



SUZANNE ELLEDGE

PLANNING & PERMITTING
SERVICES, INC.

4 February 2015

Lance and Judy Boyd
2715 Exeter Place
Santa Barbara, CA 93105

Subject: 1250 Cliff Drive (APN 035-200-009); Zoning Information Profile

Dear Lance and Judy,

Thank you for the opportunity to provide you with this Zoning Information Profile (ZIP) of the subject property. In accordance with your request, this report will provide general zoning information, describe known and potential site constraints, and will evaluate the subdivision potential of the subject property including a discussion of four (4) possible development scenarios.

We have provided a *Property Profile Summary* of zoning information for your quick reference and have highlighted items for which additional explanation and detail is warranted (please see Attachment 1.1). The highlighted items are discussed below following the same order as they appear in the *Property Profile Summary*¹.

Section 1.0 Basic Zoning Information

The subject property, 1250 Cliff Drive (Tax Assessor's Parcel No. 035-200-009 - see Attachment 1.2) is located in the City of Santa Barbara. The General Plan land use designation is Suburban/Low Density Residential, 5 units per acre; the site is located in the E-3 One-Family Residential Zone. Detailed information regarding allowed uses and development standards, such as required yard setbacks and open yard area is provided in Attachment 1.3.²

Applicable Overlays/Design District/Review Body

Although the property is not located in any of the City's mapped design districts, a proposed subdivision and subsequent single family residential development of each of the newly created lots will require review and approval by the Single Family Design Board (SFDB). However, please note that given the historic significance of the existing

¹ Information provided in this report was obtained through various sources including the City of Santa Barbara archives, Santa Barbara Municipal Code, City of Santa Barbara General Plan Land Use Element and Land Use Map, City of Santa Barbara Master Environmental Assessment, California Subdivision Map Act, and the County of Santa Barbara Recorder's office.

² Please note that the City of Santa Barbara is currently in the process of updating their Zoning Ordinance. It is anticipated that an updated Zoning Ordinance will go into effect in January 2016. We have based our report on the current Zoning Ordinance in effect at the time this report was prepared.

residence (discussed in greater detail below), the SFDB may request input from the Historic Landmarks Commission. See Attachment 1.4, SBMC §22.69 Single Family Design Board and follow the link below on the City's website to obtain the Single Family Residential Guidelines.

<http://www.santabarbaraca.gov/services/planning/design/residential/default.asp>

Minimum Lot Area & Development Potential/Subdivision

The General Plan land use designation density (5 units/acre) and minimum lot size to create a new lot per the E-3 zone are not consistent, i.e., the General Plan requires 8,712 SF of lot area and the zoning ordinance requires 7,500 SF to meet minimum lot area requirements. However, because the property topography is sloped, an average of 12% per the topographic survey prepared by Waters Land Surveying Inc., this inconsistency in minimum lot size is irrelevant due to the City requirement to provide additional lot area for sloped properties. In this case, the zoning ordinance minimum lot size will be applied which requires 1.5 times the minimum lot area or 7,500 SF x 1.5 = 11,250 SF (refer to Attachment 1.3, SBMC§28.15.080).

The method in which to determine the maximum number of newly created lots for a potential subdivision is to divide the total **net** (the total lot area exclusive of public easements) lot area by the minimum area required per parcel, which as noted above for this property, is increased due to the site topography. Per the Waters survey referenced above (Attachment 1.5), the total net lot area is 72,385 SF. See calculation below:

$$72,385 \text{ net SF} / 11,250 \text{ SF for each lot} = \text{six (6) lots}$$

This number really represents a *theoretical maximum* as there are other factors that are taken into consideration when a subdivision is processed by the City (i.e. the existing historic residence and driveway, how the existing residence is sited on the property, other site constraints, access, neighborhood context/compatibility, etc.).

See Section 4 of this report for a discussion of four (4) potential development scenarios for purposes of providing examples.

Minimum Lot Width/Frontage

Another development standard that applies to newly created lots is the required minimum lot width or frontage on a public street. In the E-3 zone, a minimum of 60 linear feet of public street frontage is stipulated. Because of the size and configuration of the subject parcel and in order to maximize development potential, it may be necessary to serve the individual lots via a private drive which will require a zoning modification to address this development standard. Justifications to support a modification may include preservation of the existing driveway, palm trees, and the

advantage of private versus public street maintenance. We recommend obtaining early feedback from City staff via the City's Pre-Application Review process – see Section 4 of this report for additional detail.

Maximum Floor Area/Floor to Lot Area Ratio

In addition to review and approval by the City's SFDB, proposed single family residential development will be subject to a Floor to Lot Area Ratio (FAR)³ maximum if newly created lots are 15,000 SF or less. For lot sizes ranging in size from 10,000 SF – 14,999 SF, the maximum FAR calculation is as follows, 2,500 SF + 0.125 x net lot area. For example, for a lot that measures 11,250 SF, 100% of the maximum FAR is 3,906 SF and 85% FAR is 3,320 SF (see Attachment 1.5, FAR calculator). Proposed developments should strive to achieve compliance with the 85% FAR maximum or less; refer to the SFR Guidelines referenced above for additional detail on how the SFDB applies FARs during their review process.

Water & Sewer Service

The subject property water supply is currently served by the City of Santa Barbara and there is an existing septic system that provides waste water treatment– see Waters survey for existing the existing water meter location as well as the existing City water and sewer mains. Future service for potential development would also be served by the City of Santa Barbara. Each newly created lot will require individual meters and will necessitate connection and buy-in fees that are dependent upon the meter size needed to serve the proposed development. Typically, a single family residence is served by a 5/8 inch water meter. See link below to access the City's current fiscal year fee resolution:

<http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=41830>

Section 2.0 Known Physical Site Constraints & Applicable Planning Policies

The key physical site constraints listed per City of Santa Barbara records (see Attachment 2.1, Master Environmental Assessment or MEA) are summarized below.

Biological Resources/Oak Trees

The City Environmental Assessment Map for Biological Resources labels the site as Urban/Upland habitats. However, there are California native oak trees located on the property noted on the topographic survey⁴. The Conservation Element of the City's General Plan encourages development that would protect existing mature vegetation.

³ The ratio of a building's total net floor area to the size of the piece of land upon which it is built. See SBMC 28.15.083.B.1, definition of how to calculate the total net floor area.

⁴ The survey was prepared in 2008 and may not reflect current site conditions.

A development application will likely require the preparation of an Arborist Tree Inventory & Assessment of the existing oaks tree to 1) inventory the trees, and 2) to evaluate potential project impacts to the trees. If impacts are anticipated based on the proposed scope of work, the report will include recommended mitigation measures to offset these potential impacts. Additionally, the City may require a biological survey to determine if development would potentially impact habitat supported by the oak trees (for example, nesting birds).

Existing Structures 50+ years old

Both City and County archives were researched and no permit records or original construction plans were found for the residence, garage and outbuildings; however, the County tax assessor records state that the house was constructed in 1920; refer to Section 3 of report for additional detail. Although there is no report on file at the City assessing the property's historic significance, nor is the property listed on the City's Designated Landmarks, List of Designated Structures of Merit or Potential Structures of Merit, a Historic Sites/Structures Report (HSSR) was prepared by Post Hazeltine Associates, dated March 15, 2009 (See Attachment 2.2)⁵. The report notes that the main residence and barn date to circa 1911. The HSSR also concludes that the existing residence is potentially eligible for designation as a City of Santa Barbara Landmark and for listing in the California Register of Historical Resources and the national register of Historic Places. Additionally, the existing driveway flanked with Canary Island Palms is also considered a historically significant feature of the property. Therefore, the property will be considered a significant historic resource for the purposes of environmental review. A development application will require the preparation of a subsequent HSSR to evaluate whether the project will potentially impact the existing historic resources. This report will necessitate review in draft form by the City's Historian and the final report will require review/approval by the City's Historic Landmarks Commission. Please note that interior alterations are considered exempt from consideration of historic resource impacts.

Geology/Soils and Landslide and Erosion Potential

As indicated in the City's MEA, the property is identified as having potentially highly expansive soils with a very high erosion potential and high relative landslide potential. Given these potential soils conditions, a soils investigation report or preliminary foundation analysis may be required in order to ensure soil stability for proposed development and improvements. The City will likely require this technical analysis as part of the environmental review that is carried out during their development review process. If not required during the development review process, the Building Department will require these reports prior to building permit issuance.

⁵ The report was intended for internal review for the property owners; it has not been submitted to the City of Santa Barbara for review/comment. Additionally, the City's current report format has been updated since this report was completed.

Access

As noted in Section 1.0 above, a proposed subdivision that includes access via a private street will necessitate a public street waiver that will ultimately be reviewed and considered by the Planning Commission. A waiver is necessary because two or more newly created lots are required to be served by a public street. The access would need to be designed such that the Planning Commission could make the necessary findings to allow more than two lots served by a private street. Please refer to Attachment 2.3, SBMC §22.60.300E and F which describe the required findings and conditions for the public street waiver. The Fire Prevention Bureau also has access standards that guide proposed development. Refer to Attachment 2.3, which describes these access and hydrant requirements. Compliance with these requirements will be an important component of any proposal to subdivide the property.

Section 3.0 Historic Permits, Existing Conditions of Approval & Title Information

As previously noted, no permit records or original construction plans were located in City records. Refer to Attachment 3.1, the Santa Barbara County Assessor Building Records. These records were relied on by City staff to prepare the Zoning Information Report (ZIR) that documents whether there are known zoning or building code violations. The ZIR concludes that there are two legal residences on the property and does not identify any violations. Permit activity included a reroof in 1993 and other minor maintenance and repairs (Attachment 3.2). In 1960, the Planning Commission approved a two lot subdivision to create the parcel addressed as 1240 Cliff Drive (APN 035-200-007). As a condition of this subdivision, a 50-foot wide public street right-of-way was established at the southerly portion of the subject property (See Attachment 3.3 and refer to Waters survey). In preliminary discussions with City Real Property staff, a request for the City to abandon this right-of-way appeared to be feasible⁶. It is our understanding that at the time the easement was imposed, the City was anticipating a public road to serve future development to the east that is now served by Vista de la Playa.

Section 4.0 Potential Development Scenarios & Permit Process for Subdivision

There are two options in which to propose a subdivision:

- A dry lot subdivision that would identify newly created property boundaries and indicate development envelopes, or
- A subdivision identifying the proposed property boundaries that also includes the proposed residential development.

⁶ Abandonment of the street right-of-way will require City Council action.

In each case, the subdivision application will require further analysis as it relates to the existing historic resource described in Section 2.

Potential Development Scenarios

As a means to provide development examples and to further describe the City development review process, we have prepared four (4) potential development scenarios. It is important to note that these scenarios have not been submitted to or reviewed by City staff and that there are alternative development options that can be pursued.

The scenarios were created to meet the following criteria:

- Each proposed lot meets the minimum lot area (12% slope requires 1.5 times the minimum lot area or a total of 11,250 SF);
- The existing residence is retained;
- The existing driveway is maintained and incorporated as a private drive to serve the new lots; and,
- With exception of Lot #6, each lot will require a zoning modification for the public street lot frontage development standard.

The proposed vacant lots, because they are less than 15,000 net SF, will be required to meet the City's FAR standards (refer to Section 1 of this report). It is important to note that the City's FAR requirements were instituted to guide appropriate development to achieve neighborhood compatibility. The FAR *guideline* was established to serve as a tool to measure development on larger lots (in excess of 15,000 net SF) and was not intended to be applied as a requirement. This is an important point in that the subject property is developed with an existing large residence, approximately 4,450 SF; a future development project that proposes a subdivision of the entire site and that creates boundaries for the existing development will result in a condition that exceeds the FAR guideline which is acceptable in terms of City policies and regulations.

Private street access to the newly created lots will necessitate access easements as part of the final map recordation. Refer to Attachment 4.1, which includes the four development scenarios entitled Alternate A – D⁷. Please note that each alternative retained consistent lot numbers for clarity. For example, the proposed lot that contains the existing residence is labeled as Lot #4 in each alternative.

Alternate A

Alternate A includes a total of six (6) newly created lots, ranging in size from 11,252 SF to 19,250 SF. Lot #4, which contains the existing residence, is proposed as the largest lot at 19,250 SF. As discussed above, when the FAR requirements and guidelines were

⁷ Development scenarios or Tentative Subdivision Map Alternates A-D were prepared by Mike Gones, Civil Engineer.

established, they were not intended to apply to existing large residences. In this case, because the lot area of Lot #4 exceeds 15,000 SF, the FAR tool is applied as a *guideline* rather than a requirement. In this alternative, demolition of the existing caretaker/storage structure located at the rear of the property is noted and the existing residence will need to provide the required two covered parking spaces.

Alternate B

Alternate B includes a total of four (4) newly created lots, ranging in size from 11,269 SF to 35,692 SF. Lot #4 contains the existing residence as well as the existing caretaker/storage structure located at the rear of the property; the lot area is sized such that two times the minimum lot area ($11,250 \text{ SF} \times 2 = 22,500 \text{ SF}$) is provided in order to meet the minimum lot area requirement to allow two residences on a single lot. In addition to a proposed subdivision application, this type of development will also necessitate an application for an Additional Dwelling Unit or ADU (refer to Attachment 1.8, SBMC §28.93.030.E, development standards for an Additional Dwelling Unit in the One-Family Residential Zone.)

Alternate C

Alternate C includes a total of five (5) newly created lots, ranging in size from 11,259 SF to 22,500 SF. Lot #4 contains the existing residence and provides additional lot area to support an Additional Dwelling Unit, should one desire to maximize the allowed development on this lot.

Alternate D

Alternate D includes a total of five (5) newly created lots, ranging in size from 11,252 SF to 19,225 SF. This alternative results in a large lot for Lot #6 to provide flexibility for a proposed residence to be further setback from Cliff Drive and retain the large oak tree located at the northern extent of the lot.

Permit Process

Pre-Application Review Team (PRT)

Subdivision applications that require review and approval by the City's Planning Commission (PC) require the initial processing step referred to as Pre-Application Review Team or PRT. Refer to Attachment 4.2 which describes the PRT process and submittal requirements. In the case of the development scenarios included as examples of potential development, a public street waiver will be necessary and therefore the required review body will be the Planning Commission. Should development be proposed without the need for a public street waiver, a proposed subdivision will be reviewed and approved by the Staff Hearing Officer which may not warrant the initial step to apply for PRT. However, regardless of the type of applications

pursued, PRT is an optional process and provides thorough feedback from various City departments that is extremely valuable and recommended.

Single Family Design Board (SFDB)

As noted previously, one has the option to propose a dry lot subdivision without proposing the subsequent residences. In this case, Single Family Design Board will be required to review the lot layouts and comment on the proposed building envelopes. If a subdivision were proposed that also included the proposed residences, review by the SFDB will also be needed. Refer to Attachment 4.3 which describes the SFDB process and submittal requirements. SFDB is required prior to the proposed subdivision proceeding to the Planning Commission for review.

Development Application Review Team (DART)

A proposed subdivision will be processed via the Development Application Review Team (DART) process following PRT. One has the option to apply to DART prior to or following review by SFDB, but must occur following the PRT review as described above. Refer to Attachment 4.4 which includes the DART Informational Packet and the DART Submittal Packet. The City development review process is complex and is illustrated in a flow chart in the DART Informational packet – see page 9.

The discretionary applications for consideration by the Planning Commission that may be required depending on the desired lot configuration and density proposed are listed below:

- Street Frontage Modification (SBMC§ 28.15.080 and 28.92.110);
- Public Street Waiver (SBMC§ 22.60.030); and,
- Tentative Subdivision Map (SBMC §27.07).

Other discretionary applications that may be required are listed below:

- Additional Dwelling Unit (if two residences are proposed on a single residential lot, SBMC §28.93.030.E)
- Coastal Development Permit for potential right-of-way improvements⁸
- Public Street easement abandonment (City Council action)

In summary, SFDB will be required to review and approve a proposed subdivision and subsequent development of single family residences. Additionally, the subdivision (if more than four total lots or if a public street waiver is necessary) will require review and

⁸ A portion of the Cliff Drive right-of-way may be located in the Non-Appealable Jurisdiction of the Coastal Zone. Should a subdivision be proposed and require public improvements, those improvements may require a Coastal Development Permit. However, the subdivision of the subject property would not require processing of a Coastal Development Permit.

approval by the City's Planning Commission. This application will include a zoning modification to relieve the public street frontage requirement as well as a waiver to provide a public street to serve more than two newly created lots. Further, it may be desirable to pursue the 50 foot wide public street easement abandonment which preliminarily appeared to be a feasible option.

Based on our review of the public information available to us, our site visit and past experience processing projects through the City's development review process, we believe that the property has subdivision potential. While it may appear that a subdivision can be designed to be consistent with General Plan density (5 units/acre), for a total of 6 lots for the property, the City Planning Commission has full discretion over land use matters and they will ultimately determine the level of density appropriate for the site in accordance with the Municipal Code, General Plan policies, and in consideration of the existing historic resource.

This concludes our report. We appreciate the opportunity to provide you with our services and would be pleased to provide you with further assistance upon request. Should you have any questions or require additional information, please call me at (805) 966-2758 x16.

Sincerely,
SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.



Trish Allen, AICP
Senior Planner

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