

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

**ADDENDUM****F8a**

DATE: October 16, 2008
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Agenda Item 8a, Friday, October 17, 2008, City of Santa Barbara Appeal No. A-4-SBC-08-063 (Silva, City of Santa Barbara)

The purpose of this addendum is to: (1) correct an error in the width of the view corridor and (2) respond to and attach correspondence from the appellants and public.

Note: ~~Strikethrough~~ indicates text to be deleted from the September 25, 2008 staff report and Underline indicates text to be added to the September 25, 2008 staff report.

1. All references to the width of the proposed view corridor (Pages 2, 11, 12, or subsequent reference) shall specify that the view corridor is 30 feet in width, as follows:

Based on a review of the project and the City's action, public views are protected for the following reasons: (1) neither the ocean nor the proposed project site is visible from the neighborhood trail that connects Marina Drive to Braemar Drive, except as it outlets directly into the neighborhood cul de sac at the end of Marina Drive; (2) the project is designed with a 30 40-ft view corridor along the eastern portion of the property to protect views of the ocean from Marina Drive; (3) the City's conditions of approval require structures and landscaping of low stature within the view corridor; and (4) the City's approval requires all structures and landscaping within the view corridor to be reviewed in a final landscaping plan which will ensure that structures and landscaping are of low stature at maturity... (Page 2)

Overall, the City found that the project was designed in an appropriate location to provide a 40-foot wide setback along the eastern side of the property and then conditioned the approval to require a minimum 30-ft wide view corridor. ~~Note, however, the project was actually designed with a 40-ft wide view corridor.~~ This is consistent with LCP Policy 9.1 by using building orientation and setbacks to protect public views and is also consistent with LCP Policy 9.1 by using view corridors to protect public views. (Page 11)

Based on a review of the project and the City's action, the Commission finds that the proposed project is consistent with LCP Policy 9.1 and that public views are protected for the following reasons: (1) neither the ocean nor the proposed project site are visible from the neighborhood trail that connects Marina Drive to Braemar Drive, except as it outlets directly into the cul de sac at the end of Marina Drive; (2) the project is designed with a 30 40-ft wide view corridor along the eastern portion of the property to protect views of the ocean from Marina Drive; (3) the City's conditions of approval require structures and landscaping of low stature within the view corridor; and (4) the City's approval requires all structures and landscaping within the view corridor to be reviewed in a final landscaping plan to ensure that structures and landscaping are of low stature at maturity. (Page 12)

2. Correspondence from Ronald Green shall be attached to the staff report as new Exhibit 10, Correspondence. *The correspondence asserts that the following statement on page 2 of the staff report is incorrect “(1) neither the ocean nor the proposed project site are visible from the neighborhood trail that connects Marina Drive to Braemar Drive, except as it outlets directly into the neighborhood cul-de-sac at the end of [Marina] Drive” Staff disagrees that this is incorrect. The ocean is not visible from this connector trail, and any views from Marina Drive, including any applicable trail along the road, are intended to be covered in point two of the same sentence: “(2) the project is designed with a 30-ft view corridor along the eastern portion of the property to protect views of the ocean from Marina Drive.” The correspondence also indicates that the staff report is incorrect in that the view corridor is 30-ft in width, rather than the stated 40-ft width. Staff agrees that the view corridor is 30-ft in width and this has been corrected and clarified through this addendum.*
3. Correspondence from Kitch Wilson shall be appended to Exhibit 10, Correspondence, of the staff report. *The correspondence raises issue with respect to the staff report’s conclusion that Marina Drive is not a public view area. The correspondence indicates that such statement is on Page 2 of the staff report. Staff could find no such statement and did not intend that such statement be made. Presumably, this conclusion was based upon the following sentence: “Based on a review of the project and the City’s action, public views are protected for the following reasons: (1) neither the ocean nor the proposed project site is visible from the neighborhood trail that connects Marina Drive to Braemar Drive, except as it outlets directly into the neighborhood cul de sac at the end of Marina Drive;” However, as stated above, any views from Marina Drive, including any trail along the road, are intended to be covered in point two of the same sentence: “(2) the project is designed with a 30-ft view corridor along the eastern portion of the property to protect views of the ocean from Marina Drive.” Staff believes that the City of Santa Barbara met the requirements of Policy 9.1 of the LCP when it required the 30-ft view corridor.*
4. Correspondence from Pearl Zalon shall be attached to the staff report as new Exhibit 10, Correspondence. *The correspondence raises concerns with regard to the project’s large size and subsequent contribution to global warming and that the size of the residence is too large and incompatible with the neighborhood community. As stated within the staff report, the project falls within the size range of the nearest 20 homes. Therefore, staff concurs with the City of Santa Barbara that the size is generally consistent with the neighborhood. The correspondence also raises concerns with regard to the view corridor such that public views [from Marina Drive] will be blocked. The City’s Single Family Review Board conducted a preliminary review on September 2, 2008 and found that landscaping in the view corridor shall be between 3 feet and 4 feet in finished height for the north half of the view corridor and between 5 and 6 feet in finished height for the remaining [southern] portion of the view corridor. The subject correspondence asserts that the six-foot high landscaping was approved on the basis that the property slopes downward from north to south; however, this size vegetation in this area would block public views. Staff believes that the height will be adequate to maintain views given that the higher vegetation is only allowed on the lower (southern) portion of the property. The site slopes from north to south, with an elevation of approximately 172 ft. at the northern end of the property and 162 ft. at the southern end of the property. Further, the meeting minutes to this proceeding indicate that the applicants must provide a Section drawing through the view corridor which would show the landscaping at mature height in relation to the topography. This would ensure that views are maintained in the view corridor.*
5. Attach the September 2, 2008 meeting minutes of the City of Santa Barbara’s Single Family Design Board as new Exhibit 11.

Shana Gray

From: sygreens@aol.com
Sent: Tuesday, October 07, 2008 6:50 PM
To: Shana Gray
Subject: 3455 Marina Dr. addendum to staff report

The staff report for 3455 Marina Dr. contains several statements on Page 2 which are inaccurate and should be corrected. " (1) neither the ocean nor the proposed project site are visible from the neighborhood trail that connects Marina Drive to Braemar Drive, except as it outlets directly into the neighborhood cul-de-sac at the end of Braemar Dr." The map on Page 8 of Exhibit 2d clearly shows the public equestrian trail (indicated by dotted lines) proceeding down the 3400 block of Marina Dr. This trail is used by riders and pedestrians on a daily basis and affords a full public view of the ocean and the proposed project site from the 3400 block of Marina Dr. (2) "The project is designed with a 40 ft view corridor along the eastern portion of the property." The landscape plans submitted by the developer and approved by the Single Family Design Board on 9/2/08 show a 30 ft view corridor. The house is set back 40 ft from the property line but the view corridor is only 30 ft. (see attachment)

Yours truly,
Ronald Green

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Exhibit 10 A-4-SBC-08-063 Correspondence
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PRELIMINARY REVIEW

6. 3455 MARINA DR

A-1/SD-3 Zone

Assessor's Parcel Number: 047-022-004
Application Number: MST2007-00221
Owner: Silva Family Trust
Architect: Bryan Pollard
Landscape Architect: Sam Maphis

(Revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, fencing, synthetic putting green, solar panels, and landscaping. The project is located on a 1.2 acre lot in the Coastal Zone. The proposed total of 5,390 square feet is 102% of the maximum guideline FAR.)

(Project requires compliance with Planning Commission Resolution No. 017-08.)

Time: 6:45

Present: Bryan Pollard, Architect; Sam Maphis, Landscape Architect; Mike Silva, Owner.

Public comment opened at 7:09 p.m.

1. Don Santee for Kitch Wilson: would like to see the size reduced to the average FAR in neighborhood of 77%; prefers plantings and structures in view corridor restricted to less than 3 feet from ground; reduce ridge height to 17 feet.
2. Don Santee: project is noncompliant with Local Coastal Plan Policy (LCP) 5.3 and 9.1; prefers preserving view corridors; guidelines should be followed.
3. Ronald Green: project is under jurisdiction of LCP policies, and should be compatible with homes in the neighborhood and should protect ocean views.
4. Art Schwartz: concerned about night glow from exterior lighting and requested installation of shielded, low sodium lights.
5. Susan Zalon: concerned that other projects are held to FARs below 100% and this project should too; prefers attractive, low-growing ground covers instead of the hedge along the east property line.

Public comment closed at 7:22 p.m.

Motion: Preliminary Approval and continued to the Full Board for an in-progress review of the architecture and for landscaping plan:

- 1) Landscaping in the 30 foot view corridor at the eastern property line shall be between 3 and 4 feet finished height for the north half of the corridor, and 5 to 6 feet finished height for remaining portion.
- 2) Provide a section/drawing from Marina Drive to Cliff Drive with a variety of landscaping with mature height shown, include a silhouette of the structure.
- 3) Landscaping in the view corridor should appear natural and minor encroachment of the of tree canopies is not a detriment. Minimize the encroachment of the dwarf citrus tree canopies into the view corridor.
- 4) Study opportunities to reduce excess unused space and some very large rooms; any effort in reduction would be appreciated.
- 5) Provide additional details; preliminary colors are a good direction.
- 6) The architectural style and size are compatible with the neighborhood, the project provides quality materials.

Shana Gray

From: Kitch Wilson [kitchw@verizon.net]
Sent: Monday, October 13, 2008 7:11 AM
To: Shana Gray
Subject: amendment to 3455 Marina Drive Staff Report



planning
mmission.pdf (1 MB)

I am an appellant in this case. I have read the staff report by the coastal commission and find several errors. One in particular is HUGE and must be corrected prior to the Coast Commission meeting this coming Friday.

On page 2 second paragraph, the staff report suggests that only ocean views from the brief equestrian trail are at stake. This is contrary to the City of Santa Barbara position that the issue are the views ALL ALONG MARINA as this street is considered, by the City, to be a public view area.

To prove this, I have included the April 3 City of Santa Barbara Memorandum summarizing the conclusions of the Planning Commission meeting on 10 January 2008. On the second page of the memmorandum, third bullet, it states "The trail easement from Braemar Ranch establishes a public viewpoint along Marina Drive". By this is meant ALL ALONG MARINA and is the reason for the view corridors that have been required of the building project in question. Also the reason for eliminating the original wall along Marina. Also the reason for limiting the height of vegetation within the view corridor.

How could you possible conclude that Marina is not a public view area?

Kitch Wilson
415 Calle Las Caleras
Santa Barbara, CA 93109



City of Santa Barbara
Planning Division

Memorandum

DATE: April 3, 2008

TO: Planning Commission

FROM: Planning Division
Jan Hubbell, AICP, Senior Planner *JMH*
Jaime Limón, Senior Planner *SL*
Tony Boughman, Planning Technician *TB*

SUBJECT: 3455 Marina Drive

INTRODUCTION

On January 10, 2008, the Planning Commission held a public hearing to consider the single-family residence proposed at 3455 Marina Drive. The Planning Commission continued the project in order to allow the applicant to revise the project in response to the comments received at the hearing.

The revisions to the project include a reduction in the size of the residence, providing one three-car garage, lowering the front site wall along Marina Drive and the elimination of the front entry gate, providing a view corridor along the eastern property line, and lowering a portion of the roof.

PROJECT DESCRIPTION

This is a revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, synthetic putting green, and landscaping. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. The vacant lot is reduced from 1.34 to 1.17 acres by a public right-of-way easement along Cliff Drive. The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone.

The discretionary application required for this project is a Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.050).

DISCUSSION

At the January 10, 2008 hearing, the Planning Commission reviewed the project and provided the following comments to the applicant:

- The house is taller than necessary for one-story. Suggested height maximum of 17' and reduction of the roof pitch. Reduction is encouraged for greater impact on sustainability.
- The walls and entry gate need to be more compatible with the rural neighborhood. Suggested lighter fencing, split rail fence with landscaping that is in keeping with neighborhood. The wall should be reduced to 3 feet.
- The trail easement from Braemar Ranch establishes a public viewpoint along Marina Drive. Preserve a view corridor by reduction of house size to FAR guidelines. This is a pedestrian and equestrian use area and it was felt that it should be preserved as much as possible.
- Landscape plan should include native plants and minimal lawn, as well as minimal irrigation since it is close to the ocean. Landscaping should be easily maintained at a low height in the view corridor.
- Suggest garage #2 be moved and integrated with garage #1 as a means of opening the view corridor.

In response to these comments, the applicant has made the following changes to the proposed project:

- Lowered the main roof ridge by nine inches to approximately 19 feet.
- Reduced the height of the front wall at Marina Drive from six feet to two feet.
- Eliminated the front entry gate.
- Provided a 40 foot view corridor between the house and east property line by moving the house to the east, eliminating the west garage, and revising the landscape plan.
- Reduced square footage by 828 square feet from 6,218 to 5,390.
- Combined one-car garage and two-car garage into one three-car garage.

PROJECT STATISTICS

	Original	Revised
Habitable Area	5,467	4,816
Garage	725	574
Total (net)	6,192	5,390
Percentage of maximum guideline FAR	122	106

Standard	Requirement	Original	Revised
Setbacks -Front -Interior	35' 15'	Front: Marina Dr. 67' Front: Cliff Dr. 111' West: 15' East: 35'	Front: Marina Dr. 84' Front: Cliff Dr. 115' West: 15' East: 40'
Building Height	30'	20'	19' 3"
Parking	2 covered	3 covered –2 garages	3 covered-1 garage
Open Yard	1,250	1,849	1,849
Lot Coverage			
-Building	N/A	6,740 sq. ft. 13%	6,055 sq. ft. 11%
-Pool/Paving/ Driveway	N/A	11,118 sq. ft. 21%	10,709 sq. ft. 20%
-Landscaping	N/A	35,844 sq. ft. 67%	36,938 sq. ft. 69%

RECOMMENDATION

Staff believes that the applicant has addressed the comments provided by the Planning Commission at the previous hearing. Therefore, Staff recommends that the Planning Commission approve the project, making the findings and subject to the Conditions of Approval included in the revised Conditions of Approval.

Exhibits:

- A. Planning Commission Staff Report for January 10, 2008
- B. Planning Commission Minutes for January 10, 2008
- C. Revised Conditions of Approval dated March 27, 2008
- D. Applicant Letter dated March 11, 2008



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: January 3, 2008
AGENDA DATE: January 10, 2008
PROJECT ADDRESS: 3455 Marina Drive (MST2007-00221; CDP2007-00013)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Tony Boughman, Planning Technician II

I. PROJECT DESCRIPTION

The project consists of the construction of a 6,218 square foot one-story single-family residence, including a 469 square foot two-car attached garage and a 256 square foot one-car attached garage, on a vacant lot. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, and landscaping. Total grading would be 1,151 cubic yards. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. Access to the house would be from Marina Drive. The vacant lot is reduced from 1.34 to 1.17 acres by a public right-of-way easement along Cliff Drive. The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone.

Other components include a 600 square foot permeable synthetic putting green and a pool equipment enclosure.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.050).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances, General Plan and policies of the Local Coastal Plan. In addition, given the one the one-story nature of the project and the grade reductions made to lower the finish floor levels of the building site, the massing of the project can be considered consistent with the surrounding neighborhood and the Single Family Residence Design Guidelines. Staff is recommending minor adjustments to the project design to maintain a public ocean view corridor and a possible reduction in the height of the front perimeter walls to improve the project design. 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.



Vicinity Map for 3455 Marina Drive

APPLICATION DEEMED COMPLETE:
DATE ACTION REQUIRED:

November 5, 2007
February 3, 2008

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant/Property Owner: Mike Silva	
Parcel Number: 047-022-004	Gross Lot Area: 58,342 square feet / 1.34 acres Net Lot Area: 51,077 square feet / 1.17 acres
General Plan: Residential, 1 unit/acre	Zoning: A-1/SD-3, Single-Family Residence and Coastal Overlay Zone
Existing Use: Vacant lot	Topography: 2% average slope
Adjacent Land Uses: North – Single-Family Residential East – Single-Family Residential South – Single-Family Residential West – Single-Family Residential	

B. PROJECT STATISTICS

	Proposed
Habitable Area	5,467
Garage	725
Total (net)	6,192

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement	Proposed
Setbacks		Front: Marina Dr. 67' Front: Cliff Dr. 111'
-Front	35'	West: 15'
-Interior	15'	East: 35'
Building Height	30'	20'
Parking	2 covered	3 covered
Open Yard	1,250	1,849
Lot Coverage		
-Building	N/A	6,740 sq. ft. 13%
-Pool/Paving/ Driveway	N/A	11,118 sq. ft. 21%
-Landscaping	N/A	35,844 sq. ft. 67%

The proposed project is consistent with the regulations of the A-1, single-family residence zone related to building height, solar access, open yard requirements and parking.

VI. ISSUES

A. ENVIRONMENTAL REVIEW

Staff has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, new construction of small structures. The staff environmental analyst considered the potential for environmental impact to views along Cliff Drive and concluded that because the primary views are to and along the ocean, the project would result in no significant view impacts.

B. DESIGN REVIEW

This project was reviewed by the Architectural Board of Review (ABR) on May 29, 2007, and June 18, 2007 (meeting minutes are attached as Exhibit D). The project was continued indefinitely to the Planning Commission and will return to the Single Family Design Board (SFDB). The ABR appreciated the size, the one-story height, and the setback of the project. The ABR worked with the applicant towards reducing the finish floor height of the proposed residence to the lowest grade level possible without creating drainage problems for the site. The ABR found the proposed grading plan, style and massing of the project to be appropriate. A landscape plan was also reviewed by the ABR with the comment that the landscaping should preserve views of the ocean while providing privacy between adjacent residences. Preliminary and final approvals with Neighborhood Preservation Ordinance findings by the SFDB will be required following Planning Commission approval of the project.

Staff generally agrees with the ABR and believes that the overall design of the project would be compatible with the surrounding neighborhood, which is a mix of one- and two-story houses with a variety of Ranch and Spanish architectural styles. One-story houses over 17 feet in height on lots of 15,000 square feet or more are subject to floor to lot area (FAR)/maximum size guidelines. The guideline maximum house size for the subject property's lot size is 5,094 square feet. This proposal has 1,125 square feet of construction above the maximum square footage guideline for the property's lot size. A 20 Closest Lots FAR survey shows the proposal to be second largest in floor area and largest in terms of FAR. Although the proposed house is one-story, the roof ridge is 20 feet in height. Although the proposed house is larger than most others in the neighborhood, the one-story nature of the proposal could be considered to be compatible with the neighborhood.

C. COASTAL AND PUBLIC VIEWS

The project site is located in an area of the City where protection of public scenic views of the coast is important to residents. The Local Coastal Plan Policy 9.1 requires consideration to, from and along the ocean. The Conservation Element also discusses the importance of preserving public views of the ocean. The project site is located inland of a public vista point along Cliff Drive and on the ocean side of Marina Drive. The project front yard is adjacent to a portion of Marina Drive used frequently by members of the community who access an off-road trail connecting Marina Drive through to Braemar Drive. Neighbors requested the ABR to consider how the proposed residence design would impact public views and the existing active

equestrian easement connection that exists along Marina Drive. Staff is concerned that the proposed project design does not adequately maintain a view corridor from Marina Drive toward the ocean. The cumulative impact of existing, proposed new walls and vegetation may block the existing neighborhood ocean views. There are only two vacant properties in the neighborhood where the ocean can be viewed across the lots from Marina Drive. If the current development pattern to permit tall perimeter walls and driveway entry gates along Marina Drive continues, there could be no quality public views of the ocean remaining from the eastern end of Marina Drive. Ideally, the last two lots would feature adjacent interior property line view corridors so that a modest public view of the ocean would remain even after the entire street is built out. As proposed, the project includes a six foot height wall along the entire property frontage at the front yard setback line.

In addition, the applicant and ABR were advised by staff at the first Concept hearing that the proposed wall height and design along the front property would be inconsistent with Single Family Design Guidelines 13.2, 17.1 and 17.3 which discourage front house entries from being blocked with tall walls, screens or hedges. The guidelines encourage "neighborhood friendly" entries. The ABR sometimes allows private gated homes for some areas of the City. However, in this case, given the additional issue of Coastal views, the need for adherence to these guidelines should be carefully considered. The Planning Commission may direct the SFDB to further consider this front yard wall height issue.

Regarding views, Staff has included a condition of approval that would require the landscaping, accessory structures and any walls to be lowered or designed to maintain a minimum total of 30 feet of width in a view corridor or view corridors to the ocean. The view corridor would be designed to accommodate pedestrians walking along Marina Drive. The 30 feet of viewing corridor(s) could be provided on one or both sides of the house. The front property line is 155 feet wide. Also, the required interior yard setbacks are 15 feet for each interior property line. Given the total property frontage and standard interior yard requirements, the 30 foot view corridor condition width appears reasonable to maintain consistency with LCP and Single Family Design Guidelines policies.

D. LOCAL COASTAL PLAN COMPLIANCE

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 One of the Local Coastal Plan which is located between the City's Westerly Boundary adjacent to Hope Ranch, east of Arroyo Burro Creek and extending about 1,000 yards to the north, and is a low density residential area. The LCP acknowledges that this area is almost entirely developed with single-family residences. LCP Policy 9.1 requires consideration of coastal views. The project site is located inland of a public vista point along Cliff Drive and on the ocean side of Marina Drive. The inland views of the mountains from Cliff Drive are blocked by Campanil Hill. Views of Campanil Hill are already obstructed in a number of ways throughout the area. Further reduction of this project's proposed 20 foot height would not appear to have substantial benefit for preserving hillside views from Cliff Drive. A condition for natural landscaping at the southern perimeter of the property, compatible with existing natural landscaping to the South of Cliff Drive will maintain an appropriate viewing ambience

immediately adjacent to Cliff Drive. With the southern perimeter landscaping provision and provision of a view corridor from Marina Drive toward the ocean, the proposed one-story house would be consistent with Policy 9.1. Policy 5.3 requires new construction to be compatible with the neighborhood. The proposed house is compatible in architecture. Although the proposed house is larger than most others in the neighborhood, the one-story nature of the project could be considered to be compatible with the neighborhood. The site is not located on a coastal bluff or in an archaeological sensitivity zone. Therefore, the project is consistent with the applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines.

VII. FINDINGS

Planning Staff recommends that the Planning Commission approve the Coastal Development Permit subject to the findings outlined below and the conditions of approval contained in Exhibit A.

COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code because the new residence would be compatible with the existing neighborhood, would not be visible from the beach, would not significantly impact views from public view corridors, would not impact public access, and would not contribute to safety or drainage hazards on the site and is not located on a coastal bluff or in an archaeological sensitivity zone.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, December 20, 2006
- D. Architectural Board of Review Minutes, May 29, 2007, and June 18, 2007
- E. 20 Closest Lots FAR Survey
- F. Preliminary Storm Drainage Report

involves a new unmanned wireless communication facility. The proposal consists of a panel antenna installation, demolition of an existing storage area, and the construction of a new eight-foot (8') high uncovered block wall equipment enclosure area. The discretionary application required for this project is a Modification to permit the alterations/installations to be located within both twenty-foot (20') front yard setbacks (SBMC §28.45.008). On October 24, 2007, a public hearing was held and the Staff Hearing Officer approved the request as submitted. This is an appeal of that action.

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

Case Planner: Roxanne Milazzo, Assistant Planner
Email: rmilazzo@SantaBarbaraCA.gov

IV. NEW ITEMS:

ACTUAL TIME: 2:40 P.M.

APPLICATION OF MIKE SILVA, 3455 MARINA DRIVE, 047-022-004, A-1/SD-3 SINGLE –FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE (MST2007-00221)

The project consists of the construction of a 6,218 square foot one-story single-family residence including a 469 square foot two-car attached garage and a 256 square foot one-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, and landscaping. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. The vacant lot is reduced from 1.34 to 1.17 acres by a public right-of-way easement along Cliff Drive. The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone.

The discretionary applications required for this project are:

1. A Coastal Development Permit to allow the proposed development in the appealable jurisdiction of the Coastal Zone (SBMC § 28.44.050).
2. Single Family Design Board approval.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section 15303, (new construction of small structures).

Case Planner: Tony Boughman, Planning Technician
Email: tboughman@santabarbaraca.gov

Tony Boughman, Planning Technician, gave the Staff presentation.

Staff answered the Planning Commission's questions about the absence of building envelopes in the original Subdivision Map; and clarification in the Staff Report about the referenced Floor Area Ratio (FAR) requirements found in the Single Family Design Guidelines.

Michael Silva, Owner, gave the applicant presentation and introduced Bryan Pollard, Architect; Sam Maphis, Landscape Architect; and Mike Gones, Project Engineer.

Mr. Silva and Mr. Gones answered Planning Commission questions about having two garages instead of one three-car garage; and consideration given for daylighting the storm drain pipe to create a bio swale.

Mr. Silva and Mr. Maphis answered additional Planning Commission questions about the 6' wall heights on Marina Drive and Cliff Drive; consideration of an on-site retention tank in favor of a bio swale for drainage; and clarification of the wall elevations in front of the house as seen from Marina Drive.

Chair Myers opened the public hearing at 3:17 P.M.

The following people spoke in opposition to the project or with concerns:

1. Kitch Wilson expressed concern with the mansionization and lack of landscaping; would like to see rural nature of the area maintained.
2. Michael Moore was concerned with project's floor heights, loss of public mountain views, and incompatibility with the neighborhood and FAR guidelines.
3. Pearl Zalon was opposed to the obstruction of public ocean views and the mansionization, as well as the impact on global warming.
4. Ronald Green spoke against mansionization and lack of adhering to the FAR Guidelines. Asked for consideration of a public view corridor and relocation of the side garage that blocks the public view.

The following people spoke in support of the project:

1. Sandra Schoolfield
2. David Neubauer

With no one else wishing to speak, the public hearing was closed at 3:38 P.M.

The Commission was appreciative of the applicant's communication with neighbors. Many of the Commissioners could support the project if consideration was given for public views and following the NPO/FAR Guidelines. Presently this project exceeds FAR Guidelines by approximately 22%.

Comments and suggestions made included:

1. The house is taller than necessary for one-story. Suggested height maximum of 17' and reduction of the roof pitch.
2. The walls and entry gate need to be more compatible with neighborhood. Suggested lighter fencing, split rail fence with landscaping that is in keeping with neighborhood. The wall should be reduced to 3 feet.
3. The train easement from Braemar Ranch establishes a public viewpoint along Marina Drive. Preserve a view corridor by reduction of house size to FAR guidelines. This is a pedestrian and equestrian use area and it was felt that it should be preserved as much as possible.
4. Landscape plan should include native plants and minimal lawn, as well as minimal irrigation since it is close to the ocean. Landscaping should be easily maintained at a low height in the view corridor.
5. Suggested garage #2 moved and integrated with garage #1 as a means of opening the view corridor.

Mr. Silva addressed the Commission and was agreeable to Staff's recommendation to eliminate the front wall and entrance gate; this would open up the view corridor. Explained how house size works.

MOTION: Jostes/Thompson

Continue the project to March 6, 2008 to allow the applicant time to respond to the Commission's comments on neighborhood compatibility and preservation of coastal views as required by the Coastal Act.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Myers announced a recess at 4:12 P.M., and reconvened the meeting at 6:00 P.M.

Commissioner Jacobs did not return to the dais.

V. DISCUSSION ITEM:

ACTUAL TIME: 6:00 P.M.

CLIMATE CHANGE AND SUSTAINABILITY, INCLUDING ENERGY CONSERVATION

The Planning Commission will hold a discussion regarding Climate Change, Sustainability and Energy Conservation. The discussion will include background on these issues, what programs the City has in place to manage its facilities and operations in a sustainable way, proposed programs such as the use of conversion technology at Tajiguas Landfill, and how

PLANNING COMMISSION CONDITIONS OF APPROVAL

3455 MARINA DR (MST2007-00221, CDP2007-00013)

COASTAL DEVELOPMENT PERMIT

APRIL 10, 2008

- 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. **Recorded Agreement (s) Prior to Permits.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property, shall be executed by the Owner in a written instrument which shall be reviewed and approved as to form and content by the City Attorney and recorded by the City. Said agreement(s) shall be recorded in the Office of the County Recorder:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. 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.
 2. **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).
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. **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.
 5. **Approved Development.** The development of the Real Property approved by the Planning Commission on January 10, 2008, is limited to approximately 6,219 square feet of building and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. Trees are prohibited in the 30-foot wide view corridor on the easterly side of the house.
 6. **Cliff Drive Sewer Connection Requirement.** As a condition of approval of this project, Owner agrees to connect to the City sewer system when a sewer main is constructed in Cliff Drive at a point adjacent to Owner's Real Property, per Santa Barbara Municipal Code Chapter 14.44. Owner shall, at Owner's sole expense, connect to the City sewer system within one year of being advised in writing that

the City sewer main is operable and available for such a connection. If connected to City sewer, a sewer discharge outlet shall be provided for drainage of the swimming pool. In the event Owner fails to comply with this condition of approval, City may enter the Real Property and make such a sewer connection with the cost of the connection becoming a lien on the real property to be paid in connection with property taxes and assessments imposed on Owner's Real Property.

7. **Swimming Pool Discharge.** In the event the pool is completely or partially drained, the owner shall truck out any water discharged from the swimming pool and properly dispose of the water to the sanitary sewer system. No water from the pool shall be discharged into a City storm drain or to the private septic system on the real property, as identified in *SBMC §16.15*.
8. **Stormwater Improvements.** The property owner waives the right to object to the formation of an assessment district for the maintenance of stormwater improvements and agrees to participate in the assessment district upon its formation.

B. **Design Review.** The following is subject to the review and approval of the Single Family Design Board (SFDB) prior to the issuance of a building permit or public works permit:

1. **View Corridor.** The project shall provide a view corridor or two view corridors from Marina Drive to the ocean to total at least 30 feet in width. The view corridor(s) may be provided on one or both sides of the house. Structures, walls, and plants must be installed and maintained at a low height within the view corridor. Trees are prohibited in the view corridor.
2. **Pedestrian Path.** A pedestrian path at least four feet in width shall be provided outside the wall along Cliff Drive. The pedestrian path shall align with the path along the adjacent property to the west and be constructed of decomposed granite or other similar material subject to approval. The materials used shall be approved by the Parks Department and Public Works Department.
3. **Permeable Paving.** Incorporate a permeable paving system for the project driveway 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.
4. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
5. **Southern Perimeter Landscaping.** The use of native shrubs and plants to soften the appearance of the southern property line wall and blend with the natural setting to the south is encouraged. This landscaping will be highly visible from the Cliff Drive scenic vista immediately to the south, and therefore should be compatible in character with the natural landscape setting existing to the south of Cliff Drive.

- C. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Marina Drive and Cliff Drive Street Improvements.** The Owner shall submit building plans for construction of improvements along the subject property road frontage on Marina and Cliff Drives. As determined by the Public Works Department, the public improvements shall include *one new City Standard residential driveway approach on Marina Drive, pedestrian path along Cliff Drive to match existing on adjacent properties, connection to City water main and connection to City sewer main when sewer main has been constructed in proximity to the site, crack seal to centerline of both Cliff Drive and Marina Drive, slurry seal a minimum of 20 feet beyond the limits of any trenching, drainage system including on-site detention, erosion protection, and connection to existing storm drain system on Cliff Drive, underground service utilities, supply and install directional regulatory temporary traffic control signs per MUTCD, preserve and/or reset survey monuments, and provide adequate positive drainage from site.*
 2. **Drainage Calculations.** The Owner shall submit final drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
 3. **Fire Sprinkler System.** A fire sprinkler system shall be provided.
 4. **Agreement Assigning Water Extraction Rights.** Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. This assignment of rights does not include a right of surface entry on or from the Real Property.
- D. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:
1. **Soils Report.** Submit to the Building and Safety Division a soils report.
 2. **Final Planning Commission Resolution Submittal.** The final Planning Commission Resolution shall be submitted, indicating how each condition is met with drawing sheet and/or note references to verify condition compliance. If the condition relates to a document submittal, describe the status of the submittal (e.g., Final Map submitted to Public Works Department for review), and attach documents as appropriate.
 3. **Green Building Techniques Required.** Owner shall design the project to meet Santa Barbara Built Green Two-Star Standards and strive to meet the Three-Star Standards.

4. **Recycling, Green Waste and Trash Enclosure.** Owner shall designate an appropriately sized, screened and accessible area for recycling, green waste and trash container storage outside of required yard setbacks.

E. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single Family Design Board, outlined in Section B above.
2. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

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.

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials.

2. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

3. **Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

4. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
5. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
- a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the

approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.

- b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
- 6. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
 - 7. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.
 - 8. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
 - 9. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. 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.

- G. **Prior to Certificate of Occupancy.** Prior to issuance of a Temporary Certificate of Occupancy, or Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements along subject property frontage caused by construction (curbs, gutters, sidewalks, etc.), subject to the review and approval of the Public Works Department.
 2. **Complete Public Improvements.** Public improvements as shown on the public improvement/building plans.
 3. **Cross Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.
- H. **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.

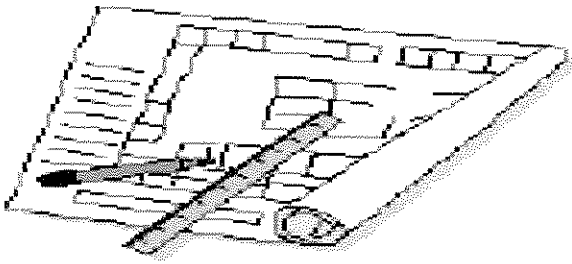
Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification 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 approval, per Santa Barbara Municipal Code §28.45.009.q, unless:

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.

2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.



MICHAEL AND DONNA SILVA

315 Meigs Rd., Ste. A #310

Santa Barbara, Ca. 93109

TEL (805) 729-0095

FAX (815) 301-6588

Mike@conquestinvestments.com

March 11, 2008

Planning Commission Case Planner

I am seeking a Coastal Development Permit and need SHO approval of the project to move on to the next level of Architectural approvals. We have previously gone to two ABR Conceptual Meetings with very favorable comments from the board in the second meeting. We are also returning from a January PC meeting with requested changes to the project. The following are the dates of those meetings.

1. Architectural Board of Review Meeting Dated May 29, 2007
2. Architectural Board of Review Meeting Dated June 18, 2007
3. Planning Commission Meeting Dated January 10, 2008

Presented to the last Planning Commission was a project size of 6218 s.f. in total. The project consisted of a new single family residence on a vacant lot. The residence was 5,493 s.f. in size. It also had two garages with a combined size of 725 s.f.

The new proposed project is 5,390 S.F. in total. The residence is now 4,698 s.f. in size with a pool toilet of 26 s.f. The two garages have been reduced to one three car garage with 665 s.f.

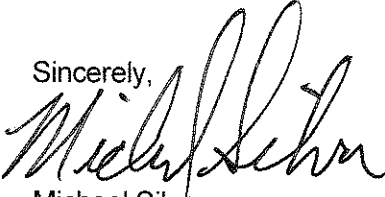
The specific changes made to this project are considerable. We dropped the project square footage by 828 s.f. This put our project FAR at .10, the same as the non-required, suggested two story FAR. We also dropped the highest roof point by another 12" by a shortened span in the high roof area. Additionally, we went to a three car garage as suggested by the planning commission first meeting to a lot flexibility in the building location. This has allowed us to create a clearer open area on the east side of the residence. We are a clear 40 feet from property line when only 15 feet is the required setback on the east side.

The wall enclosure on the North side of the property, which was an issue with the Planning Commission as well has been reduced to a 24 inch landscape wall. This will open up the entire front yard to Marina.

March 11, 2008

All other aspects of this project have not changed. We feel that we have listened to the commission's comments and suggestions and have come back with a project compatible with the neighborhood.

If we can be of any further help, please contact me at any time.

Sincerely,

Michael Silva

3455 Marina Drive

20 Closest FARs Sorted By FAR

<u>A.P.N.</u>	<u>Address</u>	<u>Acres</u>	<u>Lot Size</u>	<u>Residence</u>	<u>Garage</u>	<u>Total</u>	<u>FAR</u>	<u>Source</u>
047-022-003	3475 Marina Dr	1.22	53143	5520	928	6448	0.12	City Archive Plans
047-022-004	3455 Marina Dr	1.17	51077	4724	672	5396	0.11	Project
063-233-022	4015 Bajada Ln	1.69	73616	6511	880	7391	0.10	County Assessor's Office
047-081-001	3416 Marina	1.15	50094	4521	506	5027	0.10	County Assessor's Office
047-021-023	415 Calle Las Caleras	1	43560	3399	860	4259	0.10	County Assessor's Office
047-021-022	421 Calle Las Caleras	1.1	47916	3821	768	4589	0.10	County Assessor's Office
047-082-004	3501 Sea Ledge Ln	1.03	44867	3445	700	4145	0.09	City Archive Plans
047-082-003	3511 Sea Ledge	1.12	48787	3838	492	4330	0.09	County Assessor's Office
047-082-007	3429 Sea Ledge Ln	0.92	40075	3011	506	3517	0.09	City Archive Plans
047-082-005	3443 Sea Ledge Ln	1	43560	3150	594	3744	0.09	City Archive Plans
047-082-001	4005 Bajada Ln	1.26	54886	3572	912	4484	0.08	County Assessor's Office
047-082-006	3433 Sea Ledge	1.14	49658	3484.5	400	3885	0.08	City Archive Plans
047-023-001	415 Sea Ranch Dr	1.04	45302	3009	518	3527	0.08	County Assessor's Office
063-233-021	4045 Marina Dr.	1.64	71438	4269	1148	5417	0.08	County Assessor's Office
047-082-002	3410 Sea Ledge	1.5	65340	3233	561	3794	0.06	County Assessor's Office
047-021-013	424 Sea Ranch Dr	1.2	52272	2364	667	3031	0.06	County Assessor's Office
047-021-012	414 Sea Ranch Dr	1.3	56628	2711	432	3143	0.06	County Assessor's Office
047-021-011	3424 Marina Dr	1.1	47916	2020	460	2480	0.05	County Assessor's Office
047-081-002	3408 Cliff Dr	1.58	68825	1654	1041	2695	0.04	County Assessor's Office
047-082-008	3405 Sea Ledge Ln	1.39	60548	1651	500	2151	0.04	County Assessor's Office
047-022-001	3550 Cliff Dr.	1.34	58370	1350	504	1854	0.03	County Assessor's Office

20 Closest FARs Sorted By Total Square Footage

<u>A.P.N.</u>	<u>Address</u>	<u>Acres</u>	<u>Lot Size</u>	<u>Residence</u>	<u>Garage</u>	<u>Total</u>	<u>FAR</u>	<u>Source</u>
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047-022-001	3550 Cliff Dr.	1.34	58370	1350	504	1854	0.03	County Assessor's Office

Subject: 3455 Marina Dr., Santa Barbara

Dear Coastal Commission Members,

I will make 2 points for your considerations. #1. The fact of global warming, our need to live more energy free with a small footprint, I hope that you will realize that this house is too large and incompatible with our ranch like community.

2. On August 5, the Santa Barbara City council agreed that this property is entitled to have a 30' public view corridor from Marina Dr. to Cliff Dr. . The next decision regarding landscaping was to be made by the Single Family Review Bd., since the City Council did not feel that they had enough experience to make this decision. At that meeting, the appellants asked that plants of low height be placed in the area to make maintenance easy for the future home owners. Unfortunately, the landscaper, hired by the owner was able to convince the SFRB to put inappropriate plantings including 6' trees using the reasoning that there will be a 6 foot wall along Cliff Dr. and the land slopes down a bit in that area. With trees and nearby large plantings encroaching on the view corridor, the public views will be blocked. We hope that you will understand the sensitivity of this situation and will rule in behalf of the multitude of neighbors we represent.

Pearl Zalon
3424 Marina Dr.
Santa Barbara Comm

Shana Gray

From: Boughman, Tony [tboughman@SantaBarbaraCA.gov]
Sent: Thursday, October 09, 2008 3:22 PM
To: Shana Gray
Subject: 9/2/08 SFDB minutes

PRELIMINARY REVIEW**6. 3455 MARINA DR
Zone****A-1/SD-3**

Assessor's Parcel Number: 047-022-004
 Application Number: MST2007-00221
 Owner: Silva Family Trust
 Architect: Bryan Pollard
 Landscape Architect: Sam Maphis

(Revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, fencing, synthetic putting green, solar panels, and landscaping. The project is located on a 1.2 acre lot in the Coastal Zone. The proposed total of 5,390 square feet is 102% of the maximum guideline FAR.)

(Project requires compliance with Planning Commission Resolution No. 017-08.)

Time: 6:45

Present: Bryan Pollard, Architect; Sam Maphis, Landscape Architect; Mike Silva, Owner.

Public comment opened at 7:09 p.m.

1. Don Santee for Kitch Wilson: would like to see the size reduced to the average FAR in neighborhood of 77%; prefers plantings and structures in view corridor restricted to less than 3 feet from ground; reduce ridge height to 17 feet.
2. Don Santee: project is noncompliant with Local Coastal Plan Policy (LCP) 5.3 and 9.1; prefers preserving view corridors; guidelines should be followed.
3. Ronald Green: project is under jurisdiction of LCP policies, and should be compatible with homes in the neighborhood and should protect ocean views.
4. Art Schwartz: concerned about night glow from exterior lighting and requested installation of shielded, low sodium lights.
5. Susan Zalon: concerned that other projects are held to FARs below 100% and this project should too; prefers attractive, low-growing ground covers instead of the hedge along the east property line.

Public comment closed at 7:22 p.m.

Motion: Preliminary Approval and continued to the Full Board for an in-progress review of the architecture and for landscaping plan:

- 1) Landscaping in the 30 foot view corridor at the eastern property line shall be between 3 and 4 feet finished height for the north half of the corridor, and 5 to 6 feet finished height for remaining portion.
- 2) Provide a section drawing from Marina Drive to Cliff Drive with a variety of landscaping with mature height shown, include a silhouette of the structure.
- 3) Landscaping in the view corridor should appear natural and minor

Exhibit 11
 A-4-SBC-08-063
 Single Family Design
 Board Mtg. Minutes

encroachment of the of tree canopies is not a detriment. Minimize the encroachment of the dwarf citrus tree canopies into the view corridor.

- 4) Study opportunities to reduce excess unused space and some very large rooms; any effort in reduction would be appreciated.
- 5) Provide additional details; preliminary colors are a good direction.
- 6) The architectural style and size are compatible with the neighborhood, the project provides quality materials.

Action: Woolery/Carroll, 4/0/0. Motion carried. (Bernstein, Mahan, Mosel absent.)

The ten-day appeal period was announced.

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

FR8a

Filed: 8/29/08
49th Day: 10/17/08
Staff: Shana Gray
Staff Report: 9/25/08
Hearing Date: 10/17/08

**STAFF REPORT: APPEAL**
SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Santa Barbara

LOCAL DECISION: Approval with Conditions

APPEAL NO.: A-4-SBC-08-063

APPLICANT: Mike Silva

APPELLANTS: Ronald Green, Kitch Wilson, Michael Moore, and Don Santee

PROJECT LOCATION: 3455 Marina Drive, City of Santa Barbara, Santa Barbara County (APN 047-022-004)

PROJECT DESCRIPTION: Construction of a 5,390 square foot, one-story, single family residence with a 574 sq. ft. garage attached to the residence by a breezeway, 122 sq. ft. workshop within the garage, and 35 sq. ft. detached ½ bath structure near the pool. The project also includes a swimming pool, patio, septic system, site walls, synthetic putting green, landscaping and 1,151 cu. yds. (642 cu. yds. cut, 509 cu. yds. fill) of grading.

MOTION & RESOLUTION: Page 5

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal has been filed. The **motion** and **resolution** for a “no substantial issue” finding are found on **page 5**. The appellants contend that the approved project is not consistent with policies and provisions of the certified Local Coastal Program with regard to public views and neighborhood compatibility. The standard of review at this stage of an appeal requires the Commission to determine whether the appeal of the project, as approved, raises a substantial issue with respect to its conformity to the standards set forth in the certified Local Coastal Program or the public access policies of the Coastal Act that the appellants raise in their appeal (see Page 8 for criteria).

The proposed project does not raise a substantial issue regarding the project’s conformance with the relevant LCP policies. The appellants assert that the proposed development, to be located on the seaward side of Marina Drive and immediately landward of Cliff Drive, is inconsistent with Policy 9.1 of the City’s certified LCP because

it does not protect public views from Marina Drive. The appellants contend that the proposed house and landscaping does not protect and preserve the public's view of the ocean from Marina Drive and that a trail easement from Braemar Drive establishes Marina Drive as a public viewing location. Further, the appellants contend that the proposed view corridor is not sufficient to protect scenic ocean views from Marina Drive because the landscaping within the view corridor was not limited to a specific height limitation. Additionally, some appellants contend that the project is inconsistent with LCP Policy 9.1 because it does not protect public views along Cliff Drive

Based on a review of the project and the City's action, public views are protected for the following reasons: (1) neither the ocean nor the proposed project site is visible from the neighborhood trail that connects Marina Drive to Braemar Drive, except as it outlets directly into the neighborhood cul de sac at the end of Marina Drive; (2) the project is designed with a 40-ft view corridor along the eastern portion of the property to protect views of the ocean from Marina Drive; (3) the City's conditions of approval require structures and landscaping of low stature within the view corridor; and (4) the City's approval requires all structures and landscaping within the view corridor to be reviewed in a final landscaping plan which will ensure that structures and landscaping are of low stature at maturity. Further, though the project will be visible from Cliff Drive, there will be no impact to ocean or mountain views. Since the project site is located on the landward side of Cliff Drive it does not block the existing vista toward the ocean and it does not block mountain views because views of the mountains in the distance are already blocked by Campanil Hill, which is developed with existing single family residences. Additionally, to soften the impact of new development and blend with existing residences and landscaping along Cliff Drive, the City's approval required that the applicant utilize native landscaping compatible with the natural landscape setting existing to the south of Cliff Drive.

The appellants also assert that the proposed development is inconsistent with Policy 5.3 of the City's certified LCP because it is one of the largest homes in the area and has one of the largest Floor to Lot Area Ratios (FAR) in the area. The proposed residence is larger than 19 of the 20 closest homes and is 6%, or 300 sq. ft., over the FAR maximum, pursuant to the uncertified *Updated Single Family Residence Design Guidelines* and the uncertified Neighborhood Preservation Ordinance. If the project were built to 85% of the FAR, it would still be larger than 15 of the 18 closest homes.

Based on a review of the project and the City's action, the proposed project is compatible with the surrounding neighborhood for the following reasons: (1) the appellants arguments regarding neighborhood compatibility rely heavily on the Floor to Lot Area Ratios (FAR) defined in the *Updated Single Family Residence Design Guidelines* and Neighborhood Preservation Ordinance, which are not part of the certified LCP and do not constitute the standard of review for approval of coastal development permits in the City of Santa Barbara; (2) even if these documents were part of the certified LCP, the FAR only applies to lots under 15,000 sq. ft. and, therefore, would still not be applicable at this project site, which is larger than 15,000 sq. ft. in size; and (3) the FAR is only one measure of compatibility and there are other characteristics of the project design that demonstrate that the proposed project is compatible with the surrounding neighborhood, including the one-story height, compatible architecture, and

the fact that the size is within the existing range of the 20 closest properties (though undisputedly on the larger end of the spectrum).

The staff recommendation herein is to find that no substantial issue is raised with regard to the grounds of appeal.

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EXHIBITS

- Exhibit 1.** Final Local Action Notice (including Findings and Conditions)
 - Exhibit 2.** Appeals
 - Exhibit 3.** Vicinity Map
 - Exhibit 4.** Parcel Map
 - Exhibit 5.** Site Plan
 - Exhibit 6.** Floor Plan
 - Exhibit 7.** Elevations
 - Exhibit 8.** Appeals Jurisdiction
 - Exhibit 9.** Location of Nearby Public Access Trail
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[Click Here to go to Exhibits 5-9](#)

SUBSTANTIVE FILE DOCUMENTS: City of Santa Barbara Coastal Plan; City of Santa Barbara Notice of Final Action, dated August 12, 2008; City of Santa Barbara, Title 28, Zoning Ordinance; Updated Single Family Residence Design Guidelines, City of Santa Barbara, February 28, 2008; City of Santa Barbara, Planning Division Memorandum April 3, 2008 Regarding 3455 Marina Drive; City of Santa Barbara Planning Commission Staff Report, January 3, 2008 for CDP 2007-00013; City of Santa Barbara, Council Agenda Report, dated August 5, 2008, Regarding Appeal Of The Planning Commission Approval Of 3455 Marina Drive.

I. APPEAL PROCEDURES

A. APPEAL JURISDICTION

Under Section 30603 of the Coastal Act, a certified local government's approval of a coastal development permit (CDP) may be appealed to the Commission if the development authorized by the CDP would be located within the appealable areas, such as those located between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high-tide line of the sea where there is no beach, whichever is greater, on state tidelands, or along or within 100 feet of any wetland, estuary, or stream. Further, any development approved by a coastal county that is not designated as the principal permitted use within a zoning district may also be appealed to the Commission, irrespective of its geographic location within the coastal zone. Finally, any local government action on a proposal for development that constitutes major public works or major energy facilities may also be appealed to the Commission.

The City of Santa Barbara's final local action in this case is appealable to the Commission pursuant to Section 30603(a)(2) because a portion of the approved development is located within 300 feet of the top of the seaward face of a coastal bluff.

B. APPEAL PROCEDURES

The Coastal Act provides that after certification of Local Coastal Programs, a local government's actions on Coastal Development Permits in certain areas and for certain types of development may be appealed to the Coastal Commission. Local governments must provide notice to the Commission of their coastal permit actions. During a period of 10 working days following Commission receipt of a notice of local permit action for an appealable development, an appeal of the action may be filed with the Commission.

1. Grounds for Appeal

Pursuant to Section 30603(b)(1) of the Coastal Act, the grounds for appeal of development approved by the local government and subject to appeal to the Commission are limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in the Coastal Act (Sections 30210-30214 of the Public Resources Code).

2. Substantial Issue Determination

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which the appeal was filed. When Commission staff recommends that no substantial issue exists with respect to the grounds listed for an appeal, the Commission will hear arguments and vote on the issue of whether a substantial issue is raised. A majority vote of the members of the Commission is required to determine that the Commission will not hear an appeal. If the Commission determines that no substantial issue exists, then the local government's coastal development permit action will be considered final.

3. De Novo Review Stage of the Hearing

Should the Commission find that the appeal does raise a substantial issue, the Commission will consider the permit application *de novo*. The applicable test for the Commission to consider in a de novo review of the project such as this is whether the proposed development is in conformity with the certified Local Coastal Program. If a de novo review is conducted as part of the hearing, testimony may be taken from all interested persons.

C. LOCAL GOVERNMENT ACTION AND FILING OF APPEAL

On May 8, 2008, the City of Santa Barbara Planning Commission approved a Coastal Development Permit (CDP2007-00013; Resolution 017-08) for construction of a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage on a vacant lot. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, synthetic putting green, pool equipment enclosure, and landscaping. Total grading would be 1,151 cubic yards to be balanced on site. The Planning Commission's approval was appealed to the City Council by Ronald Green, Kitch and Eva Wilson, and Michael Moore. On August 5, 2008, the City Council denied the appeals and upheld the Planning Commission's approval.

The City's Notice of Final Action for the project was received by Commission staff on August 14, 2008 (Exhibit 1). A ten working day appeal period was set, and notice was provided regarding that appeal period, which began August 15, 2008, and extended to August 28, 2008.

Appeals of the City's action were filed by Ronald Green (received August 26, 2008), Kitch Wilson (received August 26, 2008), Don Santee (received August 28, 2008), and Michael Moore (received August 26, 2008) during the appeal period. Commission staff notified the City of Santa Barbara, the applicant, and all interested parties that were listed on the appeals.

II. STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE

MOTION: *I move that the Commission determine that Appeal No. A-4-SBC-08-063 raises NO substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act.*

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

RESOLUTION TO FIND SUBSTANTIAL ISSUE:

The Commission hereby finds that Appeal No. A-4-SBC-08-063 raises **no substantial issue** with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified LCP.

III. FINDINGS AND DECLARATIONS FOR NO SUBSTANTIAL ISSUE

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND LOCATION

The City approved construction of a 5,390 square foot, one-story, single family residence with a 574 sq. ft. garage attached to the residence by a breezeway, 122 sq. ft. workshop within the garage, and 35 sq. ft. detached ½ bath structure near the pool. The project also includes a swimming pool, patio, septic system, site walls, synthetic putting green, landscaping and 1,151 cu. yds. (642 cu. yds. cut, 509 cu. yds. fill) of grading.

The project site is located at 3455 Marina Drive (APN 047-022-004) in the City of Santa Barbara. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south, with access to the house from Marina Drive. The vacant lot is reduced from 1.34 to 1.2 acres by a public right-of-way easement along Cliff Drive. The existing public parking on Cliff Drive along the subject parcel will remain unchanged. Additionally, a public pedestrian path would be developed as part of this project adjacent to the public parking within an existing 5-foot easement. The project site is zoned "One Family Residential, A-1" (minimum 1-acre lot size). There is a public trail for pedestrians and equestrians that connects Marina Drive to Braemar Drive approximately 140 ft. to the east of the subject property (Exhibit 9).

The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone due to its location within 300 feet of a coastal bluff (Exhibit 8).

B. LOCAL PERMIT HISTORY

The Planning Commission initially reviewed the project on January 10, 2008, and expressed concerns about blockage of views from Marina Drive, the size of the project, the height of the roof, the front wall and gate, and the height and water usage of the

landscaping. The Planning Commission provided direction to the applicant to reduce the size of the home and to reduce the height of the front walls.

On May 8, 2008 the City of Santa Barbara Planning Commission reviewed a revised project and on a 4 to 1 vote approved the project with conditions. At the May hearing, the applicant returned with revised plans showing a reduction in square footage, lower roof height, elimination of a garage, lower front walls and elimination of front gate, and provision of a view corridor. Three people spoke in support, and five people, (including the appellants), spoke in opposition to the project. Issues raised at the hearing and in this subsequent appeal of the project include concerns about blockage of ocean views from Marina Drive and the size and scale of the proposed residence being incompatible with the neighborhood.

On August 5, 2008, the Santa Barbara City Council denied the appeals of Ronald Green, Kitch and Eva Wilson, and Michael Moore, and upheld the Planning Commission approval of the Coastal Development Permit for the single family residence and associated development at 3455 Marina Drive. The approved project includes the construction of a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage on a vacant lot. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, synthetic putting green, pool equipment enclosure, and landscaping. Total grading would be 1,151 cubic yards to be balanced on site.

C. APPELLANTS' CONTENTIONS

The grounds for appeal of the project by the appellants focus on two issues, neighborhood compatibility and public views. These two topics are summarized below. The summary below is a merger of the appellants stated concerns in an effort to fully characterize the nature of the appellants' contentions. The appeals were not identical but were very similar, presenting only marginal differences in their characterization of the issues. The full text of each appeal is attached as Exhibit 2. The appeals assert, in essence, the following:

1. The project is inconsistent with Policy 5.3 because it is one of the largest homes in the area and has one of the largest Floor to Lot Area Ratios (FAR) in the area (larger than 19 of the 20 closest homes). The project is 6%, or 300 sq. ft., over the FAR maximum pursuant to the *Updated Single Family Residence Design Guidelines* and the Neighborhood Preservation Ordinance. If the project were built to 85% of the FAR, it would still be larger than 15 of the 18 closest homes. Overall, the City's approval is not detailed enough to ensure consistency with Policy 5.3.
2. The project is inconsistent with Policy 9.1 because public views are not sufficiently protected by the proposed view corridor. The 3400 block of Marina Drive is an established public equestrian and pedestrian path with a scenic ocean view. The approved landscaping within the view corridor would not be limited to assure that views remain unobstructed in the future. Additionally, the City's approval failed to specify a height limit for structures and vegetation in the view corridor which makes protecting

scenic views through this corridor unenforceable and impossible to maintain. The property is the first block (from the north) of the Cliff Drive ocean scenic view and therefore needs to be preserved. Overall, the City's approval is not detailed enough to ensure consistency with Policy 9.1. One appellant suggests 40-ft. open space view corridors on each side of the property, with a maximum height of 3 feet for any plants in that view corridor.

D. ANALYSIS OF SUBSTANTIAL ISSUE

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for this stage of the subject appeal is whether a substantial issue exists with respect to the grounds raised by the appellant relative to the project's conformity to the policies contained in the certified LCP. The appellants contend that the project, as approved by the City, does not conform to the policies of the LCP with regard to protection of public views and neighborhood compatibility.

Based on the findings presented below, the Commission finds that no substantial issue exists with respect to the grounds on which the appeal has been filed. The approved project is consistent with the policies of the City of Santa Barbara certified LCP for the specific reasons discussed below.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (Cal. Code Regs., title 14, section 13115(b)).

In evaluating the issue of whether the appeals raise a substantial issue, the Commission considers the following factors:

- (1) The degree of factual and legal support for the local government's decision that the development is consistent with the certified LCP;
- (2) The extent and scope of the development as approved by the local government;
- (3) The significance of coastal resources affected by the decision;
- (4) The precedential value of the local government's decision for future interpretation of its LCP; and
- (5) Whether the appeal raises only local issues, or those of regional or statewide significance.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the City does not raise a substantial issue with regard to the appellants' contentions.

1. Factual and Legal Support for Finding LCP Consistency

The first factor in evaluating the issue of whether the appeals raise a substantial issue, is the degree of factual and legal support for the City's decision that the development is

consistent with the City of Santa Barbara's certified LCP. The issue of public views and neighborhood compatibility were addressed both at the Planning Commission approval stage and during the City Council's review of the Planning Commission's action. As discussed in more detail below, the City's record indicates that there is adequate factual evidence and legal support for the City's analysis and decision, specifically with regard to the issues raised by the appellant's in their local and Commission appeals.

The appellants assert that the project, as approved by the City, raises issues with respect to its consistency with the following policies and provisions of the City of Santa Barbara's certified LCP:

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.

Action

Projects in the coastal zone will be reviewed by the Architectural Board of Review or Historic Landmarks Commission in accordance with the established rules and procedures.

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.***

Actions

- Explore Federal, State, and local funding sources for park and open space acquisition.***
- Delineate view corridor locations on new construction/ development plans by additional building limits, building orientation, and setback requirements.***
- Establish standards of acceptable view protection to be utilized by developers, City staff, and discretionary bodies to ascertain a project's height, setback, and clustering of buildings.***

The appellants' concerns with regard to visual resources can be categorized as follows:

1. *Public Views.* The project is inconsistent with LCP Policy 9.1 because public views are not sufficiently protected by the proposed view corridor. The 3400 block of Marina Drive is an established public equestrian and pedestrian path with a scenic ocean view. The approved landscaping within the view corridor would not be limited to assure that views remain unobstructed in the future. Additionally, the City's approval failed to specify a height limit for structures and vegetation in the view corridor which makes protecting scenic views through this corridor unenforceable and impossible to maintain. The property is the first block of the Cliff Drive ocean scenic view and therefore needs to be preserved. Overall, the City's approval is not detailed enough to ensure consistency with Policy 9.1. One appellant suggests 40-ft. open space view corridors on each side of the property, with a maximum height of 3 feet for any plants in that view corridor.

2. *Neighborhood Compatibility.* The project is inconsistent with LCP Policy 5.3 because it is one of the largest homes in the area and has one of the largest Floor to Lot Area Ratios (FAR) in the area (larger than 19 of the 20 closest homes). The project is 6%, or 300 sq. ft., over the FAR maximum pursuant to the *Updated Single Family Residence Design Guidelines* and the Neighborhood Preservation Ordinance. If the project were built to 85% of the FAR, it would still be larger than 15 of the 18 closest homes. Overall, the City's approval is not detailed enough to ensure consistency with Policy 5.3.

Public Views

The appellants assert that the proposed development is inconsistent with Policy 9.1 of the City's certified LCP because it does not protect public views from Marina Drive. The appellants contend that the proposed house and landscaping do not protect and preserve the public's view of the ocean from Marina Drive and that a nearby trail easement from Braemar Drive to Marina Drive establishes Marina Drive as a public viewing location. Further, the appellants contend that the proposed view corridor is not sufficient to protect scenic ocean views from Marina Drive because the landscaping within the view corridor was not limited to a specific height limitation. Additionally, although slightly ambiguous, staff is interpreting some appellants' contentions to mean that the project is inconsistent with LCP Policy 9.1 because it does not protect public views along Cliff Drive.

Policy 9.1 requires that "the existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced." The policy then lists potential ways that this might be accomplished, including the use of view corridors or the use of development restrictions such as additional height limits, building orientation, and setback requirements.

The City's analysis addressed the protection of public views along the dedicated public trail. The City recognized the importance of the nearby public trail and required building orientation such that a minimum 30-ft view corridor would be maintained on the property and required that all structures and plants be of low stature within the view corridor, pursuant to Condition B.1 of the City's approval.

As discussed in the City Council Agenda Report (page 4), the City found the following:

In this particular case, a public trail that connects to Marina Drive was utilized as a basis to provide some additional view protection. The Planning Commission was made aware of the trail connecting Braemar Drive to the east end of Marina Drive which serves pedestrians and equestrians and required the applicant to adjust the house design to provide for an unobstructed view corridor to protect some ocean view for passersby.

Condition B.1 of the City's approval prohibits the planting of trees within the view corridor and requires "structures, walls, and plants must be installed and maintained at low height within the view corridor." Specifically, Condition B.1, as amended by the City Council, requires:

B. Design Review. The following is subject to the review and approval of the Single Family Design Board (SFDB) prior to the issuance of a building permit or public works permit:

1. View Corridor. The project shall provide and maintain a view corridor at least 30 feet in width measured perpendicularly from the interior lot lines. The landscaping plan for the project shall be reviewed with the intent of affording and maintaining a clear view of the ocean to pedestrians along Marina Drive in a manner acceptable to the Single Family Design Board by maintaining appropriate limits on the height of all approved landscaping. Structures, walls, and plants shall be installed and maintained consistent with the approved landscape plan within the view corridor. Trees are prohibited in the view corridor.

As indicated above, Condition B.1 did not restrict landscaping to a specific height standard but required a final landscaping plan to be reviewed by the City's Single Family Design Board which would ensure that the intent of the Condition B.1 would be met. The appellants contend that the lack of a specific height requirement means the view corridor could be obstructed, is unenforceable and is impossible to maintain. A specific height requirement would certainly make the target goal more measurable. However, the use of maximum height is not the only potential tool to use to regulate the view corridor, and in some cases, such as sites with sloping topography, other tools may be reasonably implemented. In this case, the City chose to implement view corridor requirements through an approved landscape plan. Therefore the review of the final landscape plan would necessarily require the maximum height of mature landscaping to be considered in order to assure that views remain unobstructed in the future. The City's findings indicate that the landscape plan can be modified to meet this condition when the project is reviewed by the Single Family Design Board. There is no basis to assume that preservation of this view corridor would not be implemented if the final landscaping plan is implemented as approved by the City.

Overall, the City found that the project was designed in an appropriate location to provide a 40-foot wide setback along the eastern side of the property and then conditioned the approval to require a minimum 30-ft wide view corridor. Note, however, the project was actually designed with a 40-ft wide view corridor. This is consistent with LCP Policy 9.1 by using building orientation and setbacks to protect public views and is also consistent with LCP Policy 9.1 by using view corridors to protect public views.

With regard to protection of public views along Cliff Drive, the City found that LCP Policy 9.1 is intended to protect public views from the scenic route along Cliff Drive which aligns the southern end of the property. Along Cliff Drive, a full ocean view is available to the public from an easement along the south side of the applicant's property at Cliff Drive. There is an existing five foot easement for a pedestrian path running along the southern end of the property along Cliff Drive and views from the public walkway, proposed as part of this development, will be preserved.

Based on a review of the project and the City's action, the Commission finds that the proposed project is consistent with LCP Policy 9.1 and that public views are protected for the following reasons: (1) neither the ocean nor the proposed project site are visible from the neighborhood trail that connects Marina Drive to Braemar Drive, except as it outlets directly into the cul de sac at the end of Marina Drive; (2) the project is designed with a 40-ft wide view corridor along the eastern portion of the property to protect views of the ocean from Marina Drive; (3) the City's conditions of approval require structures and landscaping of low stature within the view corridor; and (4) the City's approval requires all structures and landscaping within the view corridor to be reviewed in a final landscaping plan to ensure that structures and landscaping are of low stature at maturity.

Neighborhood Compatibility

The appellants assert that the proposed development is inconsistent with Policy 5.3 of the City's certified LCP because it is one of the largest homes in the area and has one of the largest Floor to Lot Area Ratios (FAR) in the area. The proposed residence is larger than 19 of the 20 closest homes and is 6%, or 300 sq. ft., over the FAR maximum, as defined in the uncertified *Updated Single Family Residence Design Guidelines* and the uncertified Neighborhood Preservation Ordinance. If the project were built to 85% of the FAR, it would still be larger than 15 of the 18 closest homes. The appellants have indicated that overall, the City's approval is not detailed enough to ensure consistency with Policy 5.3.

LCP Policy 5.3 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. The neighborhood is characterized by one- and two-story houses with a variety of Ranch and Spanish architectural styles.

The City recognized that in a comparison with the 20 closest properties, the subject project would result in the fourth largest in total floor area, the third largest in percentage of maximum guideline (using the Single Family Design Guidelines), and second largest in actual floor-to-lot-area ratio (FAR). Though it is on the larger end of the size spectrum, the City found that:

While this is toward the upper end of the range, it follows the general trend that newer houses are larger than those built decades ago. In the future as existing properties change ownership and are altered or replaced, it is foreseeable that the average house size in this neighborhood will increase. The one-story design is more

compatible with the prevailing character of the neighborhood than a two-story design would be and its size is reasonable for the size of the lot.

Therefore, though the proposed residence would be larger than nearly all of the closest 20 residences, the City found that both the proposed architecture and single-story nature of the project are compatible with the neighborhood. They also found that the size of the residence is within the existing range of neighborhood residences and reasonable for the size of the lot.

The appellants' arguments are based on Floor to Lot Area Ratio (FAR) measurements. And while the FAR is one tool to aid decision-makers regarding size compatibility, the use of FAR or FAR maximums is not a requirement of the certified LCP. The City has recently adopted Single Family Design Guidelines in conjunction with a revised Neighborhood Preservation Ordinance. Neither of these have been submitted, reviewed, or certified as part of the City's Local Coastal Program. Therefore, FAR restrictions are not a standard of review or requirement pursuant to the certified LCP. The Neighborhood Preservation Ordinance resulted in a new Single Family Design Board (SFDB) which was formed to review Single Family Residential projects. In conjunction with this new Design Board, the City has circulated the *Updated Single Family Residence Design Guidelines, City of Santa Barbara* dated February 28, 2008. Additionally, the City-adopted Ordinance includes the authority of the SFDB and describes the maximum FAR requirements. The appellants FAR calculations stem from the methodology provided in these documents.

The Single Family Design Guidelines address the basis for neighborhood compatibility (pg 1):

Homes are built or remodeled in order to suit the changing needs and lifestyles of new and existing residents. As a result, neighborhood character gradually changes over time. When a change is made in an established neighborhood, it is essential to properly balance that change with respect for the design features and characteristics of surrounding properties. Homes are more likely to be compatible when their volume and bulk are at an appropriate scale with their neighbors. This is the concept of neighborhood compatibility. New and remodeled houses can maintain a desirable living environment when they:

- * have an appropriate volume, bulk, massing, and scale***
- * have a size that is not significantly larger than the immediate neighborhood***
- * use materials and designs that are compatible with their surroundings***
- * are sited such that they do not block light and views for other existing homes***
- * minimize privacy impacts to surrounding properties***

Among the items defined under the "Compatibility Guidelines" in the Single Family Design Guidelines includes volume, bulk, massing and scale; floor to lot area ratios (FAR); height; façade articulation; architectural style; openings; entries; roof design; roof materials; exterior materials and colors; fences, walls, and hedges.

With regard to Floor to Lot Area Ratios (FAR), the Design Guidelines provide various formulas to determine the maximum FAR and then translate that into a maximum home

size for a particular lot. These Guidelines indicate that project applications for homes under 85% of the maximum FAR are generally easier to design, prepare, process, and review because they are more likely to be compatible with the surrounding neighborhood than projects over 85% of the maximum FAR. The Guidelines indicate that projects over 85% of the maximum FAR are more likely to pose neighborhood compatibility issues and are generally discouraged. However, careful design and review can sometimes produce projects that are still compatible with the surrounding neighborhood. Projects proposing square footage over the maximum FAR are strongly discouraged in most cases. However, there may be some project sites with special physical features, which when combined with exceptional design, can accommodate an over FAR maximum home compatible with the neighborhood. Such is the case with the proposed project which is designed at approximately 106% of the FAR maximum.

However, as stated above, neither the Single Family Design Guidelines, nor the overarching Neighborhood Preservation Ordinance has been reviewed or certified by the Coastal Commission. Thus, these documents are not part of the certified LCP and are not a standard of review for the approval of coastal development permits in the City of Santa Barbara. Moreover, even if these documents were part of the certified LCP, the maximum FAR standards only apply to one-story houses over 17 feet in height on lots of 15,000 sq. ft. or more. For larger size lots 15,000 square feet or greater, such as this one, FARs are implemented as guidelines for decision makers rather than as Ordinance limits. Additionally, as described below, the City found that the subject site is able to accommodate a residence size over the FAR maximum as a result of the project design.

Notwithstanding the fact that neither the Single Family Design Guidelines nor the Neighborhood Preservation Ordinance are part of the certified LCP, the proposed one-story residence, slightly over 19 feet at maximum height, is subject to FARs only as guidance due to the large lot size. The proposed square footage of 5,390 is 106%, or 283 square feet above the guideline FAR. The Planning Commission required the original proposed project size to be reduced from 6,218 square feet and determined an 828 square foot reduction acceptable. Because the applicant is proposing a one-story development, the City determined that exceeding the uncertified FAR guideline maximum by a small amount (283 square feet) is reasonable since this amount of additional reduction in house size would not be very noticeable at a ground floor level.

Further, the City found that the project components' orientation, height, and design are compatible with the neighborhood, as follows:

The applicant has proposed a one-story rather than a two-story house and has already complied with requests from the ABR and the Planning Commission to make the project lower and smaller. Staff believes the project design has changed in a positive manner and design improvements have been made as result of the City's review process. Design changes have included the following: the grading pad for residence was lowered significantly, a proposed third car garage was eliminated, a front six foot high privacy wall and entry gate were eliminated; the house size was reduced by 1,053 square feet; and the house was repositioned on the lot to provide a substantial 40 foot wide setback along the eastern side of the property.

Based on a review of the project and the City's action, the Commission finds that the proposed project is consistent with LCP Policy 5.3 and that the project is compatible with the surrounding neighborhood for the following reasons: (1) the appellants arguments regarding neighborhood compatibility rely heavily on the Floor to Lot Area Ratios (FAR) defined in the *Updated Single Family Residence Design Guidelines* and Neighborhood Preservation Ordinance, which are not part of the certified LCP or a standard of review for the approval of a coastal permit; (2) even if these were part of the certified LCP, the FAR would only apply to lots under 15,000 sq. ft. and, therefore, would still not be applicable at this project site; and (3) the FAR is only one measure of compatibility and there are other characteristics of the project design that demonstrate that the proposed project is compatible with the surrounding neighborhood, including the one-story height, compatible architecture, and the size within the existing range of the sizes of the 20 closest properties (though on the larger end of the scale).

For the reasons discussed above, the project is consistent with the above provisions of the City's LCP relating to protection of public views and neighborhood compatibility. Additionally, the Commission finds that the City's determination to that effect was amply supported by adequate factual evidence in the record and legal authority.

2. Extent and Scope of the Development

The second factor in evaluating the issue of whether the appeals raise a substantial issue is the extent and scope of the development as approved by the City.

The subject approval allowed for single-family residential development on a 1.5-acre parcel. The scope of development included the main residence, a garage/workshop, a detached ½ bath structure, swimming pool, patio, septic system, site walls, putting green, landscaping and grading. In analyzing the factors relevant to the issue of whether this appeal raises a substantial issue, the Commission finds that the extent and scope of the project is relatively minor.

3. Significance of Coastal Resources

The third factor in evaluating the issue of whether the appeals raise a substantial issue is the significance of coastal resources affected by the decision.

In this case, there would be no significant coastal resources affected by the decision. The project site is a vacant lot on a residential cul-de-sac zoned for residential development. As described in Section III.D.1 above, no significant public views would be significantly impacted and the proposed residential development is in character with the rest of the built-out residential neighborhood.

4. Precedential Value for Future Interpretation of the LCP

The fourth factor in evaluating the issue of whether the appeals raise a substantial issue is the precedential value of the City's decision for future interpretation of its LCP.

As described in Section III.D.1 above, the Commission finds that the project is consistent with the policies of the LCP with respect to the grounds of appeal. Additionally, the only controversial interpretation of the LCP seemed to hinge on methodologies and documents that have not been certified by the Coastal Commission. As discussed above, those uncertified documents are not a standard of review. Because the City did not interpret these to be a standard of review, but rather guidance, there is no basis to assume that the use of these documents as guidance would usurp the authority of the certified policies and provisions of the LCP.

Further, since the Commission concurs with the City's application of its LCP and its determination of consistency with the LCP, the potential for the decision to serve as a precedent for future interpretation of the LCP is not considered detrimental. Therefore, the precedential value of the City's decision in this case is not pertinent to determining whether the project raises a substantial issue with respect to the issues raised by the appellants.

5. Local, Regional, or Statewide Issues

The final factor in evaluating the issue of whether the appeals raise a substantial issue is whether the appeal raises only local issues, or those of regional or statewide significance.

This appeal raises issues only relating to consistency with local visual resources, it does not establish dramatic new interpretations of those policies, and does not have regional or statewide significance. Therefore, the potential regions of impact of the City's decision in this case is not pertinent to determining whether the project raises a substantial issue with respect to the issues raised by the appellants.

E. CONCLUSION

For the reasons discussed above, no substantial issue is raised with respect to the consistency of the approved development with the policies of the City's certified LCP regarding public views and neighborhood compatibility. Applying the five factors identified on page 8, the Commission finds that the City's record adequately supports its position that the proposed project will not conflict with LCP policies. In addition, the development is relatively minor in scope, doesn't have a significant adverse effect on relatively significant coastal resources, has little precedential value, and doesn't raise issues of regional or statewide significance. Therefore, the Commission finds that the appeals do not raise a substantial issue as to the City's application of the cited policies of the LCP.

4-SBC-08-182 Appeal period starts 8/15/08



City of Santa Barbara California

NOTICE OF FINAL ACTION CITY OF SANTA BARBARA COASTAL DEVELOPMENT PERMIT

Date: August 12, 2008 **Application Number:** MST2007-00221
Name of Applicant: Mike Silva **Coastal Number:** CDP2007-00013
Name of Owner: Mike Silva
Project Address: 3455 Marina Drive
Project Location: Cliff Drive in the City of Santa Barbara, County of Santa Barbara
APN Number: 047-022-004

Project Description: Revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, synthetic putting green, and landscaping. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. The vacant lot is reduced from 1.34 to 1.20 acres by a public right-of-way easement along Cliff Drive.

This is to inform you that on August 5, 2008, the City Council of the City of Santa Barbara upheld, on appeal, the Planning Commission's prior approval of an application for a Coastal Development Permit for the project listed above. The project is located in the Appealable jurisdiction of the City's Coastal Zone.

The decision is based on the following findings and conditions:

See attached Resolution No. 017-08 which includes findings and conditions as approved by the City Council.

The Coastal Development Permit is subject to the following conditions:

See attached Resolution No. 017-08 which includes findings and conditions as approved by the City Council.

A Coastal Development Permit expires two years from the date of issuance, unless otherwise explicitly modified by conditions of approval.

If you, as an aggrieved party or applicant, disagree with the decision of the City Council regarding the outcome of this application, you may appeal the decision to the California Coastal Commission. An appeal may be filed with the Coastal Commission by (1) an aggrieved party, (2) the applicant, or (3) two members of the Coastal Commission. Such appeals must be filed in the office of the Coastal Commission not later than 5:00 PM of the tenth working day following receipt of sufficient notice of the final local governmental action. In the case of an appeal by an applicant or aggrieved party, the appellant must have first pursued appeal to the City to be considered an aggrieved party.

If you have any questions or comments regarding this matter, contact Tony Boughman, Planning Technician, at (805) 564-5470.

Attachments:

1. Resolution
2. Reduced site plan
3. Vicinity Map

Document5

Exhibit 1
A-4-SBC-08-063
City of Santa Barbara
Final Local Action Notice



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 017-08

3455 MARINA DRIVE

COASTAL DEVELOPMENT PERMIT

MAY 8, 2008

AS AMENDED BY THE CITY COUNCIL ON AUGUST 5, 2008

APPLICATION OF MIKE SILVA, 3455 MARINA DRIVE, 047-022-004, A-1/SD-3 SINGLE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE (MST2007-00221)

Revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, synthetic putting green, and landscaping. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. The vacant lot is reduced from 1.34 to 1.2 acres by a public right-of-way easement along Cliff Drive. The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone.

The discretionary application required for this project is a Coastal Development Permit to allow the proposed development in the appealable jurisdiction of the Coastal Zone (SBMC § 28.44.050).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section 15303, (new construction of small structures).

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

WHEREAS, 3 people appeared to speak in favor of the application, and 5 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 10, 2008
2. Staff Memo with Attachments, April 3, 2008
3. Site Plans
4. Correspondence received in support of the project:
 - a. Jennifer Conrow, via email
 - b. Steve & Marian Blick, via email
 - c. Dick Lamb, via email
 - d. Peggy Lamb, via email

5. Correspondence received in opposition to the project or with concerns:
 - a. Paula Westbury, Santa Barbara
 - b. John and Mary Lou Sorrell, via email
 - c. John and Lola Debney, via email
 - d. Bill Budinger, via email
 - e. F. Thomas Dunlap, via email
 - f. Leon and Joyce Lunt, via email
 - g. Lisa and Michael Moore, Santa Barbara
 - h. Neighborhood petition with 33 signatures
 - i. Robin Ward, James Higman, Pearl Zalon, Mildred Rodier, Jean Schuyler, Ronald Green, via email
 - j. Kitch & Eva Wilson, via email
 - k. Patricia Foley, Braemar Ranch Homeowners Association, via email
 - l. Beverly McCurdy, Santa Barbara

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

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

Coastal Development Permit (SBMC §28.45.009)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code because the new residence would be compatible with the existing neighborhood, would not be visible from the beach, would not significantly impact views from public view corridors, would not impact public access, and would not contribute to safety or drainage hazards on the site and is not located on a coastal bluff or in an archaeological sensitivity zone.

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

A. **Recorded Agreement (s) Prior to Permits.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property, shall be executed by the Owner in a written instrument which shall be reviewed and approved as to form and content by the City Attorney and recorded by the City. Said agreement(s) shall be recorded in the Office of the County Recorder:

1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. 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.

2. **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).
3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
4. **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.
5. **Approved Development.** The development of the Real Property approved by the Planning Commission on May 8, 2008, is limited to approximately 5,390 square feet of building and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. The project shall provide and maintain a view corridor at least 30 feet in width measured perpendicularly from the interior lot lines. The landscaping plan for the project shall afford and maintain a clear view of the ocean to pedestrians along Marina Drive in a manner acceptable to the Single Family Design Board by maintaining appropriate limits on the height of all approved landscaping. Structures, walls, and plants shall be installed and maintained consistent with the approved landscape plan within the view corridor. Trees are prohibited in the view corridor.
6. **Cliff Drive Sewer Connection Requirement.** As a condition of approval of this project, Owner agrees to connect to the City sewer system when a sewer main is constructed in Cliff Drive at a point adjacent to Owner's Real Property, per Santa Barbara Municipal Code Chapter 14.44. Owner shall, at Owner's sole expense, connect to the City sewer system within one year of being advised in writing that the City sewer main is operable and available for such a connection. If connected to City sewer, a sewer discharge outlet shall be provided for drainage of the swimming pool. In the event Owner fails to comply with this condition of approval, City may enter the Real Property and make such a sewer connection with the cost of the connection becoming a lien on the real property to be paid in connection with property taxes and assessments imposed on Owner's Real Property.
7. **Swimming Pool Discharge.** In the event the pool is completely or partially drained, the owner shall truck out any water discharged from the swimming pool and properly dispose of the water to the sanitary sewer system. No water from

the pool shall be discharged into a City storm drain or to the private septic system on the real property, as identified in *SBMC §16.15*.

8. **Stormwater Improvements.** The property owner waives the right to object to the formation of an assessment district for the maintenance of stormwater improvements and agrees to participate in the assessment district upon its formation.
- B. **Design Review.** The following is subject to the review and approval of the Single Family Design Board (SFDB) prior to the issuance of a building permit or public works permit:
1. **View Corridor.** The project shall provide and maintain a view corridor at least 30 feet in width measured perpendicularly from the interior lot lines. The landscaping plan for the project shall be reviewed with the intent of affording and maintaining a clear view of the ocean to pedestrians along Marina Drive in a manner acceptable to the Single Family Design Board by maintaining appropriate limits on the height of all approved landscaping. Structures, walls, and plants shall be installed and maintained consistent with the approved landscape plan within the view corridor. Trees are prohibited in the view corridor.
 2. **Pedestrian Path.** A pedestrian path at least four feet in width shall be provided outside the wall along Cliff Drive. The pedestrian path shall align with the path along the adjacent property to the west and be constructed of decomposed granite or other similar material subject to approval. The materials used shall be approved by the Parks Department and Public Works Department.
 3. **Permeable Paving.** Incorporate a permeable paving system for the project driveway 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.
 4. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
 5. **Southern Perimeter Landscaping.** The use of native shrubs and plants to soften the appearance of the southern property line wall and blend with the natural setting to the south is encouraged. This landscaping will be highly visible from the Cliff Drive scenic vista immediately to the south, and therefore should be compatible in character with the natural landscape setting existing to the south of Cliff Drive.
- C. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works

Department for review and approval, prior to the issuance of a Building Permit for the project.

1. **Marina Drive and Cliff Drive Street Improvements.** The Owner shall submit building plans for construction of improvements along the subject property road frontage on Marina and Cliff Drives. As determined by the Public Works Department, the public improvements shall include *one new City Standard residential driveway approach on Marina Drive, pedestrian path along Cliff Drive to match existing on adjacent properties, connection to City water main and connection to City sewer main when sewer main has been constructed in proximity to the site, crack seal to centerline of both Cliff Drive and Marina Drive, slurry seal a minimum of 20 feet beyond the limits of any trenching, drainage system including on-site detention, erosion protection, and connection to existing storm drain system on Cliff Drive, underground service utilities, supply and install directional regulatory temporary traffic control signs per MUTCD, preserve and/or reset survey monuments, and provide adequate positive drainage from site.*
2. **Drainage Calculations.** The Owner shall submit final drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
3. **Fire Sprinkler System.** A fire sprinkler system shall be provided.
4. **Agreement Assigning Water Extraction Rights.** Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. This assignment of rights does not include a right of surface entry on or from the Real Property.

D. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:

1. **Soils Report.** Submit to the Building and Safety Division a soils report.
2. **Final Planning Commission Resolution Submittal.** The final Planning Commission Resolution shall be submitted, indicating how each condition is met with drawing sheet and/or note references to verify condition compliance. If the condition relates to a document submittal, describe the status of the submittal (e.g., Final Map submitted to Public Works Department for review), and attach documents as appropriate.
3. **Green Building Techniques Required.** Owner shall design the project to meet Santa Barbara Built Green Two-Star Standards and strive to meet the Three-Star Standards.
4. **Recycling, Green Waste and Trash Enclosure.** Owner shall designate an appropriately sized, screened and accessible area for recycling, green waste and trash container storage outside of required yard setbacks.

E. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single Family Design Board, outlined in Section B above.
2. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

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.

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials.
2. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa

Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

3. **Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

4. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
5. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.

- b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
- 6. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
 - 7. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.
 - 8. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
 - 9. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. 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.

G. **Prior to Certificate of Occupancy.** Prior to issuance of a Temporary Certificate of Occupancy, or Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements along subject property frontage caused by construction (curbs, gutters, sidewalks, etc.), subject to the review and approval of the Public Works Department.
2. **Complete Public Improvements.** Public improvements as shown on the public improvement/building plans.
3. **Cross Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.

H. **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 the City Council denial of the appeal and approval of 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 approval, per Santa Barbara Municipal Code §28.45.009.q, unless:

PLANNING COMMISSION RESOLUTION NO. 017-08
3455 MARINA DRIVE
MAY 8, 2008
PAGE 10

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.

This motion was passed and adopted on the 8th day of May, 2008 by the Planning Commission of the City of Santa Barbara, by the following vote:

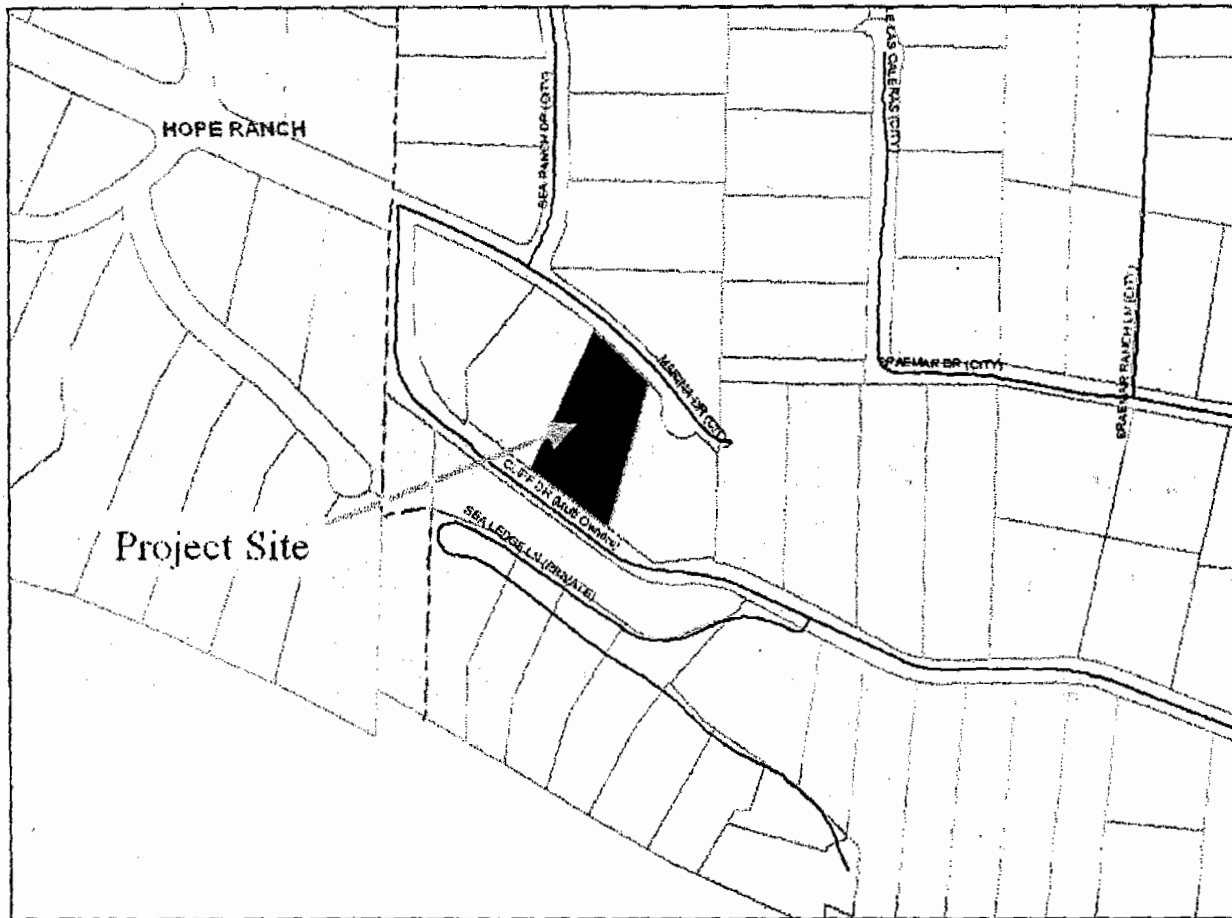
AYES: 4 NOES: 1 (Thompson) ABSTAIN: 0 ABSENT: 2 (Jacobs, White)

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

Julie Rodriguez, Planning Commission Secretary

Date

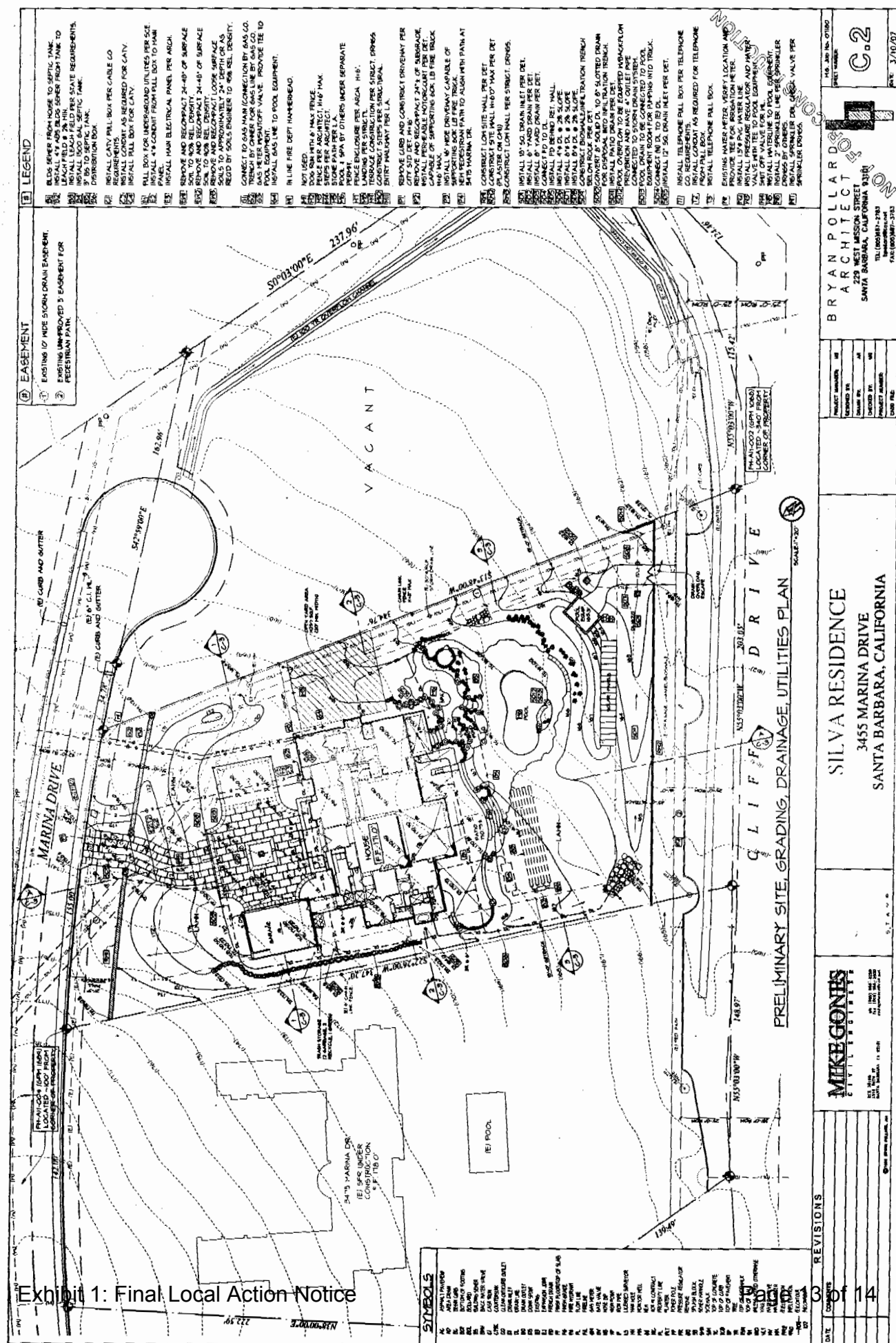
THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



Vicinity Map for 3455 Marina Drive

APPLICATION DEEMED COMPLETE:
DATE ACTION REQUIRED:

November 5, 2007
February 3, 2008



CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1800 FAX (805) 641-1732

RECEIVED
AUG 28 2008

ARNOLD SCHWARZENEGGER, Governor



CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Don Santee

Mailing Address: 1338 Kenwood Road

City: Santa Barbara, CA

Zip Code: 93109

Phone: 805 966 7273

SECTION II. Decision Being Appealed

1. Name of local/port government:

Santa Barbara

2. Brief description of development being appealed:

single family residence on vacant lot

3. Development's location (street address, assessor's parcel no., cross street, etc.):

3455 Marina Drive, Santa Barbara APN 047-022-004

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-4-SBC-08-063

DATE FILED:

8/28/08

DISTRICT:

So. Central Coast

Exhibit 2a
A-4-SBC-08-063
Appeal By Don Santee

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☐ City Council/Board of Supervisors
- ☒ Planning Commission
- ☐ Other

6. Date of local government's decision: 5 August 2008

7. Local government's file number (if any): application number MST2007-0221

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Mike Silva
2447 Calle Linares
Santa Barbara, CA 93109

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Beverley McCurdy
320 Arbolada Road
Santa Barbara, CA 93110

(2) Susan Zalon
3424 Marina Drive
Santa Barbara, CA 93109

(3) Hilary Santee
421 Calle Las Caleras
Santa Barbara, CA 93109

(4) Jim Higman
3408 Cliff Drive
Santa Barbara, CA 93109

(5) Braemar Ranch Homeowner Association
405 Alan Road
Santa Barbara, CA 93109

(6) Jean Schuyler
3239 Cliff Drive
Santa Barbara, CA 93109

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

The City of Santa Barbara Coastal Plan policies 5.3 and 9.1 are of concern to this appeal:

Policy 5.3 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.

Policy 9.1 states 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

The 3455 Marina Drive development is not compatible with the neighborhood. If 3455 Marina Dr. is built to 85% of the F.A.R., it would still be larger than 15 of the 18 closest homes.

The past 30 years this area has been accepted as a public thoroughfare for hiking, equestrian, and walking. This property is the first block of the Cliff Drive ocean scenic view, and the need to preserve the view corridor is paramount.

I'm sure with the Coastal Commissions 40 years of experience you will recognize the importance of this development, and the need to protect the public views and neighborhood compatibility, it will obstruct, if it is allowed to proceed.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Don Santee

Signature of Appellant(s) or Authorized Agent

Date: 25 August 2008

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1800 FAX (805) 641-1732

RECEIVED
AUG 26 2008

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Kitch Wilson

Mailing Address: 415 Calle Las Caleras

City: Santa Barbara, CA

Zip Code: 93109

Phone: 682-7247

SECTION II. Decision Being Appealed

1. Name of local/port government:

Santa Barbara

2. Brief description of development being appealed:

single family residence on vacant land

3. Development's location (street address, assessor's parcel no., cross street, etc.):

3455 Marina Drive, Santa Barbara APN 047-022-004

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-4-SBC-08-063

DATE FILED:

8/26/08

DISTRICT:

So. Central Coast

Exhibit 2b
A-4-SBC-08-063
Appeal By Kitch Wilson

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☒ City Council/Board of Supervisors
- ☒ Planning Commission
- ☐ Other

6. Date of local government's decision: 5 August 2008

7. Local government's file number (if any): application number MST2007-0221

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Mike Silva
2447 Calle Linares
Santa Barbara, CA 93109

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Beverley McCurdy
320 Arbolada Road
Santa Barbara, CA 93110

(2) Susan Zalon
3424 Marina Drive
Santa Barbara, CA 93109

(3) Hilary Santee
421 Calle Las Caleras
Santa Barbara, CA 93109

(4) Jim Higman
3408 Cliff Drive
Santa Barbara, CA 93109

(5) Braemar Ranch Homeowner Association
405 Alan Road,

Santa Barbara, CA 93109

(6) Jean Schuyler
3239 Cliff Drive
Santa Barbara, CA 93109

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

The City of Santa Barbara Local Coastal Plan has two policies of concern here:

Policy 5.3 goal according to the plan "... will preserve the existing residential housing stock while also ensuring that new housing can be developed which is compatible with the existing neighborhood character." The policy specifically 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.

Policy 9.1 states that "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.

The development at 3455 Marina, in dispute here, has gone through the Santa Barbara City Architectural Review Board, the City Planning Commission, and appeal to the City Planning Commission, and an appeal to the City Council. In all these proceedings, the City has requested the 3455 development reduce its size and height according to Policy 5.3, and include a view easement according to Policy 9.1. In each of these proceedings, the developer has made minor changes that did not meet the requested changes but were nonetheless accepted as adequate.

I do not consider that the City grant of a Coastal Commission permit for this development properly adhered to the spirit or requirements of the two policies. Given the history of these mistakes, I no longer trust the City to do what is right and need the Coastal Commission to step in as a higher authority in this case.

This is not a development hidden away in a corner of the City. It is the first block off of the Cliff Drive ocean scenic view and there is another undeveloped lot next to it for which this will form a major precedent.

The City accepts that this development must be compatible with the existing rural open neighborhood (policy 5.3), yet had failed to rule accordingly. The development is one of the largest homes in the area and has one of the largest Floor to Lot Area Ratios (FAR) in the area.

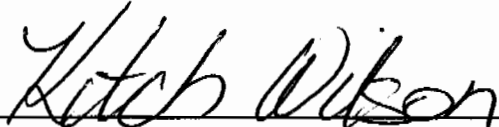
The City accepts this development is directly line with an accepted scenic public thoroughfare (equestrian, hiking, walking for the past at least 30 years) with views that must be protected (Policy 9.1), yet this has not been done. The need for a view corridor is accepted but the landscaping in that corridor is not sufficiently limited to assure the corridor remains with time. The decisions being passed to lower departments are vague and not sufficiently decisive for proper direction.

I need the Coastal Commission to recognize the importance of this development regarding this rural and open neighborhood, and regarding the public views it is sure to obstruct. I need the Coastal Commission to rule strongly and assert its dominance in this Coastal Zone Area and protect its public value.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 24 August 2008

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: 24 August 2008

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1800 FAX (805) 641-1732

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CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: MICHAEL MOORE

Mailing Address: 414 SEA RANCH DR.

City: SANTA BARBARA

Zip Code: 93109

Phone: 805.569.2140

SECTION II. Decision Being Appealed

1. Name of local/port government: SANTA BARBARA City Council
2. Brief description of development being appealed:
A 5964 sq ft SINGLE FAMILY RESIDENCE ON A 1.2 ACRE SITE. ON MARINA & CLIFF DR IN THE COASTAL ZONE.
3. Development's location (street address, assessor's parcel no., cross street, etc.):
3455 MARINA DR - SANTA BARBARA, CA. 93109
PCL# 047-022-004
CLIFF DR & MARINA DR.
4. Description of decision being appealed (check one.):
☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

4-SBC-08-182

DATE FILED:

8/26/08

DISTRICT:

So. Central Coast

Exhibit 2c
A-4-SBC-08-063
Appeal By Michael Moore

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
☒ City Council/Board of Supervisors
☐ Planning Commission
☐ Other

6. Date of local government's decision: AUGUST 5, 2008

7. Local government's file number (if any): MST 2007-00221, CDP 2007-00013

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

MICHAEL, DONNA SILVA
3455 MARINA DR.
SANTA BARBARA, CA. 93109

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) BEVERLY M'CUADY
320 ARBOLADA RD
SANTA BARBARA 93110
- (2) SUSAN ZALON
3424 MARINA DR
SANTA BARBARA 93109
- (3) HILARY SANTEE
421 CALLE LAS CALERAS
SANTA BARBARA 93110
- (4) JAMES HIGMAN
3408 CLIFF DR.
SANTA BARBARA 93109

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

THE REASON FOR THIS APPEAL IS THAT THE SANTA BARBARA CITY COUNCIL'S MOTION IS NOT DETAILED ENOUGH IN ORDER TO FOLLOW THE LOCAL COASTAL PLAN POLICY 5.3 & 9.1 THESE POLICIES AND REASONS MUST BE MET ON THE CITY'S REVISED APPROVAL.

THESE POLICIES REQUIRE NEIGHBORHOOD COMPATIBILITY NOT JUST LIMITED TO SIZE, BULK AND SCALE. I WANT TO SEE OPEN SPACE REMAIN WITH VIEW CORRIDORS AT LEAST 40 FT ON BOTH SIDES. THERE NEEDS TO BE HEIGHT MAXIMUMS ON PLANTS OF NO HIGHER THEN 3 FT TO PROTECT THE PUBLIC VIEWS.


THE POLICIES MUST BE FOLLOWED AND THE CONDITIONS OF APPROVAL MUST BE WRITTEN IN MORE DETAIL FOR PROPERTY TO FOLLOW FOR MANY YEARS TO COME.

THIS CURRENT PROJECT AND APPROVAL HAS TO BE REVISED.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 9/25/08

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
August 5, 2008
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers Present: Francisco, Horton, Schneider, Williams, Mayor Blum.
Councilmembers Absent: Falcone, House.
Staff Present: City Administrator Armstrong, City Attorney Wiley, City Clerk
Services Manager Rodriguez.

PUBLIC HEARINGS

20. Subject: Appeal Of Planning Commission Approval Of 3455 Marina Drive
(640.07)

Recommendation: That Council deny the appeals of Ronald Green, Kitch and Eva Wilson, and Michael Moore, and uphold the Planning Commission approval of the Coastal Development Permit for the single family residence and associated development at 3455 Marina Drive.

2008 AUG 05 CAR 3455 MARINA DRIVE APPEAL - 1.DOC
2008 AUG 05 CAR 3455 MARINA DRIVE APPEAL - 2.PDF
2008 AUG 05 CAR 3455 MARINA DRIVE APPEAL - 3.PDF

2008 AUG 05 CAR 3455 MARINA DRIVE APPEAL - 4.PDF

2008 AUG 05 CAR 3455 MARINA DRIVE APPEAL - 5.PDF *map & public comment*

2008 AUG 05 CAR 3455 MARINA DRIVE APPEAL - 6.PDF

2008 AUG 05 CAR 3455 MARINA DRIVE APPEAL - 7.PDF

Documents:

- August 5, 2008, report from the Community Development Director.
- Affidavit of Publication.
- August 5, 2008, petition and map submitted by Ronald Green.
- August 1, 2008, letter from Sandra Schoolfield and Jon Kechejian.

Public Comment Opened:

3:35 p.m.

Speakers:

- Staff: Planning Technician Tony Boughman, City Planner Bettie Weiss, Senior Planner Jaime Limon, City Attorney Stephen Wiley.
- Planning Commission: Commissioner John Jostes.
- Architectural Board of Review: Board Member Paul Zink.
- Appellants: Kitch Wilson, Ronald Green.
- Applicant: Michael Silva, Sam Mathis, Steve Amerikaner.

Recess: 4:46 p.m. - 4:56 p.m.

Speakers (Cont'd):

Members of the Public: Beverly McCurdy, Don Santee, Susan Zalon, Hilary Santee, and James Higman.

Public Comment Closed:

5:08 p.m.

Motion:

Councilmembers Williams/Schneider to deny the appeal and amend the Conditions of Approval as follows:

1. Second sentence in Condition B.1 will be amended and repeated in Condition A.5 as follows:

The landscaping plan for the project shall be reviewed with the intent of affording and maintaining a clear view of the ocean to pedestrians along Marina Drive in a manner acceptable to the Single Family Design Board by maintaining appropriate limits on the height of all approved landscaping; and

2. Last sentence in Condition B.1 will remain in Conditions of Approval.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone, House).

I. PRELIMINARY MATTERS:

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

Senior Planner Jan Hubbell announced the following changes to the agenda:

1. Item IV., 900-1100 Las Positas Road (Veronica Meadows), has been continued to May 15, 2008, as earlier announced in the agenda.
2. Due to an applicant emergency, 3455 Marina Drive has been moved to the end of the agenda.

- B. Announcements and appeals.

Ms. Hubbell announced that Bettie Weiss, City Planner; and Steve Wiley, City Attorney, both received their 25 year service pins at City Council.

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

Chair Myers opened the public hearing at 1:07 P.M. and, with no one wishing to speak, the hearing was closed.

II. CONTINUED ITEM:

The following item was continued from April 24, 2008 and heard out of order:

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Charmaine Jacobs recused herself from hearing this item due to her husband working at the same law firm as the applicant's attorney.

ACTUAL TIME: 3:59 P.M.

APPLICATION OF MIKE SILVA, 3455 MARINA DRIVE, 047-022-004, A-1/SD-3 SINGLE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE (MST2007-00221)

Revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, synthetic putting green, and landscaping. The lot has street frontage on Marina Drive to the north and Cliff Drive to the south. The vacant lot is reduced from 1.34 to 1.20 acres by a public right-of-way easement along Cliff Drive. The southern portion of the development is located within the Appealable Jurisdiction of the Coastal Zone.

The discretionary application required for this project is a Coastal Development Permit to allow the proposed development in the appealable jurisdiction of the Coastal Zone (SBMC § 28.44.050).

REVISED PLANNING COMMISSION CONDITIONS OF APPROVAL

3455 MARINA DR (MST2007-00221, CDP2007-00013)
COASTAL DEVELOPMENT PERMIT

Revision to Condition A.5:

A. Recorded Agreement (s) Prior to Permits.

5. The development of the Real Property approved by the Planning Commission on ~~January 10~~ May 8, 2008, is limited to approximately ~~6,2195,390~~ square feet of building and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. ~~Trees are prohibited in the 30 foot wide view corridor on the easterly side of the house.~~

Revision to Condition B.1:

B. Design Review. The following is subject to the review and approval of the Single Family Design Board (SFDB) prior to the issuance of a building permit or public works permit:

1. **View Corridor.** The project shall provide a view corridor ~~or two view corridors from Marina Drive to the ocean to total~~ at least 30 feet in width ~~measured~~ perpendicularly from the interior lot lines. The landscape plan for the project shall be reviewed with the intent to afford a clear view of the ocean to pedestrians along Marina Drive. ~~The view corridor(s) may be provided on one or both sides of the house.~~ Structures, walls, and plants shall ~~must~~ be installed and maintained consistent with the approved landscape plan at a low height within the view corridor. ~~Trees are prohibited in the view corridor.~~

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SOUTH CENTRAL COAST DISTRICT
BR

THE CITY OF SANTA BARBARA



LOCAL COASTAL PLAN

MAY, 1981

Amended July, 1994

Amended November, 2004

* Policy 5.3²³ *

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.

LCP POLICIES

*** 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.

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AUG 26 2008



CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: **RONALD GREEN**
Mailing Address: **3424 MARINA DR.**
City: **Santa Barbara CA** Zip Code: **93110** Phone: **805-687-7150**

SECTION II. Decision Being Appealed

1. Name of local/port government: **Santa Barbara City Council**
2. Brief description of development being appealed:
Single Family Residence
3. Development's location (street address, assessor's parcel no., cross street, etc.):
3455 MARINA DR. 047-022-004
Santa Barbara CA 93110
4. Description of decision being appealed (check one.):
☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: **A-4-SBC-08-063**
DATE FILED: **8/26/08**
DISTRICT: **So. Central Coast**

Exhibit 2d
A-4-SBC-08-063
Appeal By Ronald Green

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☒ City Council/~~Board of Supervisors~~
- ☐ Planning Commission
- ☐ Other

6. Date of local government's decision:

8/5/08

7. Local government's file number (if any):

Application # MST 2007-00221
Coastal # CDP 2007-00013

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

MIKE SILVA
2447 CALLE LINARES
Santa Barbara CA 93109

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

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320 Arbolada Rd
Santa Barbara CA 93110
- (2) Susan Zalon
3424 Marina Dr.
Santa Barbara CA 93110
- (3) Hilary Santee
421 Calle las Caleras
Santa Barbara CA 93110
- (4) James Higman
3408 Cliff Dr.
Santa Barbara CA

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

I am appealing the Coastal Development Permit issued by the Santa Barbara City Council for 3455 Marina Dr. as the development is not in compliance with Santa Barbara Local Coastal Plan Policies 5.3 and 9.1 (See attachments) (1+2) Local Coastal Plan Policy 5.3 states that new development must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. 3455 Marina Drive has a larger FAR (Floor area ratio) than 19 of the 20 closest homes. It is 6% or 300 sq. ft. over the FAR maximum. (See attachment 3)

Local Coastal Plan Policy 9.1 states that existing views to, from and along the ocean shall be protected, preserved and enhanced, and requires view corridors in new developments. Santa Barbara City Council Resolution 90-035 establishes the 3400 block of Marina Drive as a public equestrian and pedestrian path with a scenic ocean view (See attachment 4)

The Notice of final action (Pg 3) states that the view corridor shall maintain and afford a clear view of the ocean to pedestrians along Marina Dr. The proposed 30 ft. view corridor is not adequate. According to Staff memorandum 4/3/08, the applicant agreed to provide a 40 ft. view corridor. (See attachments) Failure to specify a height limit for structures and vegetation in the view corridor makes it unenforceable and impossible to maintain, a violation of Local Coastal Policy 9.1.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Ronald Green

Signature of Appellant(s) or Authorized Agent

Date: 8/22/08

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

Attachment 1

SANTA BARBARA LOCAL COASTAL PLAN POLICIES

* 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.

LCP POLICIES

* 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 POLICIES

* Policy 9.1

The existing views, form, 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 covenants 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

Actions

- Explore Federal, State, and local funding sources for park and open space acquisition
- • Refine view corridor locations on new construction/development plans by additional building limits, building orientation, and setback requirements
- Establish standards of acceptable view protection to be utilized by developers, City staff, and discretionary bodies in evaluating a project's height, setback, and clustering of buildings.

Attachment 3



3455 Marina Drive

20 Closest FARs Sorted By FAR

A.P.N.	Address	Acres	Lot Size	Residence	Garage	Total	FAR	Source
047-022-003	3475 Marina Dr	1.22	53143	5520	928	6448	0.12	City Archive Plans
047-022-004	3455 Marina Dr	1.17	51077	4724	672	5396	0.11	Project
063-233-022	4015 Bajada Ln	1.69	73616	6511	880	7391	0.10	County Assessor's Office
047-081-001	3416 Marina	1.15	50094	4521	506	5027	0.10	County Assessor's Office
047-021-023	415 Calle Las Caleras	1	43560	3399	860	4259	0.10	County Assessor's Office
047-021-022	421 Calle Las Caleras	1.1	47916	3821	768	4589	0.10	County Assessor's Office
047-082-004	3501 Sea Ledge Ln	1.03	44867	3445	700	4145	0.09	City Archive Plans
047-082-003	3511 Sea Ledge	1.12	48787	3838	492	4330	0.09	County Assessor's Office
047-082-007	3429 Sea Ledge Ln	0.92	40075	3011	506	3517	0.09	City Archive Plans
047-082-005	3443 Sea Ledge Ln	1	43560	3150	594	3744	0.09	City Archive Plans
047-082-001	4005 Bajada Ln	1.26	54886	3572	912	4484	0.08	County Assessor's Office
047-082-006	3433 Sea Ledge	1.14	49658	3484.5	400	3885	0.08	City Archive Plans
047-023-001	415 Sea Ranch Dr	1.04	45302	3009	518	3527	0.08	County Assessor's Office
063-233-021	4045 Marina Dr.	1.64	71438	4269	1148	5417	0.08	County Assessor's Office
047-082-002	3410 Sea Ledge	1.5	65340	3233	561	3794	0.06	County Assessor's Office
047-021-013	424 Sea Ranch Dr	1.2	52272	2364	667	3031	0.06	County Assessor's Office
047-021-012	414 Sea Ranch Dr	1.3	56628	2711	432	3143	0.06	County Assessor's Office
047-021-011	3424 Marina Dr	1.1	47916	2020	460	2480	0.05	County Assessor's Office
047-081-002	3408 Cliff Dr	1.58	68825	1654	1041	2695	0.04	County Assessor's Office
047-082-008	3405 Sea Ledge Ln	1.39	60548	1651	500	2151	0.04	County Assessor's Office
047-022-001	3550 Cliff Dr.	1.34	58370	1350	504	1854	0.03	County Assessor's Office

20 Closest FARs Sorted By Total Square Footage

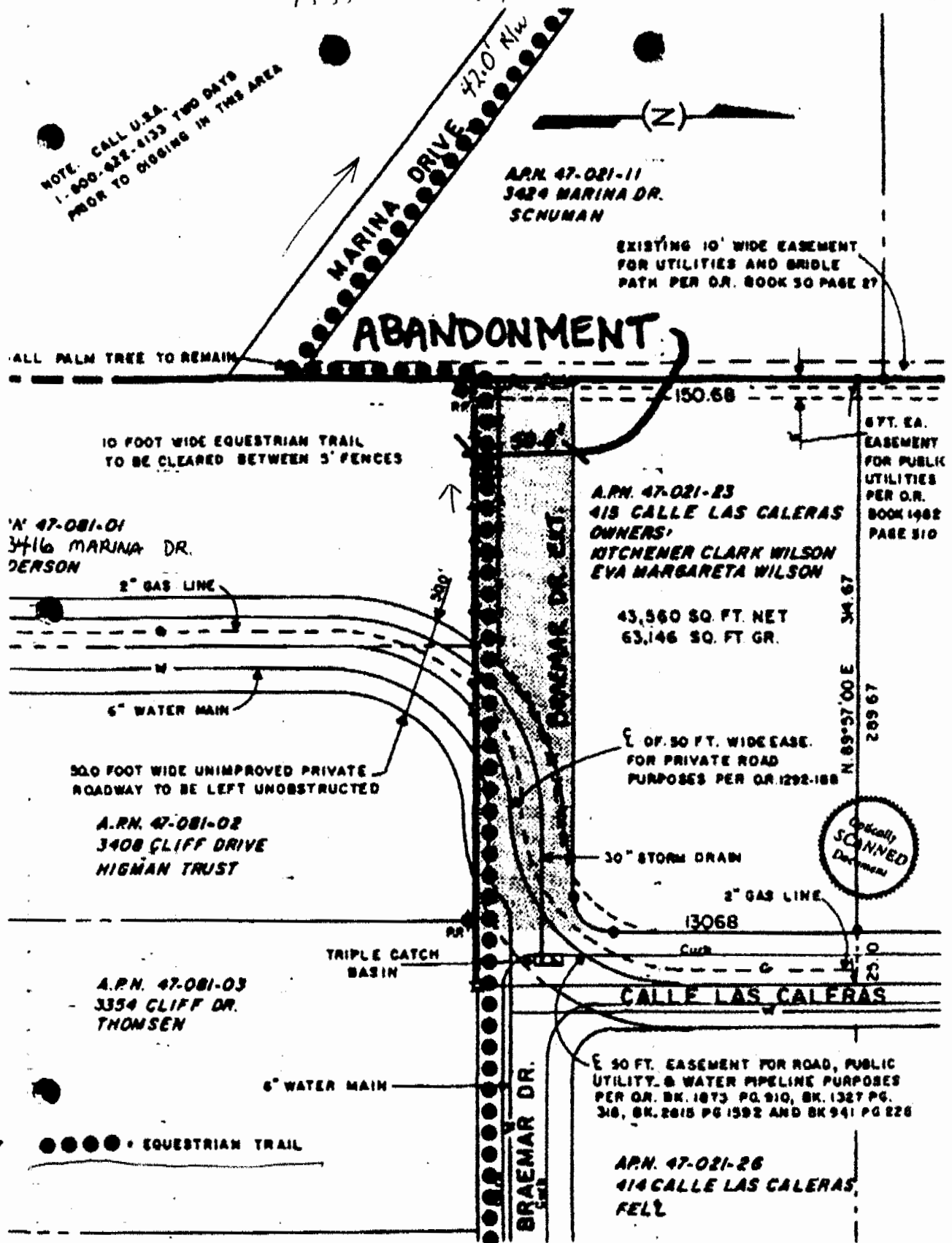
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6% over FAR maximum

Note: Exhibit 2d: Appeal By Ronald Green 59, ft. over FAR maximum
 4015 Bajada Ln. and 4045 Marina Dr. are outside the city limits
 of Santa Barbara and should not be included

Attachment 4

NOTE: CALL U.S.A.
1-800-622-6133 TWO DAYS
PRIOR TO DIGGING IN THIS AREA



S.B CITY COUNCIL RESOLUTION
90-035



- The house is taller than necessary for one-story. Suggested height maximum of 17' and reduction of the roof pitch. Reduction is encouraged for greater impact on sustainability.
- The walls and entry gate need to be more compatible with the rural neighborhood. Suggested lighter fencing, split rail fence with landscaping that is in keeping with neighborhood. The wall should be reduced to 3 feet.
- The trail easement from Braemar Ranch establishes a public viewpoint along Marina Drive. Preserve a view corridor by reduction of house size to FAR guidelines. This is a pedestrian and equestrian use area and it was felt that it should be preserved as much as possible.
- Landscape plan should include native plants and minimal lawn, as well as minimal irrigation since it is close to the ocean. Landscaping should be easily maintained at a low height in the view corridor.
- Suggest garage #2 be moved and integrated with garage #1 as a means of opening the view corridor.

In response to these comments, the applicant has made the following changes to the proposed project:

- Lowered the main roof ridge by nine inches to approximately 19 feet.
- Reduced the height of the front wall at Marina Drive from six feet to two feet.
- Eliminated the front entry gate.
- • Provided a 40 foot view corridor between the house and east property line by moving the house to the east, eliminating the west garage, and revising the landscape plan.
- Reduced square footage by 828 square feet from 6,218 to 5,390.
- Combined one-car garage and two-car garage into one three-car garage.

PROJECT STATISTICS

	Original	Revised
Habitable Area	5,467	4,816
Garage	725	574
Total (net)	6,192	5,390
Percentage of maximum guideline FAR	122	106



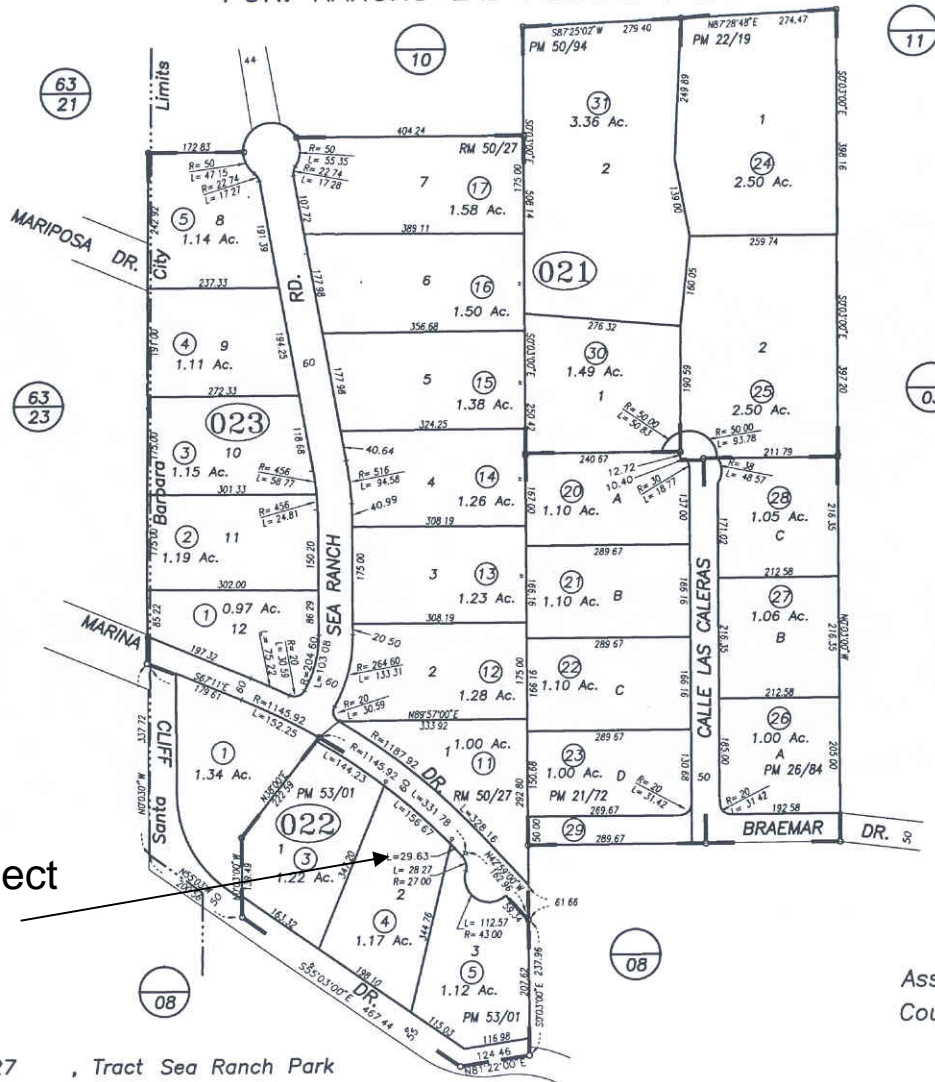
Exhibit 3
A-4-SBC-08-063
Vicinity Map

Project Site

Exhibit 3: Vicinity Map

POR. RANCHO LAS POSITAS Y LA CALERA

047-02



NOTICE
Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Santa Barbara
Assessor's Map Bk, 047-Pg, 02
County of Santa Barbara, Calif.

6/98 022-02 into 022-3,4,5 PM 53/01

Exhibit 4
A-4-SBC-08-063
Parcel Map

69 R.M. Bk. 50 , Pg. 27 , Tract Sea Ranch Park

Exhibit 4: Parcel Map