



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** March 12, 2014  
**AGENDA DATE:** March 19, 2014  
**PROJECT ADDRESS:** 1360 Shoreline Drive (MST2013-00529)

**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RLB*  
 Peter Lawson, Associate Planner *P*

### I. PROJECT DESCRIPTION

The project consists of a 318 net square-foot addition and interior remodel of an existing one-story, single-family residence. Also proposed are a new front deck, approximately 90 square feet and two feet above grade, and a new rear deck with an arbor, approximately 140 square feet and two feet above grade.

### II. REQUIRED APPLICATIONS

The discretionary application required for this project is:

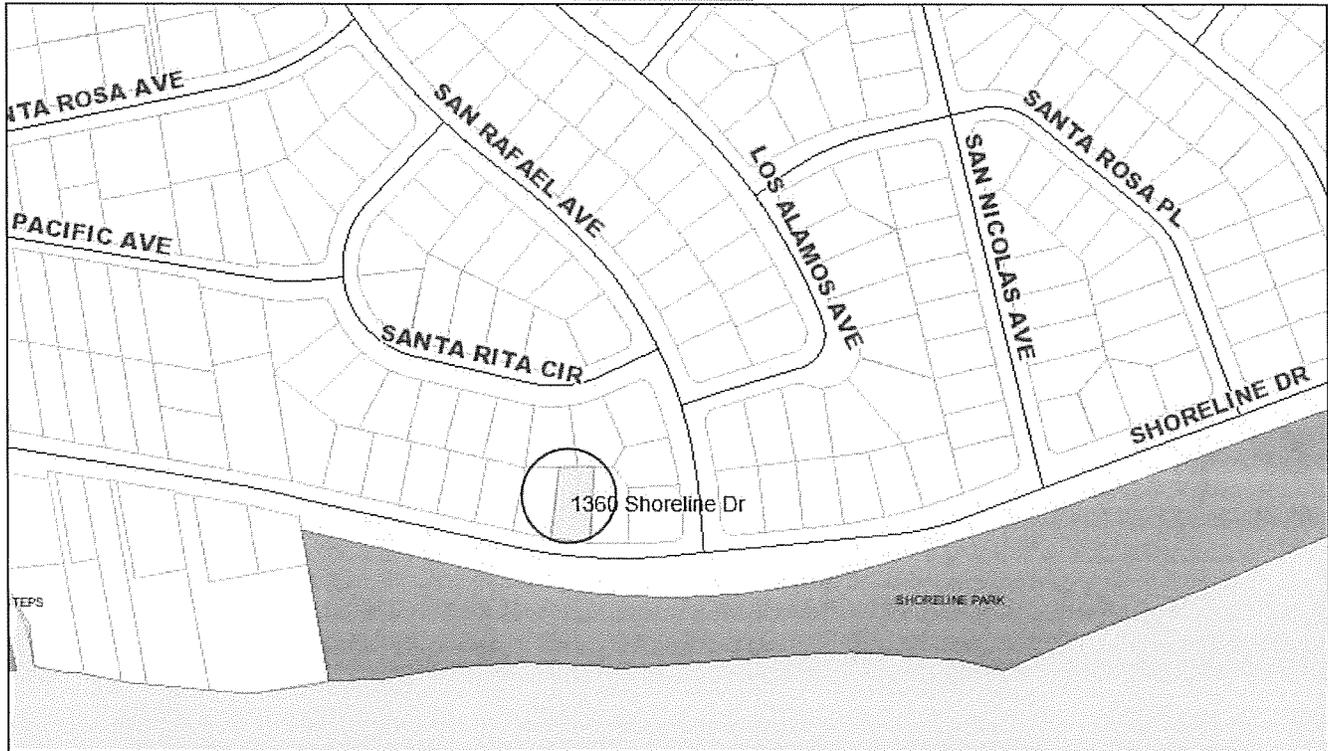
A Coastal Development Permit (CDP2014-00003) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);

**APPLICATION DEEMED COMPLETE:** February 21, 2014  
**DATE ACTION REQUIRED:** April 22, 2014

### 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 the Local Coastal Plan. In addition, the size and massing of the single story addition are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.

**Vicinity Map**



**IV. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

<b>Applicant:</b>	Kevin Moore, Architect	
<b>Property Owner:</b>	Frei Richard H/Suzanne E Trustees	
<b>Site Information</b>		
<b>Parcel Number:</b>	045-193-014	<b>Lot Area:</b> 6,433 s.f.
<b>General Plan:</b> Residential	<b>Zoning:</b> (E-3) One-Family Residence / (SD-3) Coastal Overlay	
<b>Local Coastal Plan:</b> Residential		
<b>Existing Use:</b> Residential	<b>Topography:</b> 0 -6%	
<b>Adjacent Land Uses</b>		
<b>North</b> - Residential	<b>East</b> - Residential	
<b>South</b> - Residential	<b>West</b> - Residential	

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
<b>Living Area</b>	1,039 sq. ft.	1,357 sq. ft.

<b>Garage</b>	393 sq. ft.	No Change
Floor Area Ratio	Actual FAR = 51% of Maximum Guideline FAR	Actual FAR = 63% of Maximum Guideline FAR

**V. POLICY AND ZONING CONSISTENCY ANALYSIS**

**A. ZONING ORDINANCE CONSISTENCY**

<b>Standard</b>	<b>Requirement/ Allowance</b>	<b>Existing</b>	<b>Proposed</b>
<b>Setbacks</b>			
-Front	20'	18' (Garage encroaches)	No change
-Interior	6'	6'	Greater than 6'
-Rear	6'	6'	Greater than 6'
<b>Building Height</b>	30 feet	18'-3"	18' - 3" (addition = 16'-11")
<b>Parking</b>	2 covered spaces	2-car garage	No Change
<b>Open Yard</b>	1,250 s.f.	1,581 s.f.	No Change
<b>Lot Coverage:</b>			
-Building	N/A	1,500 s.f    23.3%	1,830 s.f.    28.5%
-Paving/Driveway	N/A	3,953 s.f    61.5%	3,607 s.f.    56.0%
-Landscaping	N/A	980 s.f    15.2%	996 s.f.    15.5%

The original home and attached garage was constructed in the 1950's. The front setback at that time was fifteen feet and the garage is located approximately sixteen feet from the front lot line. The proposed addition would meet the requirements of the current Zoning Ordinance, such as the required setbacks, solar access, and open yard. The addition is not subject to design review because it is below the thresholds that trigger design review.

The project is also consistent with the Coastal Overlay Zone. The scope of work is an addition to a single-family residence and would not impact any Coastal resources. The project would be consistent with the City's Storm Water Management requirements by handling the majority of the runoff on site, minimizing the amount of water flowing to the ocean.

**B. GENERAL PLAN CONSISTENCY**

The project site is in the East Mesa neighborhood, which is bordered on the north by the southern edge of the Mesa Hills; on the south by the Pacific Ocean; on the east by Oceano Avenue; and on the west by Meigs Road. This neighborhood is described in the Land Use Element as being comprised of a small lot single family neighborhood with the exception of some multiple-family areas near Oceano and Barranca Avenues. The subject lot is within the small lot area of this neighborhood, immediately across from Shoreline Park. The majority of the project would be located in the rear of the lot and on the ground level. A deck would be added at the front of the house, but the overall existing character would remain. The density of the parcel would not change and no natural resources would be affected by the project. Therefore, the project would be consistent with the General Plan.

### **C. LOCAL COASTAL PLAN CONSISTENCY**

The project site is within the City's Coastal Zone and within Component 2 of the Local Coastal Plan (LCP), between Arroyo Burro Creek and Santa Barbara City College. Similar to the General Plan description of the area, the neighborhood is described as small lot single-family development. The project site is located on the north side of Shoreline Drive, across from Shoreline Park, and would not interfere with public access or views to or from the ocean. The relatively small, single-story addition to the rear of the residence will not block views any more than the existing development on site. There are no natural or archaeological resources on or adjacent to the project site that would be impacted. Therefore, the project would be consistent with the Local Coastal Plan.

### **VI. ENVIRONMENTAL REVIEW**

The project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities). The project is a minor addition to a single family dwelling and there are no resources, such as plant or animal habitat, archaeological resources or scenic areas on or adjacent to the project site that would be impacted.

### **VII. FINDINGS**

The Staff Hearing Officer 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, as described in Section V.C of the Staff Report, no Coastal resources, such as public recreation, coastal access, or scenic views would be impacted.
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 there are no sensitive resources on or adjacent to the project site as described in Section V of the Staff Report.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated February 2, 2014

**STAFF HEARING OFFICER CONDITIONS OF APPROVAL**

1360 SHORELINE DRIVE  
COASTAL DEVELOPMENT PERMIT  
MARCH 19, 2014

I. In consideration of the project approval granted by the Staff Hearing Officer 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. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on March 19, 2014 is limited to a 318 net square-foot addition and interior remodel of an existing one-story, single-family residence. Also proposed are a new front deck, approximately 90 square feet and two feet above grade, and a new rear deck with an arbor, approximately 140 square feet and two feet above grade, and the improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.

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

1. Complete final building permit corrections and obtain a Building Permit (BLD) for construction of approved development and complete said development.
2. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements.

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

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. **Community Development Department.**

- a. **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. **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.

E. **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 Staff Hearing Officer.
  - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

3. **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 COASTAL DEVELOPMENT PERMIT TIME LIMITS:

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

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



## Memo:

To: Staff Hearing Officer  
From: Kevin Moore  
Date: 02/04/2014  
Subject: 1360 Shoreline Drive  
CC: File

As the agent and Architect for the owner I am seeking a Coastal Development Permit for the property located at 1360 Shoreline Drive. The 6,433 s.f. property currently has a 1,750 s.f. single story single family home and attached two car garage. The property is in a neighborhood of single and two story homes and Shoreline Park is across the street. The existing home has three bedrooms, a single bathroom and an eat in kitchen. No CDP, PRT or DART applications have been filed with this property previously.

The proposed addition to the rear of the house consists of a new dining room and a second bathroom. The proposed additional floor area is 330 gross s.f. The ridge of the addition is less than 17'-0" from existing grade and is lower than the existing ridge height. There will be no effect on the neighboring properties view corridors nor will there be any effect to the privacy of the neighbors. The existing hardscape in the rear yard will be replaced by a new deck accessed by the dining room. At the front of the house we propose the replacement of two existing windows with a sliding glass door and an extension of the existing porch/stoop to allow seating to enjoy the view to the park and ocean beyond. The existing roof over the porch would be lengthened to cover the new porch area.

No trees or significant landscaping will be removed and all soils removed from new footings will be used on site. Drainage will continue to occur around the east and west of the house to the street but is proposed to be improved to comply with tier 1 stormwater management practices. Exterior lighting is proposed at the new exterior door locations and are specified per City requirements to be downlight only. Water and sewer service will continue to be provided by the City.

The proposed project once under construction is scheduled to be completed in 5 months. The demolition, grading and digging footings will require one month and small trench digging equipment will mainly be used. There will be anywhere from two to six construction workers on site and the rear yard will serve as the equipment and materials staging area.

This project will provide the owner with a dining room of sufficient size to have his family and relatives join him as well as provide a bathroom that can accommodate his needs as he ages. This house will continue to be one of the smallest in the area. We have deliberately proposed a small addition to not disturb the neighboring properties privacy or views. The

proposed FAR is .272 or 63% of the maximum FAR allowable for this zone. The only visible changes are to the front of the house and these serve to allow the owner the opportunity to sit, enjoy the view and be part of the neighborhood.

Please let me know if you have any questions. Thank you for the opportunity to provide this information.

Best regards,

Kevin Moore