letter, dated September 11, 2018
D. SFDB Minutes July 9, 2018
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 (30% of all planning fees, as calculated by staff) at time of building permit application.
3. Submit an application for and obtain Building Permit(s) for, and complete, the construction of all private common area improvements required prior to approval of the Map to ensure the lot is ready for subdivision.
4. Submit an application for and obtain City Council approval of the Parcel Map and Agreement(s) and record said documents.
5. Following recordation of Parcel Map, submit an application for and obtain a Building Permit (BLD) for construction of approved development.

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

B. 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 an Agreement Relating to Subdivision Map Conditions Imposed on Real Property, 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 concurrent with the Parcel Map, and shall include the following:

1. Approved Development. The development of the Real Property approved by the Planning Commission on October 4, 2018 is limited to a Tentative Subdivision Map for a two-lot subdivision of an existing 4.37 acre parcel resulting in Lot 1 at 2.28 acres and Lot 2 at 2.09 acres, two Zoning Modifications for lot frontage, two Public Street Waivers, and construction of a new house on Lot 2 to be reviewed by the Single Family Design Board, and the improvements shown on the Tentative Subdivision Map signed by the chair of the Planning Commission on said date and on file at the City of Santa Barbara.

2. Development Rights Restrictions. The Owner shall not make any use of the restricted portion of the Real Property as designated on the approved Tentative Subdivision Map (those areas outside the Development Envelope) in order that those portions of the Real Property remain in their natural state. All areas of the project site not designated as “Development Envelope” or shown hereon as an access or utility service corridor are
Planning Commission Conditions of Approval
104 Jorgensen Lane
October 4, 2018
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to remain in an undeveloped condition subject to the passive use by the property owner. The parcel owners shall perform clearance for flammable vegetation adjacent to structures and improvements for fire protection purposes. The Owners shall not make use of the restricted area including, but not limited to, grading, irrigation, structures, ornamental landscaping, or utility service lines. The restricted areas shall be shown on the Parcel Map. The Owner shall continue to be responsible for maintenance of the restricted area, and compliance with orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.

3. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the parcels.

4. **Garages Available for Parking.** A requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.

5. **Landscape Maintenance.** The landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan. Such Plan shall not be modified unless prior written approval is obtained from the appropriate design review board. If said landscaping is removed for any reason without approval by the appropriate design review board, the owner is responsible for its immediate replacement.

6. **Covenant Enforcement.** Each owner is permitted to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

7. **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.

8. **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).

8. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.

9. **Pesticide or Fertilizer Usage Near Creeks/Drainages.** The use of pesticides or fertilizer shall be prohibited within the areas outside of the development envelopes as identified on the approved Tentative Map, which drain directly into adjacent drainages.

10. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owners 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 Owners 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 Owners shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building 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. Public Works Submittal. The Owner/Agent shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Parcel Map and prior to the issuance of any permits/Work Orders for the project:

1. **Public Street Waivers.** Two (2) Public Street Waivers are required to create two (2) new lots that do not front on a public street (SBMC §22.60.300.B).

2. **Parcel Map per Santa Barbara Municipal Code (SBMC §27.09).** A Parcel Map application is required for a two-lot subdivision of an existing parcel resulting in Lot 1 and Lot 2 for review and approval. The Parcel Map shall be prepared by a licensed land surveyor or registered Civil Engineer eligible to practice land surveying. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.

3. **Address letter per Santa Barbara Municipal Code (SBMC) §22.32.** An address letter will be required for the new proposed building on Lot 2.

D. Design Review. The project is subject to the review and approval of the Single Family Design Board (SFDB). The SFDB shall not grant project design approval until the plans demonstrate consistency with the following Planning Commission conditions:

1. **Tree Protection Measures.** The landscape plan and grading plan shall include the following tree protection measures:
   a. Project Arborist shall be notified prior to any activities within the critical root zone of protected trees.
   b. Project Arborist shall be present during any grading or excavation adjacent to or beneath the dripline of any oak tree.
   c. Grading under any oak tree dripline shall be minimized. Grading within the dripline during construction shall be minimized and shall be done with light (one ton or less) rubber-tired equipment or by hand. If use of larger equipment is necessary within the dripline of any oak, it shall only be operated under the supervision and direction of a qualified Arborist.
d. Fencing. During construction, fencing or protective barriers, such as a 6-foot tall chain link fence or orange construction fence with metal stakes, shall be provided around all trees proposed to remain, at the critical root zone or where practical.

e. No activities or storage of construction materials shall be allowed within the fenced areas unless approved by the project arborist.

f. No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.

g. Compaction of the root zone shall be avoided by spreading 3 to 4 inches of mulch. If necessary, plywood or equivalent shall be placed on top.

h. Any root disturbance to any of the protected trees shall be done by hand and the project arborist alerted.

i. All roots encountered shall be cut cleanly with a sharp saw to allow for new root regeneration, backfilled immediately or kept moist to prevent drying out and dying.

j. Any tree affected by the construction process shall be deep-root fertilized to promote better health and vigor.

k. During hot, dry periods, the foliage may need to be washed with high pressure water to remove construction dust.

l. Landscaping provided under the oak tree(s) shall be compatible with preservation of the trees as determined by the Single Family Design Board (SFDB). No irrigation system shall be installed under the dripline of any oak tree.

m. Oak seedlings and saplings less than four inches (4”) at four feet (4’) above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.

2. **Seasonal Creek.** Provide a creek restoration and maintenance plan for the creek setback area prior to the SFDB Project Design Approval. The plan should include measures for removing existing non-native vegetation and preparing the site for revegetation. Only native riparian trees and plants from local genetic stock should be installed in the creek setback area. Indicate the source of the plants on the plans.

3. **Needlegrass Transplantation.** The landscape plan shall incorporate the following information and/or notes: Needlegrass clumps in areas proposed for disturbance shall be excavated and transplanted to undisturbed portions of the lot or parcel, and this species (Nasella pulchra or Nassella lepida) shall be incorporated into the landscaping plan for several, if not all, lots.

4. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
5. **Screened Backflow Device.** The backflow devices for fire sprinklers, pools, spas 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.

6. **Screened Parking.** Uncovered parking is required to be screened from the street pursuant to SBMC §30.15.120. The second driveway, parking, and screening are subject to approval by the SFDB.

7. **Permeable Paving.** A permeable paving system shall be incorporated, to the extent feasible, for the project driveways, walkways and parking areas that will allow a portion of the paved area runoff to percolate into the ground, except as necessary to meet Fire Department weight requirements. Materials in driveways and parking areas must be approved by the Transportation Manager.

E. **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. **Work Order.** A Public Works permit/Work Order will be required for a new water meter.

2. **Community Development Department.**
   a. **Contractor and Subcontractor Notifications.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions and Conditions of Approval. Submit a copy of the notice to the Planning Division.
   b. **Requirement for Archaeological Resources.** The following information shall be printed on the grading plans and site plan:

   If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and 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 Planning Division 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 Planning Division grants authorization.

c. **Biologist and Arborist Monitoring Contracts.** Submit to the Planning Division contracts with a qualified biologist and a qualified arborist for monitoring during all ground disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance, as outlined in the Biological Assessment, prepared by Lawrence Hunt, dated June 14, 2006, and the Arborist Report, prepared by Westree, dated December 10, 2004, with an Addendum dated March 21, 2006. The contract shall be subject to the review and approval of the Planning Division.

d. **Private Road Maintenance Agreement.** The Owner shall amend the Declaration of Covenants, Conditions and Restrictions for Maintenance of Private Road and Formation of Private Road Owners’ Association (Jorgensen Lane) to include the newly created fourth property in the subdivision as a party in the agreement and the association. Said Agreement is subject to the review and approval of the Community Development Director and City Attorney.

e. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the SFDB and as outlined in Section D “Design Review,” and all elements/specifications shall be implemented on-site.

f. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the grading (if separate permit) and 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., Parcel 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:

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor</td>
<td>Date</td>
</tr>
<tr>
<td>Architect</td>
<td>Date</td>
</tr>
<tr>
<td>Engineer</td>
<td>Date</td>
</tr>
</tbody>
</table>
F. **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, contractor(s) telephone number(s), 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 in size in this single-unit residential 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. Construction vehicle/ equipment/ materials storage and staging shall not obstruct Fire Department access on the private road.

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.

G. Prior to Certificate of Occupancy. Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall 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.

H. 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.

II. NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:

The Planning Commission action approving the Tentative Map shall expire three (3) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.

NOTICE OF MODIFICATION APPROVAL TIME LIMITS:

The Planning Commission action approving the Modifications shall terminate three (3) years from the date of the approval, per Santa Barbara Municipal Code §30.205.120.A.1.ii, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or

2. A valid City Building permit has been issued for work related to the approval and construction work has begun and been carried on diligently without substantial suspension or abandonment of work.

NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 30.205.120):

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.
Exhibit B: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday.

Please check the City Calendar at www.SantaBarbaraCA.gov to verify closure dates.
September 11, 2018

Planning Commission
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

Subject: Planning Commission Letter; Proposed 2-Lot Subdivision
Parcel 3, Parcel Map 20,775; 104 Jorgensen Lane; APN 021-110-038
MST2014-00109

Honorable Planning Commissioners:

On behalf of the property owner, Mr. Jason Rick, L & P Consultants is pleased to submit for your consideration a proposed 2 parcel subdivision of the subject property. Attached herewith is a reduced size set of the Tentative Map, and the following narratives are intended to provide detailed information regarding the property, the proposed subdivision, and its consistency with the City General Plan:

I. PURPOSE OF REQUEST

The purpose of the application request is to seek division of a 4.37 acre property into two (2) residential lots of 2.28 acres (99,350 square feet) and 2.09 acres (91,211 square feet), respectively. Additionally, this application proposes one (1) new single family residence and garage on Parcel 2. The existing on-site private roadway is built to City standards, was designed as a private road and includes a robust private maintenance road agreement and private CC&Rs to ensure compliance.

II. PROJECT SETTING

The project site is 4.37 acres in size located near Sheffield reservoir. The property landform consists of a gently sloping topography which rolls southerly toward a developed neighborhood. The property is entirely surrounded by single family homes. The property has a single family residence located within the northwest portion of the exiting lot, no demolition is proposed. An approximately 1,000 foot long private road (650 feet of which is on the subject property) connects the property to Mountain Drive. The majority of the property is covered with a combination of large boulders, non-native grasses, ornamental trees such as palms and peppers, and various oak trees. The property is bordered on both the west and east sides by seasonal drainage courses. Surrounding land uses include residential lots on all sides. No rare, threatened or endangered species are known to inhabit the site.
Title Interests Affecting Project Site
The existing property is affected by a number of title interests including easements for utilities such as Southern California Edison, General Telephone Company, the City of Santa Barbara, and the USA. Additionally, access and utility easements are recorded for the benefit of the property including a 50-foot wide easement for utilities, road and incidental purposes which connects the property to Mountain Drive.

Project Site Land Use And Zoning
The property has a General Plan designation of Residential, One Unit per Acre, and is within the A-1 zone district.

Surrounding Land Use And Zoning
Surrounding land uses are the same as the subject parcel, and include single family residential properties on all sides. The one non-adjacent exception is the Sheffield Reservoir property to the east of Mountain Drive which is designated as an Institutional use.

Project Site Access
The project site is accessed from West Mountain Drive, a public City street, through an existing partially improved 50-foot wide access private easement. This private easement is located on and affects three (3) separate neighboring properties.

III. PROJECT DESCRIPTION

Application - The project is a proposal to subdivide a 4.37 acre property to create two (2) parcels and construct one (1) new single family residence and garage. This application requests the following:

1. A Tentative Subdivision Map to subdivide 4.37 acres into two (2) residential parcels of 2.28 acres (99,350 square feet) and 2.09 acres (91,211 square feet) per SBMC §27.07.01-110; and

2. A Street Frontage Modification to allow proposed Parcel 1 to have less than the required 100 feet of frontage on a public street SBMC §30.20.030 and SBMC §30.250.020.B; and

3. A Street Frontage Modification to allow proposed Parcel 2 to have less than the required 100 feet of frontage on a public street SBMC §30.20.030 and SBMC §30.250.020.B; and

4. A Public Street Waiver to allow a subdivision creating two (2) parcels without the required 100 feet of public street frontage to be served by a private driveway (access easement) per SBMC §28.15.080.
Existing Roadway and Public Street/Cul-De-Sac Easement - The project site is accessed from West Mountain Drive, a public City street, through an existing improved 50-foot wide private access easement to the property. These private easements are located on three (3) separate neighboring properties. A 20-foot wide roadway runs through these private easements to the beginning of Jorgensen Lane. The access within the existing Jorgensen Lane is 20-foot roadway (26-foot right-of-way) and 70-foot diameter cul-de-sac (76-foot right-of-way) at the roadway terminus. Private driveways will access the proposed two-lots of the newly configured subdivision off of the existing Jorgensen Lane easement and road improvements. No new road improvements are required for the subdivision.

Utilities - The property is currently served by utilities and infrastructure for water, sewer, electrical, gas, telephone and CATV.

Development Envelopes - The attached plans identify proposed Development Envelope (DE) areas for each of the two (2) new parcels. These proposed DEs had been established through the previous subdivision, and no expansion of these DEs will result from the proposed subdivision, and the DE on proposed Parcel 2 is reduced in size from the existing DE area to create a 50-foot creek buffer area. The designated DE area within each parcel is defined to include the future residential buildings, and associated permitted structures, and areas subject to ground disturbance and grading. No grading or ground disturbance is allowed to occur outside the DE, with the exception of utility and access corridors necessary to serve each parcel. The DE may include improvements such as walkways, decks, patios, arbors, carports, fences, walls, gazebos, spas, pools, utilities and appurtenant yard improvements and uses. The DE of proposed Parcel 1, which contains a completed single family residence with no new construction proposed, is to remain as previously established by Parcel Map No. 20,775. Proposed Parcel 2 contains a reduced in size DE to accommodate a 50-foot creek buffer strip from the easterly top of bank of the seasonal drainage course. Some non-native trees and (2) coastal live oaks are anticipated to be removed during construction. Proposed parking consists of a 3-car garage and 2 additional parking spaces at the end of the westerly driveway of proposed Parcel 2. These DEs were established through careful consideration of the landform and site constraint considerations, while setting aside obvious areas of non-disturbance, those being the seasonal drainage corridors and dense oak woodland areas.

A table summary of the proposed parcels, envelopes and house sizes are presented below:
Planning Commission Letter  
104 Jorgensen Lane 2-Parcel Subdivision  
Sept 11, 2018  
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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1</td>
<td>3,317 constructed</td>
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<td>(P) 4,316</td>
<td>(P) 798</td>
<td>(P) 29,300</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>0.44</td>
</tr>
<tr>
<td>2 (Net Road)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>18.78%</td>
<td>1.66 net</td>
</tr>
</tbody>
</table>

Dart Application Reference - This letter has provided information (above) from Question 1 through Question 2.b.1-12 of the City’s Dart Application. The remaining question will be answered in a list formation. The list continues below:

**Question** | **Response**
--- | ---
2.b.13.i.-v. | Yes, with the proposed new house. Cut sheets attached
2.b.13.ii. | No creation of smoke or odors.
2.b.13.iii. | No new noise sources.
2.b.13.v. | Yes there are geotechnical studies  
(soils report, an a earthquake fault letter, attached)  
The soils report foundation recommendations will be followed  
at the building permit stage, and the fault letter had no rec’s.
2.b.13.vi. | Yes there are resource studies (Biology, Arborist, Access/  
Circulation, Fire Protection, attached)  
The mitigation measures of each study are included in the  
project description.
2.b.13.vii. | Yes the existing and proposed easements are listed on the TPM and  
the PTR.
2.b.13.viii. | Yes, there exists a drainage course to the east of the proposed home.
2.b.13.ix-x. | Sewer and Water service is provided by the City of SB.
2.b.14.i | N/A. No demolition with this project.
2.b.14.ii | Approximately 1 month.
2.b.14.iii | Approximately 18 months.
Planning Commission Letter
104 Jorgensen Lane 2-Parcel Subdivision
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2.b.14.iv Approximately 5 workers (max 10) with grading equipment to include an excavator, skidloader & compactor.

2.b.14.v Staging areas to include the proposed development envelope of proposed Parcel 2.

2.b.15 Will pay inclusionary fee for the 2-lot subdivision after PC approval.

2.b.16 No addition information, all property improvement are on proposed Parcel 2.

2.b.17 Zero amount of new impervious surfaces. Tier 3 SWMP provisions incorporated into existing SFR construction on Proposed Parcel 1 and as depicted on Tentative Map.

2.b.18 N/A. Single Family construction. No Hazardous Material.

2.c. SFDB, Meeting Date: July 9, 2018
DART, Meeting Date: November 21, 2017

2.d N/A, no previous contact with Staff for this project.

2.e Project justification in “Summary” below.

2.f No significant issues with this proposed single family home on a 2-acre lot.

IV. PREVIOUS CITY REVIEWS

A proposed four parcel subdivision of the Jorgensen Ranch property had been approved by the City Planning Commission on March 15, 2007, but was subsequently appealed to City Council. On July 24, 2007 the City Council continued the appeal in response to an Applicant request to reduce the project to a three parcel subdivision. On November 20, 2007 the City Council adopted Resolution No. 07-086 to deny the appeal and approve a three parcel subdivision of the Jorgensen Ranch property.

Private Driveway vs. Public Street – The existing parcel does not front on public street. There are three properties between the public Mountain Drive frontage and the property. It should be noted that given the rural-style character of the surrounding neighborhoods, infrastructure associated with typical urban developments such as sidewalks and street lighting are not present in these surrounding neighborhoods. The existing roadway was constructed to City development standards and meets all fire department requirements. The project has been designed with the entire street portion of the road located on Proposed Parcel 2. After “netting out” the parcel area in the
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private street easement, Proposed Parcel 2 is still able to meet the minimum lot size standard for the A-1 zone district and compliance with slope density area requirements.

Neighborhood Compatibility – The two (2) proposed parcels have been configured as they were when previously approved by the City Planning Commission in 2007. Additionally, the parcels will be at or near the size of the largest properties in the surrounding neighborhood. The average lot size of the 15 properties bordering the subject property is approximately 1.37 acres, while the two (2) proposed parcels are 2.28 and 2.09 acres. The subdivision has been designed to comply with both the Slope Density ordinance with minimum lot size requirements of 2.0 acres (for Lot 1) and 1.5 acres (for Lot 2), and General Plan residential density for the property of one unit per acre.

The new residence has been designed to complement the existing adobe/hacienda style structures located to the southwest and west. Architectural design elements include, but aren’t limited to stone faced site walls, earthen tone stucco walls with wooden windows and doors, mission style roof tiles, wood and wrought iron balconies and stone columns. The home is designed to step with the land form and is single story with the garage component tucked underneath the new home.

V. ENVIRONMENTAL CONSIDERATIONS

Aesthetics/Visual Analysis - The Project Site has been previously developed with an existing single family dwelling on proposed Parcel 1, and existing access and utility infrastructure to serve both proposed parcels. New development resulting from an approval will be a new single family dwelling on the existing Parcel 2 Development Envelope. Based on photographic visual analysis it is clear that there are no visual impacts to public views from any public City park or facility. Las Tunas Road, a somewhat winding hillside road south of the subject property and approximately one-half mile away, appears to be one of few public road from which one could view the property straight on. The public views from this road are heavily obscured by dense tree and vegetation screening and are fleeting at best. The 500 block of Mountain Drive also offers a short view of the subject property, as does a short stretch of Hillcrest.

The proposed new single family dwelling would have little, if any, visual impact to the surrounding neighborhood as earthtone colored home would be tucked into the existing gently sloping hillside, and the proposed home would benefit the neighborhood visually by being sited in the lowest elevation of the other three-development envelpes, and the proposed home would not protrude to any significant degree, and could never “blue-sky” from the proposed location. The density of one more new home scattered over the existing property will have no more visual impact than the existing homes do sprinkled throughout the entire neighborhood. We believe that the location of the proposed new home coupled with the proposed architecture design will result in no visual impacts.

Arboreal Resources – A previous Arborist report, prepared by WESTREE, had been completed for the affected area of the property. The area affected by the current project
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Proposal includes the proposed development envelope reduced in area from the
development envelope previously studied. WESTREE's report coupled with Van Atta
Associates, Inc.'s graphical depiction on its Tree Protection and Removal Plan shows a
total of six (6) trees including four (4) coastal live oaks and two (2) palm trees to be
removed for the previous project. The current project, further reducing the development
envelope to account for a 50 foot drainage course buffer strip, together with adjusting the
single family residence layout accordingly, will result in one less coastal live oak
identified for removal. WESTREE's report concluded that with the recommended
mitigation measures, together with a replacement ratio of 3:1 as outlined by the City,
that the project would not significantly impact the remaining trees.

Biological Resources – The previous subdivision Biological Report had evaluated and
mitigated project-related impacts for the access driveway widening to coast live oaks,
scrub oaks, legless lizard and nesting birds. The Biologist complied with the approved
mitigation measures outlined in the evaluation to reduce construction-related impacts to
less than significant, and included the tree mitigation found in the arborist report,
transplanting of scrub oak burls and clumps of native bunch grass were identified. The
proposed subdivision includes a native plant restoration of the 50-foot creek buffer area
as depicted on the submitted Landscape Plans.

Geology and Soils – A Soils Engineering Report, prepared by Earth Systems Pacific, was
completed for the previous subdivision. Based on the results of a field investigation
(15 boring holes) and laboratory analysis the report concluded that the site was suitable
for construction of future residences. Typical construction recommendations for the
development of the future houses were presented in the Preliminary Geotechnical
Recommendations section of this Soils Engineering Report. The currently proposed 2
Parcel subdivision has incorporated those recommendations for the new single family
dwelling.

City staff had also requested additional information regarding the Mission Ridge fault.
A letter dated June 7, 2005 was submitted by Earth Systems Pacific and concluded that
because of the blind nature of the fault segment, its distance from the site, and that this
is at least 250 feet of alluvium/terrace deposits overlying the fault, there is a very low
potential for ground surface rupture to occur within the design life of the planned
development as a result of faulting.

Grading – The Tentative Map identifies existing and design (post-construction) contours.
Given the gently slope of the property, coupled with the existing access driveway, the
amount of grading for the entire project was relatively modest.

A table summary of the grading quantities for the new lot and new home is presented
below:

<table>
<thead>
<tr>
<th>PARCEL #</th>
<th>NEW HOUSE</th>
<th></th>
<th>DRIVING/YARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>325 CY Cut</td>
<td>200 CY Fill</td>
<td>300 CY Cut</td>
</tr>
</tbody>
</table>
Drainage – A Drainage Study had been prepared by Flowers & Associates for the previous project, a copy of which is enclosed herewith. Storm run-off flow from the site was calculated for the 100, 50, 25 and 10-year storm events for both the existing and proposed site. The calculations associated with the “after” project assume a maximum buildout for each of the four lots. Project drainage is designed to flow southerly and toward the two existing seasonal drainages as it currently flows. Additionally, each lot was designed to utilize vegetated swales and detention trenches to reduce future drainage flow to appropriate levels. The analysis indicated that the proposed project drainage improvements, including conveyance facilities, detention facilities and water quality improvement facilities, should result in no net increase in off-site drainage impacts for up to a 25-year design storm.

Fire Protection – A Fire Protection Plan had been prepared by FIREWISE2000 for the previous project. The Plan was created to provide an analysis of the impact of the development of the property on the fire safety and prevention for adjacent properties. The Plan includes road requirements, water supply and hydrant locations, building material and design requirements, wildland fire hazard-rating assessment, defensible space criteria, and long term vegetation maintenance criteria. The Fire Plan analysis concluded that the development and maintenance of the enhanced access to the property, new fire hydrants, irrigated landscaping and fuel modification zones, and community fuelbreak concept will reduce the fire hazard and risk to the surrounding properties and improve the ability of fire fighters to successfully fight a wildfire in the area. This lot split will create one more area (one new lot/home) that will benefit from the implementation of the Fire Protection Plan.

Land Use – The project is located in the Cielito General Plan Neighborhood of Santa Barbara, on West Mountain Drive, immediately west of Sheffield Reservoir. Existing development in the Cielito neighborhood is single-family houses which are almost entirely on lots in excess of one acre in size, and is limited to the area west of Gibraltar and El Cielito Roads. It should also be mentioned that many properties to the south of the subject parcel and in the Rockwood area just east of the subject project are on half acre lots. The topography varies from rolling to very steep. Existing development has taken place primarily on the rolling portions. The subject property is within these rolling topographic areas and is therefore designated as Residential in the General Plan. As detailed above, the two new parcels within the subdivision are consistent with both the General Plan and average slope ordinance densities.

Access and Circulation - An access and circulation analysis had also been prepared for the previous project by Associated Transportation Engineers (ATE). The analysis was produced to identify access and circulation impacts of the development of the property. ATE had concluded that the proposed widening of the roadway system to a City Standard 20-foot, two-way road would be an improvement for emergency vehicle access, and an enhancement to the emergency evacuation routes, over what is now the previous design of the ranch road. The analysis indicated that the addition of three new homes
coupled with the proposed roadway improvements would not significantly impact emergency access to the study area. Additionally, improvements to the identified landscape island would allow for better sight visibility. The new house will benefit from the access and circulation improvements that now exist.

Public Services – The entire property is served by utilities and infrastructure for water, sewer, electrical, gas, telephone and CATV. Adequate public services are readily available for the properties and therefore should not pose any significant issues.

VI. SUMMARY

Given that the location of this proposal is surrounded by existing single family neighborhoods, comprised mostly of one (1) and two (2) acre properties on all sides, and has been previously reviewed positively by City staff and decision makers, we believe that the addition of (1) new lot and in-fill home will be compatible with existing neighborhoods and land uses.

As an in-fill project we believe that we are fully consistent and compatible with the surrounding uses, and that the siting of the proposed development can be considered appropriate for the property. We believe that an objective analysis and review will confirm this perspective. We thank you in advance for your time and effort involved with considering this project.

If you have any questions or wish to discuss this project further, please do not hesitate to contact me.

Very truly yours,
L & P CONSULTANTS

Mark Lloyd
Agent for Mr. Rick

cc: Mr. Rick
L&P File

(09-11-18 104 Jorensen FC Letter.doc)
CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

1. 104 JORGENSEN LN

RS-1A Zone

(3:10) Assessor’s Parcel Number: 021-110-038
Application Number: MST2017-00713
Owner: Jason L. Rick
Applicant: Mark Lloyd
Architect: Brian Cearnal

(Proposal for a two-lot subdivision of an existing 4.43 acre parcel resulting in Lot 1 at 2.32 acres and Lot 2 at 2.11 acres, and construction of a new two-story single residential unit and attached garage on Lot 2. The proposed house and garage total approximately 5,163 square feet and is 92% of the guideline maximum floor-to-lot area ratio (FAR). Planning Commission review is requested for a Tentative Subdivision Map, Zoning Modifications for lot frontage, and Public Street Waivers for the two proposed lots.)

(First Concept Review. Comments Only. Project requires Planning Commission Review.)

Actual time: 3:05 p.m.

Present: Mark Lloyd, Applicant; Jason L. Rick, Owner; and Tony Boughman, Assistant Planner, City of Santa Barbara

Public comment opened at 3:10 p.m.

The following people expressed concerns or comments:
1. James Love Lee, neighbor at 101 Jorgensen, spoke of concerns regarding the height and siting of the house related to mountain views.
2. Cody Cameron, neighbor at 559 Mountain Drive, and also on behalf of an absent neighbor, spoke of concerns about further development of the site after a previous subdivision approved by City Council was limited to three lots, emergency fire access, increased traffic, and private view impacts.
3. Randall Wade, neighbor at 2626 Foothill Lane, also spoke of concerns about further development after the previous subdivision was approved by City Council.
4. Richard Goodstein, neighbor at 107 Jorgensen Lane, spoke in favor of the lot split, but expressed concerns about parking currently occurring on the private road limiting access.
5. Correspondence from David Unger expressing concerns about privacy and the size of the proposed house was acknowledged.

Chair Sweeney clarified that some public comments should be directed to the Planning Commission, as the purview of the Single Family Design Board is to determine the appropriateness of the proposed size, bulk, and scale; and the compatibility of the style of architecture, materials, color, size, and location on the lot. The Board does not have purview regarding private views unless it’s related to privacy issues.

Staff comments: Mr. Boughman explained the project has undergone development review by staff from the Planning, Building, Fire, Creeks, and Transportation divisions. The question of splitting this lot is under the Planning Commission’s purview. Staff will be forwarding the Single Family Design Board’s comments to the Planning Commission regarding neighborhood compatibility of the project. The previous subdivision was approved by the Planning Commission for four lots. This approval was reduced to three lots by City Council on appeal. The new two-lot
subdivision application conforms to requirements, and will be presented to the Planning Commission for approval. Mr. Boughman also clarified that an addition to the project description is the proposed grading of 625 cubic yards of cut, and 300 cubic yards of fill.

Public comment closed at 3:26 p.m.

Motion: Continue indefinitely to the Planning Commission for return to the Full Board with the following comments:
1. The Board is comfortable with the bulk and size of the structure.
2. Study to lower the plate heights to a more proportional level.
3. The Board appreciates the style of the architecture and finds it appropriate to the already established neighborhood.

Action: Miller/Ferrell, 7/0/0. Motion carried.

Individual comment: Chair Sweeney requested the applicant to study balancing more of the cut and fill grading on the site.