

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for Urbany Appeal of the
Bonillo-LaTorre New Single-Family Dwelling & Garage

Hearing Date: July 22, 2015
Staff Report Date: July 2, 2015
Case Nos.: 15APL-00000-00004, 14LUP-00000-00144
& 14BAR-00000-00063
Environmental Document:
Notice of Exemption - CEQA Section 15303

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APPELLANT:

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The site is identified as Assessor Parcel Number 023-172-001, zoned 7-R-1, is 0.18 acres in size, located at 849 Cheltenham Road in the Urban, Inland area of the Mission Canyon Community Plan area, First Supervisorial District.

Design Review Approval on February 20, 2015
Land Use Permit Approval on February 20, 2015
Appeal filed on February 27, 2015

1.0 REQUEST

Hearing on the request of Bill and Lara Urbany, appellants, to consider Case No. 15APL-00000-00004, [application filed on February 27, 2015] to appeal the South County Board of Architectural Review's preliminary approval of Case No. 14BAR-00000-00063 and the Director's approval of Case No. 14LUP-00000-00144, in compliance with Chapter 35.102.040.A of the County Land Use and Development Code, on property located in the 7-R-1 zone; and to determine that approval of the project is exempt pursuant to State CEQA Guidelines Section 15303, included as Attachment C. The application involves APN 023-172-001, located at 849 Cheltenham Road in the Mission Canyon area of Santa Barbara County, First Supervisorial District.

2.0 RECOMMENDATIONS AND PROCEDURES

Follow the procedures outlined below and deny the appeal, Case No. 15APL-00000-00004, and affirm the decision of the South County Board of Architectural Review to grant preliminary design approval of Case No. 14BAR-00000-00063 and the decision of the Director to grant approval of Land Use Permit, Case No. 14LUP-00000-00144 for the Bonillo-LaTorre single-family residence, based upon the project's consistency with the Comprehensive Plan, including the Mission Canyon Community Plan, and with the County Land Use & Development Code, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Deny the appeal, Case No. 15APL-00000-00004;
2. Make the required findings for approval of the project, case numbers 14LUP-00000-00144 and 14BAR-00000-00063, included as Attachment A, including CEQA findings;
3. Determine that approval of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15303, as specified in Attachment C; and
4. Grant *de novo* approval of the project, case numbers 14LUP-00000-00144 and 14BAR-00000-00063, subject to the conditions included as Attachment B.

Alternatively, refer back to staff if the Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on Section 35.102.040.A (Appeals to the Commission) of the Santa Barbara County Land Use Development Code (LUDC) which states that any decision of the Board of Architectural Review (BAR) to grant preliminary approval is appealable to the Commission (Subsection A.1.a) and any decision of the Director to approve an application for a Land Use Permit (Subsection A.3.d) is appealable to the Commission.

4.0 BACKGROUND INFORMATION

The subject parcel is currently a vacant lot that has been used over the years as an avocado orchard and as an [unpermitted] equipment storage and staging area. There is a history of complaints associated with past grading and drainage issues on the property dating back to 2006, some of which were determined to constitute a violation. Most recently, in May of 2012, the County opened a building violation on the lot for unpermitted development that had been undertaken by the previous owners, Mr. and Mrs. Castillo. An area at the northern portion of the site was being used to store an RV on the site. The RV was parked on a newly created elevated parking area of imported soil contained within newly constructed Allen block retaining walls. Fill imported to the site related to the violation was determined to be approximately 100 cubic yards. The site work also involved blockage of an existing

drainage swale, causing the water to be redirected away from the property. In response, the property owners submitted a Land Use Permit application to validate the walls and grading. The Land Use Permit was denied on April 12, 2013 because of an absence of a primary use on the property. In an effort to resolve the violations, the property owners removed the upper-most portion of the retaining walls to lower their overall height, removed the RV that had been parked on the lot, and removed 55 cubic yards of soil. By lowering the wall height and removing a portion of the imported soil, the remaining walls and quantity of grading were exempt from permit requirements and the drainage flow was reestablished through the property. As such, the building violation was closed and the site was determined by the County to be free from any building or zoning violation. The conditions of the site in the Fall of 2013 are considered the baseline condition against which future development would be analyzed.

The project on appeal before the Commission was reviewed by the South County Board of Architectural Review (BAR) on three separate occasions at a conceptual level: April 4, 2014; October 17, 2014; and December 5, 2014. The October 17, 2014 review included a site visit with story poles erected onsite. During that site visit, the BAR viewed the story poles from the project site, from Cheltenham Road, and from different vantage points from neighboring lots. Based on the site visit, the BAR concluded that the project, as then designed, was not well-designed with respect to the natural contours and topography of the site. Additionally, the bulk and scale of the home appeared to be too dominant as presented. The BAR concluded that the two garages in the front of the home, the gabled roof in the rear of the home and the overall massing of the structure created a home that appeared to tower over the neighbor [the appellants]. Due to the extent of the revisions and issue areas that needed to be addressed, no action was taken at this hearing and the BAR requested that the applicants return for further “conceptual” review with a modified design to address BAR’s comments, and indicated that an additional site visit to include story poles might be required.

On December 5, 2014 the applicants returned to the BAR with a substantially revised project that improved the overall design as well as addressed the prior comments of the BAR. Additionally, the new design also improved the protection of privacy of adjacent neighbors, which was a matter discussed at each of the BAR hearings. After reviewing the revised project, the BAR determined that the changes made were significant enough and sufficiently responsive to BAR comments such that neither an additional site visit nor story poles were required. The BAR instructed the applicant and P&D staff that the project could return for “preliminary” approval.

The project was originally scheduled for “preliminary” approval at the BAR hearing of January 9, 2015. However, at the request of the applicant, the item was dropped from the agenda in order to give the applicants’ team more time to further develop the site’s landscape, grading and drainage plans. Although these plans are typically reviewed and approved as a part of the BAR’s “final” approval, the BAR members acknowledged the sensitivity of the drainage issue and wished to address the matter during their “preliminary” review/approval.

On February 20, 2015, the applicants returned to the BAR with each of the items it had previously requested. The engineered grading and drainage plan had been developed by Michael J. Gerenser (Civil Engineer) and the landscape plan had been developed by Courtney J. Miller (Licensed Landscape Architect). At this hearing, the project received a unanimous 7-0 vote to grant “preliminary” approval to the project. The BAR members commented that the project had improved and that a good deal of effort had gone into simplifying the architecture, stepping the house back, and

lowering the building. The BAR also added three conditions to the project that are to be addressed prior to the project returning for “final” approval. First, the locations of the adjacent eastern and western neighbors’ homes are to be added to the site plan and to the north and south elevations. Second, landscape planters are to be added to the overall landscape plan that will allow vines to grow up the [Allan block] walls. Lastly, the applicants are to break up the driveway and motor court so it does not appear as an expansive paved area.

Throughout the public hearing process, neighboring property owners, including the appellants, were present at each of the BAR meetings and were afforded the opportunity to present their comments and concerns to the BAR. Several design changes were made to address their concerns and conditions were added to the project by the BAR to address the overall extent of landscape screening. Upon the BAR’s “preliminary” approval of 14BAR-00000-00063 on February 20, 2015, P&D subsequently approved the associated Land Use Permit 14LUP-00000-00144 on the same date. On February 27, 2015, the appellants (Bill and Lara Urbany) submitted a timely appeal addressing the SBAR’s decision to grant “preliminary” approval to Case No. 14BAR-00000-00063 and P&D’s approval of the associated Land Use Permit (Case No. 14LUP-00000-00144).

Therefore, this staff report includes an analysis and discussion of appeal issues related to both the BAR and LUP approvals for your Commission’s consideration and *de novo* action.

5.0 PROJECT INFORMATION

5.1 Site Information

Comprehensive Plan Designation	Urban, Inland, Mission Canyon Community Plan area, Single-family Residential (RES 4.6, 4.6 units per acre)
Ordinance, Zone	County Land Use & Development Code (LUDC), 7-R-1 zone (7,000 sq. ft. minimum lot area)
Site Size	0.18 acres
Present Use & Development	Vacant parcel with remnants of an avocado orchard.
Surrounding Uses/Zone(s)	<i>North:</i> 7-R-1; Developed Residential <i>South:</i> 7-R-1; Developed Residential <i>East:</i> 7-R-1; Developed Residential <i>West:</i> 7-R-1; Developed Residential
Access	New private access drive off of Cheltenham Road.
Other Site Information	Gently sloped lot from north-to-south; average slope of approximately 9%-10% across 149.5’ depth of lot.
Services	Water Supply: City of Santa Barbara Sewage: City of Santa Barbara Fire: Santa Barbara County Fire Department Police: Santa Barbara County Sheriff

5.2 Project Description

The project is for a Land Use Permit and Preliminary Design Review to allow construction of a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage. Grading would include less than 100 cubic yards of cut and 200 cubic yards of fill. A total of four avocado trees are proposed for removal. The parcel would be served by the City of Santa Barbara for water and sewer services, the Santa Barbara County Fire Department, and the Santa Barbara County Sheriff's Department. Access would be provided off of Cheltenham Road. The property is a 0.18-acre parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at 849 Cheltenham Road in the Mission Canyon area, First Supervisorial District.

5.3 Appeal Issues and Staff Response

The appellants, Bill and Lara Urbany, have submitted Exhibits along with their appeal application (included as Attachment D) that identify and explain the specific issue areas that constitute the grounds for their appeal." Those issues have been summarized below and are followed by staff's response. The overarching argument of the appeal pertains to two issue areas: 1) view impacts on the neighborhood associated with the overall height of the structure, and 2) grading and drainage.

Issue #1: Height: The appellants state that at 26 feet in height, the proposed new dwelling is drastically at odds with the neighborhood and all neighboring structures and that it would tower above their home. Additionally, the appellants contend that the applicant has refused the BAR's recommendation to erect story poles, which would demonstrate this point.

Response: The proposed single-family dwelling would appear as a single-story structure as viewed from the public right-of-way of Cheltenham Road due to the sloping nature of the lot away from the street. Views of the dwelling's northern elevation facing the street would appear to be approximately 15 feet in height. The natural topography of lots on the southern side of Cheltenham Road drops down from north to south, sometimes very steeply. The subject lot drops approximately 10.5 feet within the first half of the lot depth (first 75 feet of the approx. 150 foot deep lot). From this point the remaining 75 feet of the lot continues to gently drop approximately four (4) more feet before reaching the rear property line. At its highest point, the proposed new single-family dwelling is approximately 26 feet in overall height at the rear of the home as measured from the existing, approved grade. Additionally, at this point of the structure the shed roof over the rear porch drops from 24 feet in height to approximately 21.5 feet in height, consistent with the direction of the BAR (see Attachment E).

A survey of the immediate neighborhood shows that of the 13 lots that are within 200 feet of the project site, seven (7) of the dwellings contain two-story elements that are visible from the road (see Attachment G). Many of these structures exceed heights of 26 feet, including one dwelling (850 Cheltenham Road) located immediately north of the proposed project site that reaches a height of approximately 35 feet. The maximum permissible height for a structure in the 7-R-1 zone district is 35 feet. Therefore, the proposed new single-family dwelling would be compatible with both the existing developed neighborhood and with the height limit of the zone district.

Finally, at the Design Review hearing of December 5, 2014, the BAR itself indicated that story poles were not required since the redesign of the project had been so extensive and had adequately addressed their previous comments.

Issue #2: Grading and Drainage. The appellants state that no drainage plan has been prepared and that approval of the project without a drainage plan will subject the owner and County to potential litigation. The appellants also contend that the prior unpermitted grading that occurred on the site was not properly addressed and that the current house design improperly benefits from a higher building pad elevation.

Response: At the BAR hearing of December 5, 2014, the BAR members instructed the applicant's team to return for "preliminary" approval after they had an engineer prepare a drainage plan. On February 20, 2015, the applicants' team presented the BAR with an engineered grading and drainage plan that had been developed by Michael J. Gerenser (Civil Engineer). The drainage plan proposes to capture the water that is piped from Cheltenham Road, passing under the Urbanys' property and then daylighting onto the subject parcel. From here, the plan would channel the water to surface-flow through a new bio-swale downslope to the southeastern corner of the lot. At the southern portion of the lot, the water would be captured within a detention basin to reduce the flow rate and carrying capacity of the water before it exits the site. Additionally, the applicants presented a preliminary landscape plan that had been developed by Courtney J. Miller (Licensed Landscape Architect) that integrated the features of the engineered grading and drainage plan. After reviewing the proposed plans, the BAR gave unanimous "preliminary" approval of the project by a 7-0 vote. The approved Land Use Permit (14LUP-00000-00144) also approved the same plans that the BAR approved, including the proposed grading and drainage.

In response to the appellants cited concern about adequate site drainage and the citation of an August 30, 2006 letter from the County, the information and direction contained within this letter (see Attachment H) has been incorporated into the current project design. A preliminary grading and drainage plan was reviewed by the SBAR and P&D staff (including Building & Safety) and received zoning approval as part of the Land Use Permit (14LUP-00000-00144). The project plans were submitted for review by County Flood Control District and no conditions were added to the project (see Attachment I). The proposed project has not received subsequent review and approval of a final grading and drainage plan by the Building and Safety (B&S) Division of Planning and Development as part of their grading / building permit review. During the B&S review of the proposed grading and drainage plan, County staff with the technical expertise to critically analyze the data are able to review the proposed plans, calculations, and specifications for the proposed development to ensure that drainage is properly addressed and cross-lot drainage is avoided. Many applicants wait to create the detailed studies and analyses for their project until after they have an issued zoning permit. The reason for this is that until then, the project may be subject to changes for a number of reasons (e.g., BAR "final" approval, required corrections, or changes that occur because a project is appealed). However, based upon staff's preliminary review of the drainage plan, it is adequate for the purposes of this proposal.

In response to the concerns raised about the previous grading that occurred on the site, a Land Use Permit to authorize the previous grading was denied due to the fact that it was not associated with a primary use or a development project. Grading over 50 cubic yards requires a grading permit per the Grading Ordinance and a zoning permit per the Land Use Development Code. However, in the previous case (12LUP-00000-00424), there was not only no established primary use on the lot, but the approximately 100 cubic yards of grading in question was also not associated with a project that would establish a primary use. As such, the Land Use Permit to validate prior grading was denied in April of 2013 and 55 cubic yards of material was subsequently removed in order to reduce the amount of site

alteration to below the 50 cubic yard threshold that triggered the requirement for a Grading Permit and a Land Use Permit. After the violation was abated, the associated building violation, case no. 12BDV-00000-00077, was closed. The fill and the amount of site alteration that remained after the removal of upper-most row of Allen block on the retaining walls and removal of 55 cubic yards of soil were below the threshold and therefore exempt from permit requirements.

The current house design and building height would not benefit from an elevated pad associated with prior grading activities. After the prior violation was abated, any remaining fill on the site at the lower portion was necessary to ensure proper site drainage and does not significantly alter the topography of the site. Specifically, fill material at the lower portion of the site does not affect the front portion of the lot where the house is proposed. Moreover, the house steps down with the slope, rather than being placed on a significant amount of fill. The BAR considered the nature of the sloping lot in reviewing the project design and concluded that the grading and the building height were both appropriate and compatible with the neighborhood and that entering the site at the street-level was appropriate due to the drainage concerns.

Lastly, in terms of the appellants' contention that P&D staff was too busy and did not adequately respond to their concerns regarding the property's lengthy grading and drainage history, as previously stated, all past building and zoning violations on the lot have been abated and closed. The site was determined by the County to be free from any violations, and the conditions of the site in the Fall of 2013 are considered the baseline condition against which future development is analyzed. Staff provided this information to the appellants and neighbors in response to the multiple requests to re-open and re-analyze the past violations. Staff also pointed out that not only were the past violations abated, but that the new project was proposing drainage improvements that appear to address and resolve the overall concerns about managing storm water run-off at the site.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

Approval of the project, Case Nos. 14LUP-00000-00144 and 14BAR-00000-00063, is exempt from environmental review based upon Section 15303 [New Construction or Conversion of Small Structures]. Section 15303(a&e) states that the construction of a single-family residence and garage are exempt from CEQA. See Attachment C for a detailed discussion of this exemption.

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<p><i>Land Use Element Development Policy #4: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.[...]</i></p>	<p>Consistent: Adequate services and resources are available to serve the new proposed residence on the site. The proposed single-family dwelling would be served by the City of Santa Barbara for water and septic services, the Santa Barbara County Fire Department, and the Santa Barbara County Sheriff's Department. Access to the site would be via a new driveway</p>

REQUIREMENT	DISCUSSION
<p>Mission Canyon Community Plan: Policy CIRC-MC-7. <i>Project consistency with the Mission Canyon Community Plan Circulation Element section shall constitute a determination of project consistency with Land Use Development Policy 4 (Land Use Element) with regard to roadway and intersection capacity. Per Land Use Development Policy 4, a project may be denied or reduced in density if adequate resources are unavailable. Project applicants shall assume full responsibility and cost for required improvements.</i></p> <p>Policy LU-MC-2. <i>The County shall recognize that the Mission Canyon Plan Area is a constrained community with respect to fire hazard, parking and circulation, flooding and drainage, wastewater and geology, and hillsides and topography and shall require that future development is adequately served by existing services and infrastructure.</i></p>	<p>from Cheltenham Road. The existing roads are adequate to serve the proposed development, including the short-term construction-related traffic. Therefore, the proposed project would be consistent with these policies.</p>
<p>Mission Canyon Residential Design Guidelines: <i>The Mission Canyon Community Plan is a land use planning document adopted by the County Board of Supervisors to guide future development. Decision-makers must make findings that projects are consistent with the Mission Canyon Community Plan.</i></p>	<p>Consistent: Included as Attachment A to this staff report are the required findings for the project. The proposed development would be consistent with the Mission Canyon Community Plan and all of the findings required for approval can be made. Therefore, the project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy LU-MC-4. <i>The public shall be protected from continuous noise that could jeopardize health and welfare.</i></p>	<p>Consistent: Construction hour restrictions are applicable to the proposed project and have been included as a condition of approval to reduce noise impacts (see Attachment B, Condition #7). The construction and use of a single-family dwelling in a residential zone district would not generate significant sources of noise. Therefore, the proposed project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy BIO-MC-4. <i>Fuel modification for defensible space shall adhere to standards specified in the California Fire Code, County of Santa Barbara Fire Prevention Code, and Mission Canyon</i></p>	<p>Consistent: The subject lot is a vacant site that contains four avocado trees that would be removed as a part of the project. These trees are the remnant of a former avocado orchard on the site. The single oak tree on the subject lot is</p>

REQUIREMENT	DISCUSSION
<p><i>Community Wildfire Protection Plan, or their successors, to the extent feasible and consistent with other provisions of this Community Plan.</i></p>	<p>located on the southern portion of the sloping lot and would be retained and protected. Therefore, the fuel modification adheres to standards specified in the California Fire Code, County of Santa Barbara Fire Prevention Code, and Mission Canyon Community Wildfire Protection Plan.</p> <p>The proposed landscaping and materials for the new dwelling integrate defensible space and fire resistant construction materials consistent with applicable requirements. Final materials and plant species are subject to review and approval as part of the BAR’s “final” approval of the project (see Attachment B, Condition #3) and review by the Fire Department is required prior to building permit approval by P&D. Therefore, the project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy CIRC-MC-8. <i>The minimally acceptable LOS on roadway segments and intersections under County jurisdiction in the Plan Area is LOS B. Exception to this policy is Mission Canyon Road south of Foothill Road – LOS C is acceptable.</i></p>	<p>Consistent: The project site currently enjoys adequate roadways and intersections to serve the proposed new residence. Cheltenham Road is classified as a “collector road” in the County’s Circulation Element of the Comprehensive Plan and has a policy capacity of 5,000 average daily trips (ADTs). Within the Mission Canyon Plan (MCP), the entire length of Cheltenham Road is classified as a Secondary 3 (S-3) roadway with a design capacity of 7,900 and an acceptable capacity / (LOS) of 5,530 / (LOS B). Additionally, the MCP cites the 2012 volume on Cheltenham at 1,010 daily trips. Any new single-family dwelling is projected to increase the daily trips by ten (10) average daily trips. Therefore, the existing roads are adequate to serve the proposed development, including the short-term construction-related traffic, and operate within acceptable levels and the proposed project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy CIRC-MC-10. <i>Encroachment of fences, walls, landscaping, and other structures into public</i></p>	<p>Consistent: An encroachment permit from the Roads Division of the County Public Works Department is required prior to the issuance of</p>

REQUIREMENT	DISCUSSION
<p><i>road ROW shall be subject to an encroachment permit and County Public Works Department encroachment permit policies. Board of Architectural Review (BAR) approval shall be required for any encroachment proposed as part of a project that otherwise requires a planning permit.</i></p>	<p>the Land Use Permit for the new single-family dwelling (see Attachment B, Condition #14). The encroachment permit will ensure that landscaping and hardscape located within the public right-of-way is consistent in style and character with the Mission Canyon area. Additionally, all fences, walls and landscaping have been reviewed by the BAR and received “preliminary” approval. Furthermore, all fencing, walls, landscaping and hardscape would be subject to review and approval as part of the BAR’s “final” approval of the project (see Attachment B, Condition #3). Therefore, the project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy CIRC-MC-12. <i>All access roads and driveways to new dwelling units shall be designed and built to allow emergency vehicle access. Development shall provide adequate off-street parking for residents and guests, especially where “No Parking” restrictions exist on adjacent roads and/or where roads are narrow, winding, and/or steep. The County shall develop programs and implementation measures to address areas where traffic flow is constrained due to on-street parking on narrow streets.</i></p>	<p>Consistent: The new driveway access to the site is designed to be approximately 35 feet in width, nearly three times the required 12 foot width for driveways according to the standards of the County of Santa Barbara Fire Department. The three required parking spaces for the new single-family dwelling have been provided on-site within the proposed two-car garage and immediately west of and adjacent to the garage within a single residential parking space using tile/concrete pavers (see Attachment F, sheet A-002). Therefore, the project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy PS-MC-2. <i>Development in Mission Canyon shall incorporate water efficient design, technology, and landscaping. New or expanded water service connections shall be subject to the City of Santa Barbara’s water conservation standards.</i></p>	<p>Consistent: As conditioned (see Attachment B, Condition #9), the project would be required to incorporate water efficient design, technology, and landscaping. Additionally, all landscaping elements would be subject to review and approval as part of the BAR’s “final” approval of the project (see Attachment B, Condition #3), and the new water connection would be required to meet City of Santa Barbara requirements, including payment for the installation of a 1” residential service connection with a 5/8” water meter (\$2,495.00) and the payment of a one-time water buy-in fee (\$6,070.00). Therefore, the project would be consistent with this policy.</p>

REQUIREMENT	DISCUSSION
<p>Mission Canyon Community Plan: Policy BIO-MC-1. <i>Environmentally sensitive biological resources and habitat areas shall be protected and, where appropriate, enhanced.</i></p>	<p>Consistent: There are no mapped or designated environmentally sensitive biological resources or habitat areas within the project site or within 1,000 feet of the subject parcel. Therefore, the project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy BIO-MC-5. <i>Landscaping for development shall use appropriate plant species to ensure compatibility with and preservation of sensitive resources. Property owners are encouraged to remove existing non-native flammable or invasive exotic species and replace them with non-invasive, native, fire resistant varieties.</i></p> <p>Policy BIO-MC-6. <i>Native trees shall be protected to the maximum extent feasible. A “native protected tree” is at least six inches in diameter (largest diameter for nonround trunks) as measured 4.5 feet above level ground (or as measured on the uphill side where sloped). Native trees found in Mission Canyon area include, but are not limited to, coast live oak (<i>Quercus agrifolia</i>), western sycamore (<i>Platanus racemosa</i>), California bay (<i>Umbellularia californica</i>), bigleaf maple (<i>Acer macrophyllum</i>), white alder (<i>Alnus rhombifolia</i>), and California black walnut (<i>Juglans californica</i>). Non-native trees that provide nesting habitat or cover shall be protected to the maximum extent feasible. A “non-native protected tree” has a biological or ecological function (i.e., it provides nesting habitat or cover) and is at least six inches in diameter (largest diameter for non-round trunks) as measured 4.5 feet above level ground (or as measured on the uphill side where sloped). If it is determined by Planning and Development that tree removal cannot be avoided, removed trees shall be relocated or replaced onsite to the extent feasible provided the relocated or replaced trees can be accommodated in a location and manner that does not conflict with defensible space clearance requirements. Native tree replacements should be propagated from onsite or nearby specimens.</i></p>	<p>Consistent: No removal of native oaks or other protected trees is included as a part of the proposed project. The project does propose the removal of four non-native avocado trees measured to be approximately 7”-8” diameter at breast height (DBH). These four fruit trees are the remnant of a previous avocado orchard and their removal would be conditioned to occur outside of the February 1 through August 15 bird breeding/nesting season (see Attachment B, Condition #23).</p> <p>Proposed landscaping, would not adversely impact the existing oak tree onsite (see Attachment F, sheets A-101 & GP-1). Additionally, all landscaping elements, including the planting of replacement trees and shrubs that are primarily native, drought-tolerant varieties for the proposed removal of the four existing avocado trees on the site, would be subject to review and approval as part of the BAR’s “final” approval of the project (see Attachment B, Condition #3). Therefore, the project would be consistent with these policies.</p>

REQUIREMENT	DISCUSSION
<p>Mission Canyon Community Plan: Policy FLD-MC-1. <i>Flood and drainage risks shall be minimized through appropriate design and land use controls.</i> Policy FLD-MC-2. <i>Erosion of soils and movement of sediment into natural and manmade drainages shall be minimized during construction activities.</i></p>	<p>Consistent: A preliminary grading and drainage plan was reviewed by the SBAR and P&D staff (including B&S staff) and received zoning approval as part of the Land Use Permit (14LUP-00000-00144). The project plans were submitted for review by County Flood Control District and no conditions were added to the project (see Attachment I). The proposed new dwelling is well-designed to take into consideration the natural topography of the sloping hillside. The project includes a plan to efficiently handle the existing storm water drainage across the lot. The proposed project would also limit the amount of excavation necessary to construct the new home to less than 100 cubic yards of cut and 200 cubic yards of fill. The existing and historic drainage across the lot would be maintained by channeling it along the western side of the proposed home via an engineered bio-swale and detention basin that is consistent with the Mission Canyon Residential Design Guidelines, Sections 3.15 and 3.16. Erosion and sediment control measures would be implemented during grading and construction activities in order to minimize erosion and sedimentation (see Attachment B, Condition #5). Therefore, the project would be consistent with these policies.</p>
<p>Mission Canyon Community Plan: Policy VIS-MC-1. <i>Development shall be sited and designed to protect views as seen from public viewing places.</i></p>	<p>Consistent: Based on the site’s topography, the proposed two-story home appears as a one-story house from public views along Cheltenham Road, a public road right-of-way (see Sheet A-201 of Attachment F). The upper portion of the proposed home would be visible from the south along Foothill Road for a brief moment as motorists or pedestrians pass by an approximately 35 foot wide open section between the homes located at 2860 and 2848 Foothill Road. However, from this public vantage point, the proposed home would not intrude into the skyline of either the foothills or the Santa Ynez Mountain Range. The siting and</p>

REQUIREMENT	DISCUSSION
	<p>design of the proposed new dwelling allows for the protection of views across the site. Therefore, the project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy VIS-MC-2. <i>The nighttime sky of Mission Canyon shall be protected from excessive and unnecessary light associated with new development and redevelopment.</i></p>	<p>Consistent: All exterior lighting, including lighting for landscaping, would be subject to review and approval as part of the BAR’s “final” approval of the project (see Attachment B, Condition #3). Additionally, the South County BAR requires that exterior lighting be of low wattage, shielded to prevent off-site illumination, and hooded and directed downward so it does not adversely impact the nighttime sky of Mission Canyon. Therefore, the project would be consistent with this policy.</p>
<p>Mission Canyon Community Plan: Policy VIS-MC-4. <i>Development shall be sited, designed, and scaled to be compatible with neighborhood character, to protect visual resources, and to respect site constraints such as steep slopes.</i></p>	<p>Consistent: The proposed new dwelling is in compliance with the applicable Mission Canyon Residential Design Guidelines, including neighborhood context, character and compatibility, grading, and watershed management. The project has been designed to reflect the overall size and character of the surrounding neighborhood, which is a mix of existing one and two-story homes (see Attachment G). The proposed project would also minimize the amount of grading necessary to construct the new home to less than 100 cubic yards of cut and 200 cubic yards of fill. Therefore, the project would be consistent with this policy.</p>
<p>Land Use Element Hillside and Watershed Policy #2: <i>All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or</i></p>	<p>Consistent: The proposed development minimizes site disturbance by reducing the amount of grading necessary to construct the new home to less than 100 cubic yards of cut and 200 cubic yards of fill. Furthermore, the home has been designed to be a two-story structure in the rear and steps down with the slope in order to minimize grading and unnecessary site excavation to create a subterranean basement or lower-level area (see</p>

REQUIREMENT	DISCUSSION
<p><i>other hazards shall remain in open space.</i></p> <p>Mission Canyon Community Plan: Policy GEO-MC-1. <i>Hillside and watershed areas shall be protected to the maximum extent feasible to avoid adverse geologic impacts and to preserve watershed function.</i></p> <p>Policy GEO-MC-2. <i>Grading shall be designed to minimize scars in topography and avoid the potential for earth slippage, erosion, and other safety risks.</i></p> <p>Policy GEO-MC-3. <i>Excessive grading for the purpose of creating or enhancing views shall not be permitted. Grading should not place more than five feet of fill above natural grade.</i></p>	<p>Sheet A-201 of Attachment F). The lower areas of the site, which are not suited to development because of known flood, erosion or other hazards, would remain undeveloped and no protected or sensitive trees would be removed to accommodate the proposed project. The lower area of the site would be utilized for the storm water conveyance and detention that would assist with the management of both off-site and on-site drainage that would be directed to this area before exiting the site in its historic location at the southeastern corner of the lot. Additionally, there would be no excessive grading involved with the project that would create an elevated building pad or enhance views. Therefore, the proposed project would be consistent with these policies.</p>

6.3 Ordinance Compliance – County Land Use & Development Code

6.3.1 Section 35.23.020 – Purpose of the R-1 Single-Family Residential zone district:

The R-1 zone is applied to areas appropriately located for one-family living at a reasonable range of population densities, consistent with sound standards of public health, safety, and welfare. This zone is intended to protect the residential characteristics of an area and to promote a suitable environment for family life.

Compliant: The proposed project is located on a legally created 0.18-acre lot (7,840 sq. ft.) that is conforming as to size (7,000 sq. ft. required), though at 52.5 feet wide, is nonconforming as to width (65 feet required) for the 7-R-1 zone district. The project would be in conformance with the purpose and intent of the R-1 zone district, and would comply with all applicable requirements of the County LUDC for new development on an existing legal lot, including building height, parking requirements, and the setback requirements discussed below. Furthermore, the proposed new single-family dwelling and attached garage would be consistent with the residential characteristics of this area of the County and would also promote a suitable environment for family life.

6.3.2 Section 35.23.030 – Allowable Land Uses

R-1 Single-family Residential Zone District - One single-family dwelling.

Compliant: The proposed project is for one single-family dwelling on an existing legal lot of record that is shown as Lot 1 on page 36 of Recorded Map Book 20 for Mission Canyon Heights, County of Santa Barbara.

6.3.3 Section 35.30.120 – Outdoor Lighting

Outdoor lighting in the Mission Canyon Area shall minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures. All exterior lighting shall be hooded and no unobstructed beam of exterior light shall be directed toward any area zoned or developed residential. Lighting shall be designed so as not to interfere with vehicular traffic on any portion of a street.

Compliant: The proposed project would include modest outdoor lighting that would be of low-wattage, hooded and directed downward in a manner that would protect nighttime viewsheds and wildlife corridors from light trespass. No uplighting of trees would be included as a part of this project. Additionally, a final outdoor lighting plan is required and would be presented for review and approval as part of the BAR's "final" approval of the project (see Attachment B, Condition #3).

6.3.4 Section 35.35.23.050 – Residential Zones Development Standards - Setbacks.

Front: 50 feet from the centerline and 20 feet from the right-of-way.

Side: 10 percent of the width; except where zoned for minimum lot area of 2 acres or less; in which case 5 feet minimum and 10 feet maximum required.

Rear: 25 feet or 15 feet if the rear abuts permanent open space or a street without access.

Compliant: The proposed new single-family dwelling would comply with the front setback requirement of 50 feet from centerline and 20 feet from the right-of-way line, the required 5'-3" side setback (10% of the 52.5' average lot width) and the 25-foot rear setback. As designed, the structure would be set back 50 feet from the centerline of Cheltenham Road and 20 feet from the right-of-way line. The dwelling would also be set back 5'-6" from the eastern property line, 6'-0" from the western property line and 7'-6" from the rear property line.

6.3.5 Section 35.23.050 – Residential Zones Development Standards - Height

Inland height limit - 35 feet above natural grade.

Compliant: The proposed new dwelling would be approximately 26 feet in overall height above natural grade at the highest point of the roof at the rear of the house.

6.3.6 Section 35.36.050 – Required Number of Spaces: Residential Uses

In the Mission Canyon Community Plan area (excluding the RR zone), a minimum of 3 spaces shall be required for a new dwelling unit.

Compliant: The proposed project includes the construction of a new 22' x 23' two-car garage that would provide two of the required three onsite residential parking spaces. Additionally, the third required residential parking space would be located along the western side of the new garage. All required parking would be located outside of the applicable front and side setbacks.

6.4 Design Review

The proposed project is for the construction of a new single-family dwelling on a vacant parcel located within the Mission Canyon area and is subject to review by the South County Board of Architectural Review (SBAR). The project was brought before the SBAR four (4) times over the span of eleven (11) months. During this period, multiple design revisions were made to the proposed project, which ultimately allowed the SBAR to make the required findings for “preliminary” approval on February 20, 2015. Complete SBAR Approved Minutes are included as Attachment E.

7.0 APPEALS PROCEDURE

The action of the County Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of said action: The appeal fee to the Board of Supervisors is \$643.

8.0 ATTACHMENTS

- A. Findings for Approval
- B. Draft (*de novo*) Land Use Permit with Conditions of Approval
- C. Environmental Document: Notice of Exemption
- D. Appeal Application
- E. Approved BAR Minutes (04/04/14, 10/17/14, 12/05/14, 01/09/15 and 02/20/15)
- F. Reduced Plan Sheets
- G. Neighborhood Map
- H. County letter, dated August 30, 2006
- I. Approved Special Problems Committee Minutes, dated July 24, 2014

ATTACHMENT A

Findings for Approval

1.0 CEQA FINDINGS

The project, Case Nos. 14LUP-00000-00144 and 14BAR-00000-00063, is exempt from environmental review based upon Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines. Section 15303(a&e) states that the construction of a single-family residence and garage are exempt from CEQA. See Attachment C for a detailed discussion of this exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 DESIGN REVIEW FINDINGS

In compliance with Section 35.82.070.F.1 of the County Land Use and Development Code, an application for Design Review can be approved only if the following required findings can be made:

- a. *Overall structure shapes, as well as parts of any structure (buildings, fences, screens, signs, towers, or walls) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the property.*

The proposed single-family dwelling and attached garage are located in a neighborhood of primarily one and some two-story dwellings on legal lots. As discussed in Section 5.3 of the staff report, dated July 2, 2015 and incorporated herein by reference, the proposed dwelling is designed to present a modest single story street-front elevation for public view while presenting a two-story elevation towards the rear of the home. Consistent with the surrounding neighborhood, wherein seven (7) of the thirteen (13) closest homes along Cheltenham Road having second-story elements, the proposed two-story home similarly has the two-story element visible towards the rear, down-slope elevation (see Attachment G to the staff report, dated July 2, 2015 and incorporated herein by reference). This is due to the natural topography of the neighborhood, which drops steadily from north to south, and in turn allows many homes to appear as a single-story from the north but to have a two-story presentation at the east, west and southern elevations. For the subject project, the proposed side elevations are well articulated with fenestration and varied roof heights, and side views from adjacent lots are screened and softened by the proposed new landscape plantings. In sum, by design, the proposed project is in proportion to, in scale, and visually compatible with the other existing houses in the neighborhood as it presents a single-story street-front elevation as seen from public vantage points.

- b. *Electrical and mechanical equipment will be well integrated into the total design concept.*

All electrical and mechanical equipment for the project will be located in a mechanical area located within the lower-level of the proposed new dwelling. Therefore, this finding can be made.

c. *There will be harmony of color, composition, and material on all sides of a structure.*

All sides of the home will be finished with colors, composition and materials consistent with the Spanish Revival style, including Redlands blend clay roof tiles; smooth, light-colored stucco siding; wood clad windows and wood doors; and stone finishes. Therefore, this finding can be made.

d. *There will be a limited number of materials on the exterior face of the structure.*

The materials to be used on the exterior face of the structure are limited to materials consistent with the Spanish Revival style. These limited materials include Redlands blend clay roof tiles; smooth, light-colored stucco siding; wood clad windows and wood doors; and stone finishes. Therefore, this finding can be made.

e. *There will be a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted.*

The proposed Spanish Revival style home will be in harmony with the other similarly styled and sized homes throughout the existing developed neighborhood without creating monotonous repetition. Therefore, this finding can be made.

f. *Site layout, orientation and location of structures and signs will be in an appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the site.*

Based on the site's topography, the proposed two-story home reads as a one-story house to the public viewing it from Cheltenham Road, a public road. The new house is well-designed to take into consideration the natural topography of the sloping hillside and includes a plan to effectively handle the existing storm water drainage across the lot as it enters the site from a 12" pipe and is channeled into an engineered bio-swale that has been designed to handle the maximum storm water flow out of the pipe. The newly installed detention basin has been engineered to capture and store average rainfall from a storm event, while storm water in excess of an average storm event would exit the site at the historic location at the southeastern corner of the lot. The location of the proposed new dwelling and the design of the project allow for protection of the natural topography of the site. The existing oak tree at the rear of the lot will be retained and protected during construction activities. The site layout, orientation, and location of the proposed home and garage are appropriate to the site topography and overall environmental qualities of the site. Therefore, this finding can be made.

g. *Adequate landscaping will be provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of plantings that are appropriate to the project and that adequate provisions have been made for the maintenance of all landscaping.*

The proposed project will not require the removal of any specimen or landmark trees. Four trees that are the remnants of a previous avocado orchard will be removed. The landscape plan includes a selection of plantings that are appropriate for the site and are consistent with the landscape and maintenance requirements of this high-fire hazard area of the County, including drought-tolerant and native plants. Additionally, the landscaping along the side property lines will soften and screen views into the property as viewed from both the eastern and western neighbors. Therefore, this finding can be made.

h. *Signs including associated lighting, are well designed and will be appropriate in size and location.*

No signage is proposed as a part of this project. Therefore, this finding is not applicable.

i. *The proposed development is consistent with any additional design standards as expressly adopted by the Board for a specific local area, community, or zone in compliance with Subsection G. (Local design standards) below.*

Additional design standards for the Mission Canyon Community Plan area have been adopted by the Board of Supervisors and the proposed project is consistent with these additional standards. A discussion of these standards and the evidence that supports consistency is included below in Section 2.2 and is incorporated herein by reference. Therefore, this finding can be made.

2.2 MISSION CANYON COMMUNITY PLAN DESIGN REVIEW FINDINGS

In compliance with Section 35.82.070.F.7 of the County Land Use and Development Code, an application for Design Review in Mission Canyon can be approved only if the following required findings can be made:

a. *Plans for new or altered structures subject to the provisions of Section 35.28.080 (Design Control Overlay) are in compliance with the Mission Canyon Residential Design Guidelines as applicable.*

As discussed in Sections 6.2 and 6.3 of the staff report, dated July 2, 2015 and incorporated herein by reference, the proposed new dwelling is in compliance with the applicable Mission Canyon Residential Design Guidelines, including neighborhood context, character and compatibility, grading, and watershed management. The project has been designed to reflect the overall size and character of the surrounding neighborhood, which is a mix of existing one and two-story homes. The project, as proposed, would also minimize the amount of grading necessary to construct the new home to less than 100 cubic yards of cut and 200 cubic yards of fill. The existing drainage-way along the western side of the home has been maintained by designing a bio-swale and detention basin that is consistent with Mission Canyon Residential Design Guidelines sections 3.15 and 3.16, which call for infiltration of runoff and erosion control through properly designed drainage sales and appropriate landscaping.

Furthermore, the home has been designed to be a two-story structure in the rear and steps down with the slope in order to minimize grading and unnecessary site excavation. Working with the site topography, the design of the home also avoids creating a subterranean basement area. Due to the sloping nature of the lot and the existing channelized storm water drainage that empties onto the site, a below-grade basement area of the home could be subject to flood hazards and risks. Therefore, this finding can be made.

- b. *Large visible understories (greater than four feet in height) and exposed retaining walls are minimized.*

There are no understory areas greater than four feet in height proposed as a component of this project. Therefore, this finding can be made.

- c. *Retaining walls are colored and textured (e.g., with earth tone colors and split face details) to match adjacent soils or stone, and visually softened with appropriate landscaping.*

As shown on the project plans, included as Attachment F to the staff report, dated July 2, 2015 and incorporated herein by reference, the retaining wall and site walls associated with the project will have a stucco finish that will match the new dwelling. Additionally, the colors of the wall and home will be earth toned and will be visually softened with the overall site landscaping. Final color palette and materials will be reviewed and approved by the BAR as a part of the "final" design review approval for consistency with the Commission's approval. Therefore, this finding can be made.

- d. *The visible portion of a retaining wall above finished grade does not exceed a height of six feet as measured from the bottom of a footing to the top of the wall. The Board of Architectural Review may grant an exemption to this finding if a written finding is made that the exemption is necessary to allow a project that:*

- (1) Furthers the intent of protecting hillsides and watersheds;*
- (2) Enhances and promotes better structural and/or architectural design; and*
- (3) Minimizes visual or aesthetic impacts.*

No visible portion of a retaining wall above grade will exceed the height of six feet as measured from the bottom of any footings to the top of the wall. Therefore, this finding can be made.

- e. *Landscaping and hardscaping located in the public right-of-way is consistent in style with the semi-rural character of Mission Canyon.*

As conditioned, an encroachment permit from the Roads Division of the County of Santa Barbara Public Works Department is required prior to the issuance of the Land Use Permit for the new single-family dwelling (see Condition #14 of Attachment B to the staff report, dated July 2, 2015 and incorporated herein by reference). Additionally, the final landscape and hardscape plan will be reviewed and approved by the BAR as a part of the "final" design review approval to ensure that those areas located within the public right-of-way are consistent in style and character with the Mission Canyon area. Therefore, this finding can be made.

2.3 LAND USE PERMIT FINDINGS

In compliance with Section 35.82.110.E.1 of the County Land Use and Development Code, an application for a Land Use Permit shall be approved only if the following findings can be made:

- a. *The proposed development conforms to the applicable provisions of the Comprehensive Plan including the Mission Canyon Community Plan and with the applicable provisions of this Development Code, or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).*

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report, dated July 2, 2015 and incorporated herein by reference, the project conforms to the purpose and intent of the R-1 zone district, and will comply with all applicable requirements of the County LUDC for new development on an existing legal lot, including building height, parking requirements, and setback requirements. The project will conform to all applicable provisions of the County Comprehensive Plan, including the Mission Canyon Community Plan, and the applicable zoning requirements of the County Land Use & Development Code, respectively. Therefore, this finding can be made.

- b. *The proposed development is located on a legally created lot.*

The subject parcel is a legally created lot and is shown as Lot 1 on page 36 of Recorded Map Book 20 for Mission Canyon Heights, County of Santa Barbara. Therefore, this finding can be made.

- c. *The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks, and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).*

As discussed in Section 6.3 of the Planning Commission staff report, dated July 2, 2015 and incorporated herein by reference, the project will be in compliance with all requirements of the R-1 zone district. Furthermore, all past zoning violations on the subject lot related to prior grading and development activities have been abated and the lot does not currently have any outstanding zoning violations. As such, the vacant lot is presently in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and other applicable provisions of the County Land Use & Development Code. Therefore, this finding can be made.



LAND USE PERMIT NO.: 14LUP-00000-00144

Project Name: BONILLO - LATORRE NEW SFD & GARAGE
Project Address: 849 CHELTENHAM RD, SANTA BARBARA, CA 93105
A.P.N.: 023-172-001
Zone: 7-R-1

The County Planning Commission hereby approves this Land Use Permit for the project described below based upon compliance with the required findings for approval and subject to the attached terms and conditions.

APPROVAL DATE: 7/22/2015
LOCAL APPEAL PERIOD BEGINS: 7/23/2015
LOCAL APPEAL PERIOD ENDS: 8/3/2015
DATE OF PERMIT ISSUANCE (if no appeal filed): 8/4/2015

APPEALS:

1. The approval of this Land Use Permit may be appealed to the Board of Supervisors by the applicant, owner, or any aggrieved person. An aggrieved person is defined as any person who, either in person or through a representative, appeared at a public hearing in connection with this decision or action being appealed, or who by other appropriate means prior to a hearing or decision, informed the decision-maker of the nature of their concerns, or who, for good cause, was unable to do either. The appeal must be filed in writing and submitted in person to the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, prior to 5:00 p.m. on or before the date that the local appeal period ends as identified above (CLUDC Chapter 35.102 Appeals).
2. Payment of a fee is required to file an appeal of the approval of this Land Use Permit.

PROJECT DESCRIPTION SUMMARY: New 2,907 square foot residence with a 539 square foot attached garage. Earthwork will include approximately 16 cubic yards of cut and 180 cubic yards of fill. To receive additional information regarding this project and/or to view the application and/or plans, please contact J. Ritterbeck at 123 East Anapamu Street, Santa Barbara, by email (jritterb@co.santa-barbara.ca.us) or by phone ((805) 568-3509).

PROJECT SPECIFIC CONDITIONS: See Attachment "A"

ASSOCIATED CASE NUMBERS: 14BAR-00000-00063

PERMIT ISSUANCE: This Land Use Permit will be issued following the close of the appeal period provided an appeal is not filed, or if appealed, the date of final action on the appeal which has the effect of upholding the approval of the permit. Issuance of this permit is subject to compliance with the following terms and conditions:

1. **Notice.** Notice of this project shall be posted on the project site by the applicant utilizing the language and form of the notice provided by the Planning and Development Department. The notice shall remain posted continuously until at least 10 calendar days following action on the permit, including an action on any appeal of this permit (CLUDC Chapter 35.106 Noticing and Public Hearings). The *Proof of Posting of Notice on Project Site* shall be signed and returned to the Planning and Development Department prior the issuance of the permit.
2. **Compliance with conditions.** All conditions that are required to be satisfied prior to issuance of the permit have been satisfied and the permit has been signed by the applicant or owner.
3. **Design Review.** If required, the project has been granted final approval by the appropriate Board of Architectural Review (BAR), and an appeal of that final approval has not been filed.

4. **Appeals.** An appeal of the approval of this permit, or an appeal of the final approval by the BAR, has not been filed with the County. If an appeal has been filed then the permit shall not be issued until final action on the appeal(s) has occurred which has the effect of upholding the approval of this permit, and, if applicable, the final approval by the BAR.

5. **Other approvals.** Any other necessary approvals required prior to issuance of this Land Use Permit have been granted.

PERMIT EXPIRATION AND EXTENSION: This permit shall remain valid only as long as compliance with all applicable requirements of the CLUDC and the permit continues, including the conditions of approval specific to this permit. Additionally:

1. The approval of this permit shall expire either 12 months from the effective date of the permit or other period allowed in compliance with an approved Time Extension, and shall be considered void and of no further effect unless the permit is either issued within the applicable period in compliance with the terms indicated above or a valid application for a Time Extension is submitted prior to the expiration of this 12 month period and is subsequently approved (CLUDC: Section 35.82.110).
2. This permit shall expire two years from the date of issuance and be considered void and of no further effect unless the use and/or structure for which the permit was issued has been lawfully established or commenced in compliance with the issued permit or an application for a Time Extension is submitted prior to the expiration of this two year period and is subsequently approved (CLUDC: Section 35.82.110).
3. The effective date of this permit shall be (a) the day following the close of any applicable appeal period provided an appeal is not filed, or (b) if appealed, the date of final action on the appeal which has the effect of upholding the approval, or (c) some other date as indicated in this permit (CLUDC: Section 35.82.020).

WORK PROHIBITED PRIOR TO PERMIT ISSUANCE: No work, development, or use intended to be authorized pursuant to this permit approval shall commence prior to issuance of this permit and/or any other required permit (e.g., building permit).

OWNER/APPLICANT ACKNOWLEDGMENT: Undersigned permittee acknowledges receipt of this approval and agrees to abide by all conditions and terms thereof. Undersigned permittee also acknowledges that issuance of this permit for this project does not allow construction or use outside of the project description, nor shall it be construed to be an approval of a violation of any provision of any County policy, ordinance or other governmental regulation.

_____/_____
Print name **Signature** **Date**

Land Use Approval By:

_____/_____
Chair, County Planning Commission **Date**

PERMIT ISSUANCE: The permit shall be issued and deemed effective on the date signed and indicated below.

Planning and Development Department Issuance By:

_____/_____
Planner **Date**

ATTACHMENT A: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Land Use Permit is based upon and limited to compliance with the project description and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

The project description is as follows:

The project is for a Land Use Permit and Preliminary Design Review to allow construction of a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage. Grading would include less than 100 cubic yards of cut and 200 cubic yards of fill. A total of four avocado trees are proposed for removal. The parcel would be served by the City of Santa Barbara for water and sewer services, the Santa Barbara County Fire Department, and the Santa Barbara County Sheriff's Department. Access would be provided off of Cheltenham Road. The property is a 0.18-acre parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at 849 Cheltenham Road in the Mission Canyon area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

- 2. Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Conditions By Issue Area

- 3. Aest-04 BAR Required:** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all aspects to the approved Design Review plans associated with case no. 14BAR-00000-00063.

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review for consistency with those plans approved by the Planning Commission and shall obtain "final" BAR approval prior to issuance of this Land Use Permit.

MONITORING: The Owner/Applicant shall demonstrate to B&S inspection staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

- 4. Air-01 Dust Control:** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

- a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
- b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
- c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
- d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
- e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
- f. Order increased watering as necessary to prevent transport of dust off-site.
- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
 - i. Seed and water to re-vegetate graded areas; and/or
 - ii. Spread soil binders; and/or
 - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide B&S inspection staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to approval of first Grading Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: B&S processing planner shall ensure measures are on plans. B&S grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

5. **Bio-10 Storm Water BMPs:** To minimize pollutants impacting downstream waterbodies or habitat, the parking area and associated driveways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas), designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property.

PLAN REQUIREMENTS: The BMPs shall be described and detailed on the site, grading and drainage

and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans.

TIMING: The plans and maintenance program shall be submitted to B&S for approval prior to approval of first Grading/Building Permit.

MONITORING: B&S inspection staff shall site inspect for installation prior to Final Building Inspection Clearance.

- 6. CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant.

PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to approval of first Grading/Building Permit and B&S inspection staff shall spot check in the field throughout grading and construction.

- 7. Noise-02 Construction Hours:** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday.

No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

- 8. Parking-02 Onsite Construction Parking:** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Grading and Building Permits.

TIMING: A copy of the written notice shall be submitted to P&D permit processing staff prior to approval of first Grading/Building Permit(s). This restriction shall be maintained throughout construction.

MONITORING: B&S inspection staff shall confirm the availability of designated onsite areas during

construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

- 9. WatCons-03 Water Conservation in Landscaping:** The project is subject to the California Water Conservation in Landscaping requirements. The Owner/Applicant shall fill out, obtain the stamp of the appropriate licensed professional, sign, and submit to P&D a Residential Water Authorization Supplemental application or Water Efficient Landscape Ordinance Supplemental application, as appropriate to the size of the landscape area.

TIMING: The supplemental application shall be completed, stamped, signed, and submitted to P&D prior to issuance of this Land Use Permit. The landscape and irrigation shall be installed per plan prior to Final Building Inspection Clearance.

MONITORING: B&S inspection staff shall check in the field prior to Final Building Inspection Clearance.

County Rules and Regulations

- 10. DIMF-24d DIMF Fees-Fire:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Fire DIMF amount is based on a project type of a single-family dwelling.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 11. DIMF-24e DIMF Fees-Parks:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Parks DIMF amount is based on a project type of a single-family dwelling.

TIMING: Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 12. DIMF-24g DIMF Fees-Transportation:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Transportation DIMF amount is based on a project type of a single-family dwelling.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 13. Rules-01 Effective Date-Not Appealable to CCC:** This Land Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If

an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit.

- 14. Rules-03 Additional Permits Required:** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary Planning, Building, Grading and Road Encroachment permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
- 15. Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 16. Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
- 17. Rules-23 Processing Fees Required:** Prior to issuance of the first Grading or Building Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 18. Rules-30 Plans Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
- 19. Rules-32 Contractor and Subcontractor Notification:** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
- 20. Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
- 21. Rules-35 Limits:** This approval does not confer legal status on any existing structures or uses on the property unless specifically authorized by this approval.
- 22. Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

Other

23. BIO-Special 01 Nesting Habitat or Cover: To avoid disturbance of nesting and special status birds including raptorial species protected by the Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, proposed project activities, including, but not limited to, vegetation removal, ground disturbance, and construction shall occur outside of the bird breeding season (February 1 through August 15). If these activities must begin within the breeding season, then pre-construction surveys shall be conducted. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 500-foot buffer as allowable without trespassing on private lands. The survey shall be conducted by a County-qualified biologist familiar with the identification of raptors and special status species known to occur in Santa Barbara County using typical methods. If nests are found, a buffer ranging in size from 25 to 500 feet (25 feet for urban-adapted species such as Anna's hummingbird and California towhee and up to 500 feet for certain raptors) depending upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site, shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the County-qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting birds surveys are not required for construction activities occurring between August 16 and February 1.

PLAN REQUIREMENTS AND TIMING. If construction must begin within the breeding season, then the pre-construction survey shall be conducted no more than two weeks prior to commencing vegetation removal, grading, or construction activities. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. Bird survey results shall be submitted to County Planning and Development for review and approval prior to commencing grading or construction activities, and a copy of the report provided to the CDFG.

MONITORING. P&D shall be given the name and contact information for the biologist prior to initiation of the pre-construction survey. Permit Compliance and P&D staff shall verify compliance in the field and perform site inspections throughout the grading and construction phase(s). P&D staff shall review the survey report(s).

ATTACHMENT C
ENVIRONMENTAL DOCUMENT
NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: J. Ritterbeck, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

AP No.: 023-172-001

Case Nos.: 14BAR-00000-00063 & 14LUP-00000-00144

Location: 849 Cheltenham Road, Santa Barbara, CA

Project Title: Bonillo-LaTorre New Single-Family Dwelling & Garage

Project Description: The project is for a Land Use Permit and Preliminary Design Review to allow construction of a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage. Grading would include less than 100 cubic yards of cut and 200 cubic yards of fill. A total of four avocado trees are proposed for removal. The parcel would be served by the City of Santa Barbara for water and sewer services, the Santa Barbara County Fire Department, and the Santa Barbara County Sheriff's Department. Access would be provided off of Cheltenham Road. The property is a 0.18-acre parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at 849 Cheltenham Road in the Mission Canyon area, First Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Christian Bonillo & Ana Latorre, property owners

Exempt Status:

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

CEQA Guideline Sections: 15303 [New Construction or Conversion of Small Structures]

Reasons to support exemption findings: The proposed project is exempt from environmental review based upon Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines. Section 15303(a) exempts the construction of one single-family residence in a residential zone. Section 15303(e) exempts the construction of accessory structures, including but not limited to: garages, carports, patios, swimming pools and fences. This project constitutes development associated with the construction of a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage, 100 cubic yards of cut and 200 cubic yards of fill, and construction of new retaining walls and site walls, all of which are accessory structures. Therefore, the Categorical Exemption (§15303) is appropriate for the *de novo* approval of the proposed project.

There is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment. The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

The nearest mapped ESH area is approximately ½ mile west of the location of the proposed project site and separated by dense urban development. There are no environmental resources of hazardous or critical concern designated or mapped on or adjacent to the project site. Therefore, this exception to the Categorical Exemption does not apply.

- (b) **Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The project is for the construction a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage. The proposed development meets all applicable criteria of the County LUDC and the County Comprehensive Plan, including the Mission Canyon Community Plan. The proposed development will create no significant impacts. The immediate surrounding neighborhood is largely built out with few vacant lots remaining to be developed. Additional minor structural development of the same type in the same place and within the surrounding neighborhood, developed in conformance with applicable ordinance and policy regulations, will not result in a cumulatively significant impact. Therefore, this exception to the Categorical Exemption does not apply.

- (c) **Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The circumstances under which the proposed project is requested and under which construction is proposed are not unusual. The proposed project consists of the construction of a single-family dwelling in an existing developed urban neighborhood zoned for single-family development. There is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The nearest ESH is over ½ mile west of the location of the proposed project and separated by dense urban development. The project would not affect cultural resources, geologic hazards, or other significant site constraints. Therefore, this exception to the Categorical Exemption does not apply.

- (d) **Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The project site is not located within or visible from any officially designated scenic highway and the project does not damage any scenic resource. Therefore, this exception to the Categorical Exemption does not apply.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project is not located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, this exception to the Categorical Exemption does not apply.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The proposed development would have no impact on any historical resource. Therefore, this exception to the Categorical Exemption does not apply.

Lead Agency Contact Person: J. Ritterbeck, Planner II Phone #: (805) 568-3509

Department/Division Representative: _____ Date: _____

Acceptance Date: _____



PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: 849 Cheltenham Rd. SB. CA. 93105

ASSESSOR PARCEL NUMBER: 023-172-001

Are there previous permits/applications? no yes numbers: 12 LUP-00000-00424
previous owner applied for an LUP and it was denied. (include permit# & lot # if tract)

Are there previous environmental (CEQA) documents? no yes numbers: _____

1. Appellant: Bill & Lara Urbany Phone: 805-331-0248 FAX: _____

Mailing Address: PO Box 31006 SB. CA 93130 E-mail: billurbany@gmail.com
Street City ANA State Zip

2. Owner: Christian Bonillo & Latorre Phone: 805-722-8120 FAX: _____

Mailing Address: 121 W. Pueblo St. #5 SB. CA. 93105 E-mail: _____
Street City State Zip

3. Agent: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

4. Attorney: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

SANTA BARBARA 023-172-001
15APL-00000-00004
Case N BONILLO/LATORRE NEW SFD APPEAL BY U
Super SANTA BARBARA, CA 3/2/15
Applic
Project
Zoning SANTA BARBARA 023-172-001

COUNTY USE ONLY
Companion Case Number: _____
Submittal Date: _____
Receipt Number: _____
Accepted for Processing _____
Comp. Plan Designation _____

COUNTY OF SANTA BARBARA APPEAL TO THE :

BOARD OF SUPERVISORS

PLANNING COMMISSION: COUNTY MONTECITO

RE: Project Title Bonillo / La Torre New Residence

Case No. 14 BAR-00000-00063

Date of Action Feb. 27, 2015

I hereby appeal the approval approval w/conditions denial of the:

Board of Architectural Review – Which Board? SBAR

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? SBAR

Planning & Development Director decision

Zoning Administrator decision

Is the appellant the applicant or an aggrieved party?

Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are and “aggrieved party” as defined on page two of this appeal form:

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

See Attached

Specific conditions imposed which I wish to appeal are (if applicable):

- a. *See attached*
 - b.
 - c.
 - d.
-
-
-
-

Please include any other information you feel is relevant to this application.

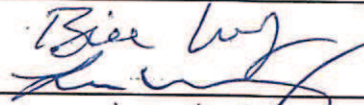
CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Print name and sign - Firm

Bill Urbany & Lara Urbany

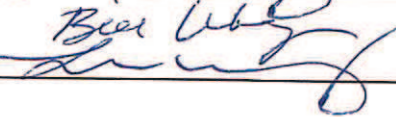


Date

2/27/15

Print name and sign - Preparer of this form

Bill Urbany & Lara Urbany



Date

2/27/15

Print name and sign - Applicant

Date

Print name and sign - Agent

Date

Print name and sign - Landowner

Date

**Attachment to “Appeal to the Board of Supervisors or Planning Commission”
for Project Title: Bonillo/La Torre New Residence Case No. 14BAR-00000-
00063 – APN#023-172-001**

Grounds for Appeal—Summary

The proposed structure height—26 feet—is drastically at odds with the neighborhood and all neighboring structures. Owner has refused SBAR recommendation to enact story poles that would demonstrate the impact this structure would have on the neighborhood.

No drainage plan has been prepared. Drainage for this home was the subject of years of prior litigation, boxes of documentation, and prior county mandates. Architect is not aware of and has not reviewed any of this. Approval without an approved drainage plan in compliance with prior county mandates will subject the owner and the County to potential litigation.

Proposed grading plan is inconsistent with County’s file and prior County mandate. Owner has not complied with County mandate to remove fill, which results in an improper calculation of building height. Architect has not reviewed, and is not aware of, prior grading history. Project approval with current grading plan will likewise subject the owner and County to potential litigation.

Grounds For Appeal Discussion:

The proposed building height of 26 feet is way out of line with the neighborhood. The proposed building rises abruptly out of the ground and towers above our home and the surrounding homes.

On October 17th, 2014 members of the SBAR visited the site and at the SBAR meeting later that day asked for story poles to be able to see what the impact of a 26 foot tall building would have on the neighborhood.

On December 5th Brian Cearnal of Cearnal & Andrulaitis Architects attended the SBAR meeting with the owners to propose a new design for the building. Mr. Cearnal seemed to be directing the SBAR committee members and telling them what to do. After listening to Mr. Cearnal's proposal and looking at his conceptual drawings, The SBAR members decided that story polls were not necessary.

The SBAR met on February 20th 2015, and Mr. Cearnal presented more detailed plans for the building based on his previous conceptual drawings. The SBAR committee gave preliminary approval and asked for new site elevations to include the height of the proposed building compared to the surrounding homes. They did encourage Mr. Cearnal and the owners to meet with us at the property and hold up a

26 foot pole at two of the building corners so we could get an idea of the height. We met on February 25th 2015 and we have included pictures with this submission showing how tall this proposed building will be up against our property. The proposed building would tower above our home.

We are also very concerned about the drainage. There is a county installed storm drain on Cheltenham road that runs under the street, onto our property and crosses onto the subject property. There is major history on file with the county documenting the drainage and the concerns of the surrounding neighbors. On February 25, 2015 at our meeting at our properties I asked Mr. Cearnal if there was an approved drainage plan, he said there was not. I asked Mr. Cearnal if he was aware of the history of the drainage, he said he was not but, he had a letter from the county stating where the drainage had to go. Mr. Cearnal emailed me a copy of that letter, included with this submission. It is a letter from the County of Santa Barbara, Planning and Development dated August 30th 2006.

At minimum we need to see an engineered, comprehensive drainage plan that is legally sufficient and it needs to be submitted to the county building department for review to avoid major legal issues. Under the law, building this house without a thorough drainage plan is inviting a law suit. We have spoken with legal counsel and it could take 20 hours or more to review the history on the drainage of this lot.

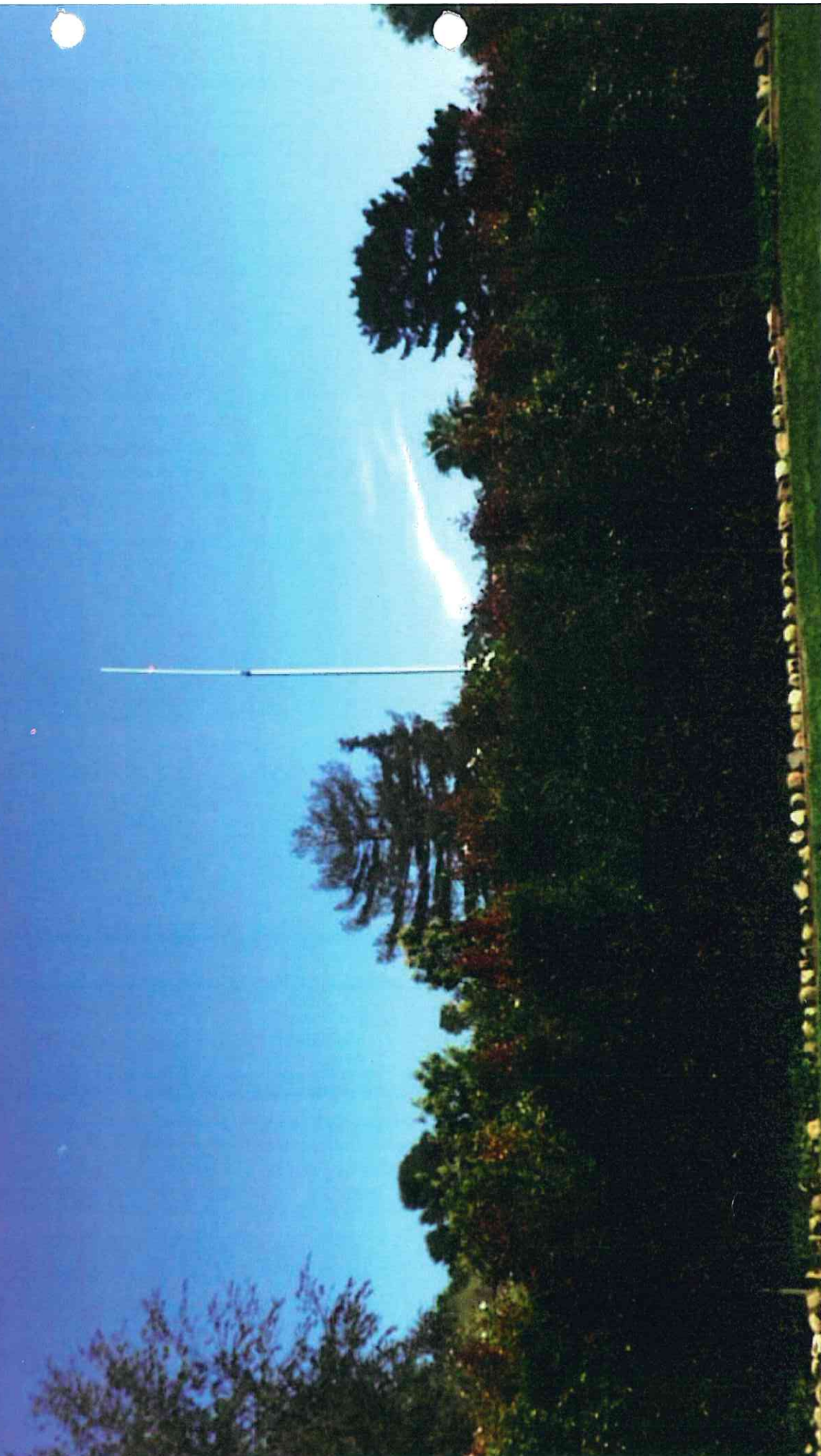
We are also concerned about the grading done by the previous owner. I asked Mr. Cearnal if he was aware of the grading history on the lot, he said no. There is major history on file with the county documenting the grading without a permit done by the previous owners. The current grade of the lot is higher than it was when the previous owners purchased the lot and, the proposed building would be starting at a higher grade than it would have. The previous owners applied for a Land Use Permit for adding more than 50 cubic yards of fill. Their application was denied and they had to remove 55 cubic yards of fill.

We have talked with J. Ritterback, the planner for this project and told him about these issues and of our concerns and, he says he is too busy. He says he has over 60 projects on his desk and does not have enough time. He said he has not reviewed the file on the property and has not talked to the planner, Erin Briggs who handled the application for a Land Use Permit that was denied to the previous owners. Under the law it is below the standard of care and a liability for the County's planner to be to "to busy" to consider drainage and grading issues.

Specific conditions we want to see happen:

Reduction in height of building and size and bulk, story poles, a comprehensive drainage plan, the grade returned to its original level.

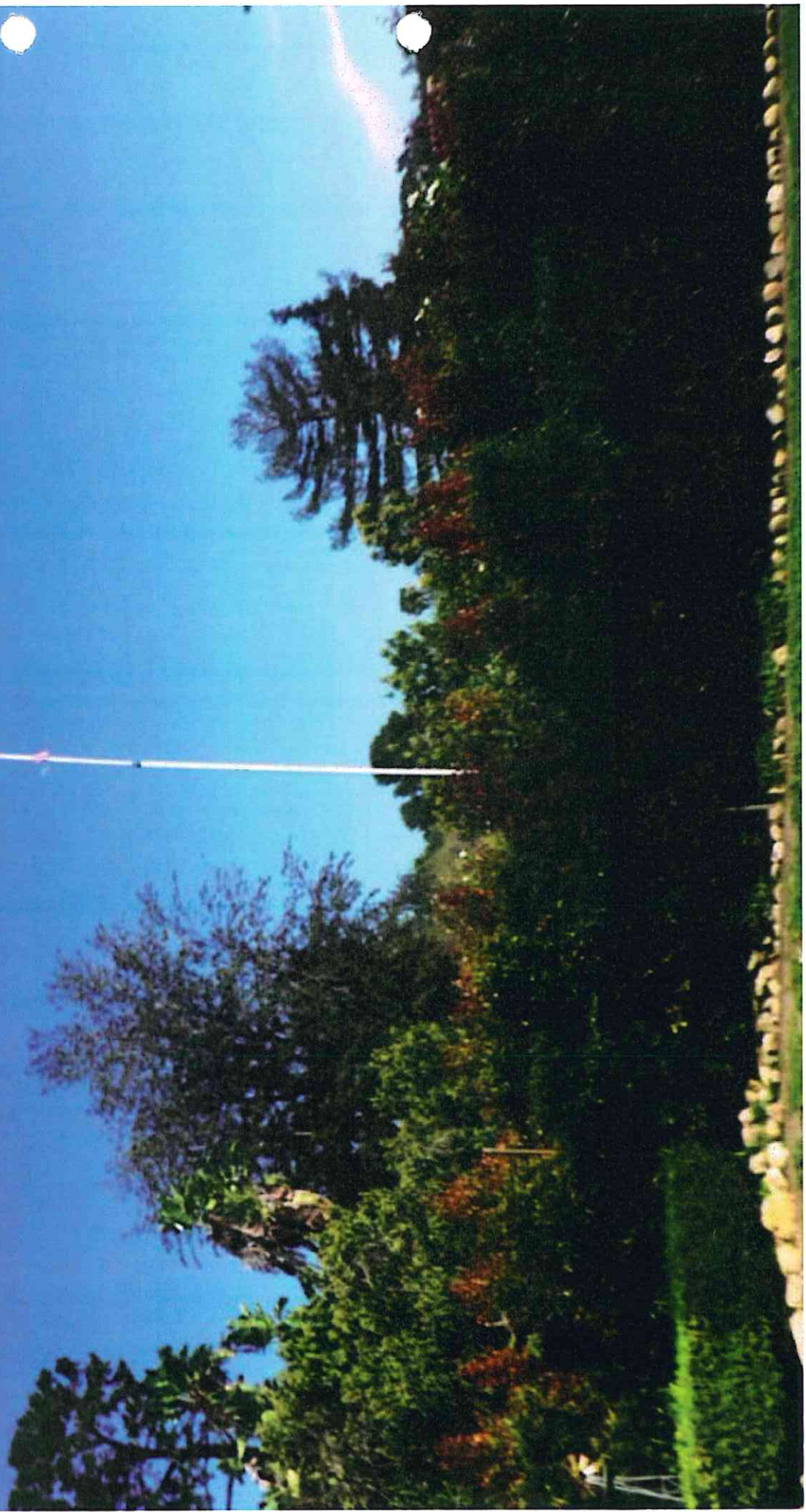
849 Cheltenham
Bldg Height as
Seen from north/
East corner of
857 Cheltenham



849 Cheltenham
Bldg Height as
seen from South/
West corner of
851 Cheltenham



849 Cheltenham
Bldg Height as
seen from South
Side of
851 Cheltenham



2. **14BAR-00000-00066** **Peterson Residence Addition** **Santa Barbara**
14LUP-00000-00103 (Tammy Weber, Planner) **Jurisdiction: Goleta**
Request of Jason Grant, agent for the owners, Eric and Kit Peterson, to consider Case No. 14BAR-00000-00066 for **conceptual review of a residence addition of approximately 934 square feet**. The following structures currently exist on the parcel: a residence of approximately 1,395 square feet and attached garage of approximately 340 square feet. The proposed project will not require grading. The property is a .47 acre parcel zoned 15-R-1 and shown as Assessor's Parcel Number 061-061-017, located at **4660 Vista Buena Road** in the Santa Barbara area, Second Supervisorial District.
- COMMENTS:**
- **Very nice project. Excellent job.**
- Project received conceptual review only, no action was taken. Applicant may return for preliminary and final approval on consent.
3. **14BAR-00000-00063** **Bonillo/La Torre New Residence** **Mission Canyon**
(No Assigned Planner) **Jurisdiction: Mission**
Request of Kathy Hancock, architect for the owners, Christian Bonillo and Ana La Torre, to consider Case No. 14BAR-00000-00063 for **conceptual review of a new residence of approximately 2,868 square feet**. No structures currently exist on the parcel. The proposed project will require 16 cubic yards of cut and 180 cubic yards of fill. The property is a 7,928 square foot parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at **849 Cheltenham Road** in the Mission Canyon area, First Supervisorial District.
- Public comment: Charles Saenger, William Urbany, Kent Nixon
- COMMENTS:**
- **Cannot make comments on the architecture until SBAR makes a site visit and more information is provided.**
 - **SBAR would like to see both east/west and north/south cross sections of the site and how it relates to adjacent properties.**
 - **SBAR will require a site visit after the LUP is submitted for the project and the project history is investigated. Need to understand neighborhood context.**
 - **Return with a plan demonstrating surrounding topography and a photo study of surrounding lots.**
 - **Return with top of wall elevations and site photos.**
 - **Return with a site survey.**
- Project received conceptual review only, no action was taken. Applicant was request to return for further conceptual review.
4. **14BAR-00000-00067** **Flannery Residence** **Carpinteira**
Remodel, Carport and Guest House **Jurisdiction: Ridgeline - Rural**
(No Assigned Planner)
Request of Dudek, Jennifer Siemens agent, Neumann Mendro Andruluitis, Mary Andrulutiis, architect for the owner, Terrance Flannery, to consider Case No. 14BAR-00000-00067 for **conceptual review of a residence remodel of approximately 388 square feet, carport to be converted to pool storage of approximately 296 square feet and to a media room of approximately 441 square feet, new detached garage of approximately 600 square feet and new detached guesthouse of approximately 402 square feet**. The following structures currently exist on the parcel: a residence of approximately 4,448 square feet and carport of approximately 737 square feet. The proposed project will require approximately 50 cubic yards of cut and fill. The property is a 26.98 acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 155-180-072, located at **5160 Foothill Road** in the Carpinteria area, First Supervisorial District.
- COMMENTS:**
- **Additions and remodel conform to existing architecture.**
 - **No impact on public views.**
- Project received conceptual review only, no action was taken. Applicant may return for preliminary and final on consent.

Site Visit

7. 14BAR-00000-00063 Bonillo/La Torre New Residence Mission Canyon
14LUP-00000-00144 (J. Ritterbeck, Planner) **Jurisdiction: Mission**

Request of Kathy Hancock, architect for the owners, Christian Bonillo and Ana La Torre, to consider Case No. 14BAR-00000-00063 for **site visit of a new residence of approximately 2,868 square feet**. No structures currently exist on the parcel. The proposed project will require 16 cubic yards of cut and 180 cubic yards of fill. The property is a 7,928 square foot parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at **849 Cheltenham Road** in the Mission Canyon area, First Supervisorial District. (Continued from 4/04/14)

Project received a site visit at this time, no action was taken. See Item #8 below for review notes.

8. 14BAR-00000-00063 Bonillo/La Torre New Residence Mission Canyon
14LUP-00000-00144 (J. Ritterbeck, Planner) **Jurisdiction: Mission**

Request of Kathy Hancock, architect for the owners, Christian Bonillo and Ana La Torre, to consider Case No. 14BAR-00000-00063 for **further conceptual review of a new residence of approximately 2,868 square feet**. No structures currently exist on the parcel. The proposed project will require 16 cubic yards of cut and 180 cubic yards of fill. The property is a 7,928 square foot parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at **849 Cheltenham Road** in the Mission Canyon area, First Supervisorial District. (Continued from 4/04/14)

Public Comments: Renae Gentry, Audrey Pinkham, Lara Urbany, Hugh Twibell, Ken Jones, Kenneth Guoin, Gregg Patronyti, Charles Saeger, E. Fastaldo, Robert Helman, Rhonda Yager, Dave Muttly, Robert Hankenson, Greg Geyer, William Kiernan, Amy Mayhall, Marci Friedlander, Bill Urbany, George Messerlian, Don Mills, Ann Pattison, Katie Laris, Chad Stewart, Elisabeth Swede, Judy Malmgren, Lucinda Thieliche, Rosalind Roch

COMMENTS:

- **After visiting the site and reviewing the plans, story poles and another site visit may be required after reviewing proposed design.**
- **Project is bulky and tall and does not nestle into the site; design needs to better respect the site contours.**
- **Consider stepping down the residence with the site and moving it further back on the property, which would help to reduce bulk and scale.**
- **The two garages dominate the front of the house; better to combine into one.**
- **Consider modifying the roof in the rear of the house with hips and shed porch instead of gables.**
- **West elevation has too many windows and towers over the neighbor.**
- **Break up the mass of the architecture; consider stepping in the 2nd story.**
- **Return for further conceptual review.**

Project received further conceptual review only, no action was taken. Applicant was requested to return for further conceptual review with a site visit to include story poles.

9. 14BAR-00000-00183 Vernon New Residence Mission Canyon
14LUP-00000-00331 (Tammy Weber, Planner) **Jurisdiction: Mission**

Request of Larry Borrello, architect for Brett Vernon, owner, to consider Case No. 14BAR-00000-00183 for **preliminary approval of a new residence of approximately 3,779 square feet**. No structures currently exist on the parcel. The proposed project will require 1,150 cubic yards of cut and fill. The property is a 1.29 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 023-300-021, located at **1100 Palomino Road** in the Mission Canyon area, First Supervisorial District. (Continued from 9/05/14, 9/19/14 & 10/03/14)

COMMENTS:

- **No annuals in seed mix on slopes.**
- **Add some height to plantings along the parking courtyard and at the southwest corner high point of the residence exposed understorey wall; consider adding large boulders at corner to raise the grade.**

5. **14BAR-00000-00063** **Bonillo/La Torre New Residence** **Mission Canyon**
14LUP-00000-00144 (J. Ritterbeck, Planner) **Jurisdiction: Mission**

Request of Kathy Hancock, architect for the owners, Christian Bonillo and Ana La Torre, to consider Case No. 14BAR-00000-00063 for **further conceptual review of a new residence of approximately 2,868 square feet**. No structures currently exist on the parcel. The proposed project will require 16 cubic yards of cut and 180 cubic yards of fill. The property is a 7,928 square foot parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at **849 Cheltenham Road** in the Mission Canyon area, First Supervisorial District. (Continued from 4/04/14 & 10/17/14)

Public Comments: Bill Urbany, Lara Urbany, Charles Scenger

COMMENTS:

- **Project has improved and prior comments addressed.**
- **Recommend having engineer review grading and drainage plan to ensure proper drainage.**
- **Protection of privacy has improved.**
- **Will need to see landscape and drainage plan.**
- **Story poles not required.**
- **Return for Preliminary Approval.**

Project received further conceptual review only, no action was taken. Applicant may return for preliminary approval.

6. **14BAR-00000-00241** **Weeks Fire Rebuild Garage/Workshop** **Mission Canyon**
14LUP-00000-00241(Kimberley McCarthy, Planner) **Jurisdiction: Mission**

Request of Kurt Magness, architect for the owner, Greg Weeks, to consider Case No. 14BAR-00000-00241 for **conceptual review of a garage and workshop of approximately 948 square feet that was destroyed by the Jesusita Fire**. The following structures currently exist on the parcel: a residence of approximately 1,443 square feet and a deck area of approximately 1,037 square feet. The proposed project will not require grading. The property is a 1.06 acre parcel zoned AG-I-10-D and shown as Assessor's Parcel Number 021-010-043, located at **1980 Las Canoas** in the Mission Canyon area, First Supervisorial District.

COMMENTS:

- **Study roof cover for the door.**

Project received conceptual only, no action was taken. Applicant may return for preliminary and final approval on consent.

7. **14BAR-00000-00247** **St. Andrew's Presbyterian New Residence (Lot 1)** **Santa Barbara**
14TPM-00000-00002 (Ryan Cooksey, Planner) **Jurisdiction: Goleta**

Request of The Oak Creek Company and Jeff Gorrell, architect for the owner, St. Andrew's Presbyterian Church, to consider Case No. 14BAR-00000-00247 for **conceptual review of a new residence of approximately 2,649 square feet, garage of approximately 476 square feet and covered porch of approximately 220 square**. No structures currently exist on the parcel. The proposed project will require 500 cubic yards of cut and fill. The property is a .40 acre parcel zoned 15-R-1 and shown as Assessor's Parcel Number 061-170-001, located at 4561 Auhay Drive in the Santa Barbara area, Second Supervisorial District.

Public Comments: Sandy Thoits, Jim Blakley, Hermann Fossbind, Tom Brasheam, Leslie Sanchez (letter)

COMMENTS:

- **Need to provide North-South and East-West cross sections through the three parcels to see how the homes relate to each other.**
- **Need story poles and a site visit.**

Project received conceptual review only, no action was taken. Applicant was requested to return for further conceptual review with a site visit and story poles.

Project received conceptual review only, no action was taken. Applicant was requested to return for further conceptual review.

2. **14BAR-00000-00161** **Lum Residence Addition/Remodel, Detached Garage and Storage** **Santa Barbara**
14LUP-00000-00323 (Tammy Weber, Planner) **Jurisdiction: Goleta**
Request of Richard T. Thorne, architect for the owner, Matthew Lum, to consider Case No. 14BAR-00000-00161 for **preliminary and final approval of a residence addition and remodel of approximately 865 square feet, new detached garage of approximately 257 square feet and storage/workshop of approximately 337 square feet.** The following structures currently exist on the parcel: a residence of approximately 1,575 square feet with detached garage and storage of approximately 465 square feet. The proposed project will not require grading. The property is a 21,000 square foot parcel zoned DR 3.3 and shown as Assessor's Parcel Number 067-050-026, located at **5096 Cathedral Oaks Road** in the Santa Barbara area, Second Supervisorial District. (Continued from 8/08/14)

COMMENTS:

- Preliminary/Final Approval granted as submitted.

ACTION: Froscher moved, seconded by Yardy and carried by a vote of 7 to 0 to grant preliminary and final approval of 14BAR-00000-00161.

3. **14BAR-00000-00255** **Millington Residence Addition** **Santa Barbara**
14LUP-00000-00515 (Tammy Weber, Planner) **Jurisdiction: Goleta**
Request of Dylan Chappell, architect for the owners, Tammy and Nick Millington, to consider Case No. 14BAR-00000-00255 for **preliminary and final approval of a second story residence addition of approximately 320 square feet.** The following structure currently exists on the parcel: a two story residence of approximately 3,875 square feet. The proposed project will not require grading. The property is a .95 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 059-030-003, located at **4670 La Espada Drive** in the Santa Barbara area, Second Supervisorial District. (Continued from 12/19/14)

COMMENTS:

- Colors and materials to match existing.
- Preliminary/Final Approval granted as submitted.

ACTION: Ettinger moved, seconded by Yardy and carried by a vote of 6 to 0 (Chappell recused) to grant preliminary and final approval of 14BAR-00000-00255.

4. **14BAR-00000-00063** **Bonillo/La Torre New Residence** **Mission Canyon**
14LUP-00000-00144 (J. Ritterbeck, Planner) **Jurisdiction: Mission**
Request of Kathy Hancock, architect for the owners, Christian Bonillo and Ana La Torre, to consider Case No. 14BAR-00000-00063 for **preliminary approval of a new residence of approximately 2,868 square feet.** No structures currently exist on the parcel. The proposed project will require 16 cubic yards of cut and 180 cubic yards of fill. The property is a 7,928 square foot parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at **849 Cheltenham Road** in the Mission Canyon area, First Supervisorial District. (Continued from 4/04/14, 10/17/14 & 12/05/14)

ACTION: Pujo moved, seconded by Yardy and carried by a vote of 6 to 0 (Ettinger not present at this time) to drop 14BAR-00000-00063 from the agenda at the request of the applicant. *See Agenda Status Report.*

Site Visit

5. **14BAR-00000-00247** **St. Andrew's Presbyterian New Residence (Lot 1)** **Santa Barbara**
14TPM-00000-00002 (Ryan Cooksey, Planner) **Jurisdiction: Goleta**
Request of The Oak Creek Company and Jeff Gorrell, architect for the owner, St. Andrew's Presbyterian Church, to consider Case No. 14BAR-00000-00247 for **a site visit of a new residence of approximately 2,649 square feet, garage of approximately 476 square feet and covered porch of approximately 220 square .** No structures currently exist on the parcel. The proposed project will require 500 cubic yards of cut and fill. The property is a .40 acre parcel zoned 15-R-1 and shown as Assessor's Parcel Number

7. 14BAR-00000-00127 Bernardi Residence New Entry and Garage Hope Ranch
14LUP-00000-00220/ (Ryan Cooksey, Planner) **Jurisdiction: Modification**
14MOD-00000-00001

Request of On Design Architects, architect for the owner, Claudia Bernardi, to consider Case No. 14BAR-00000-00127 for **further conceptual review and preliminary approval of a residence new entry of approximately 225 square feet and garage of approximately 417 square feet.** The following structures currently exist on the parcel: a residence and garage of approximately 5,699 square feet and guest house of approximately 1,029 square feet. The proposed project will require approximately 50 cubic yards of cut and fill. The property is a 2.50 acre parcel zoned 2.5-EX-1 and shown as Assessor's Parcel Number 063-052-015, located at **4602 Via Carretas** in the Hope Ranch area, Second Supervisorial District. (Continued from 6/20/14)

COMMENTS:

- **Project received preliminary approval with the following comments/conditions:**
 - Nicely designed addition; appropriate to existing structure.
 - Return with all four elevations of tower.
 - Eliminate Hedera species (ivy) from plans. Return with more drought tolerant plants.

ACTION: Pujo moved, seconded by Chappell and carried by a vote of 7 to 0 to grant preliminary approval of 14BAR-00000-00127. Applicant may return for final approval.

8. 14BAR-00000-00063 Bonillo/La Torre New Residence Mission Canyon
14LUP-00000-00144 (J. Ritterbeck, Planner) **Jurisdiction: Mission**

Request of Brian Cearnal, architect for the owners, Christian Bonillo and Ana La Torre, to consider Case No. 14BAR-00000-00063 for **preliminary approval of a new residence of approximately 2,868 square feet.** No structures currently exist on the parcel. The proposed project will require 16 cubic yards of cut and 180 cubic yards of fill. The property is a 7,928 square foot parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at **849 Cheltenham Road** in the Mission Canyon area, First Supervisorial District. (Continued from 4/04/14, 10/17/14, 12/05/14 & 1/09/15)

Public speakers: Bill and Lara Urbany

COMMENTS:

- **Project received preliminary approval with the following comments/conditions:**
 - Add adjacent neighbors' homes to site plan and on north and south elevations.
 - Project has improved. Entering at garage level is appropriate. Lots of effort has gone into simplifying architecture, stepping house back and lowering building.
- **Add landscape planters to allow for vines to grow up walls.**
- **Break up drive and motor court. Add landscape planters to allow for vines to grow up walls. Consider using pavers.**

ACTION: Pujo moved, seconded by Romano and carried by a vote of 7 to 0 to grant preliminary approval of 14BAR-00000-00063.

9. 15BAR-00000-00019 Laslett Residence First and Second Floor Additions Mission Canyon
15LUP-00000-00030 (Roxana Bonderson, Planner) **Jurisdiction: Mission**

Request of Gregory C. Jenkins, architect for the owners, Rupert and Alison Laslett, to consider Case No. 15BAR-00000-00019 for **conceptual review of a main level residence addition of approximately 293 square feet and lower level addition of approximately 195 square feet.** The following structures currently exist on the parcel: a residence of approximately 2,294 square feet, and garage of approximately 476 square feet. The proposed project will require 10 cubic yards of cut and no fill. The property is a 7,629 square foot parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-150-011, located at **986 Cheltenham Road** in the Mission Canyon area, First Supervisorial District.

COMMENTS:

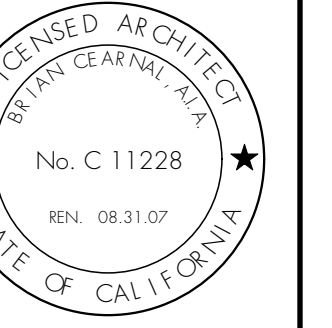
- **Proposed size, bulk, scale, height and style are acceptable.**
- **Restudy the third parking spot with the goal of saving the Jacaranda.**

LATORRE/BONILLO RESIDENCE



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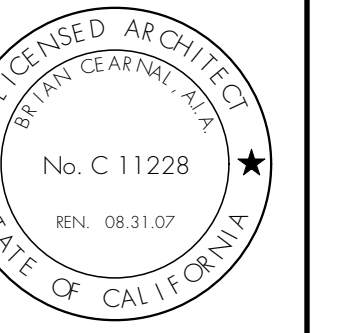
Proposed project for:
849 Cheltenham Road
Santa Barbara, CA 93105

ABBREVIATIONS	GENERAL NOTES	PROJECT STATISTICS	PROFESSIONALS	DRAWING INDEX
<p>@ AT d PENNY OH POUND AB ANCHOR BOLT AC ASPHALTIC CONCRETE A/C AIR CONDITIONING AL ALUMINUM AD ANODIZED AW AWNING BD BOARD BF BIFOLD B/DG BUILDING BK(G) BLOCKING) BM BEAM BN BOUNDARY NAILING BOT BOTTOM CB CATCH BASIN CI CAST IRON CJ CEILING JOIST CLG CEILING CL CLOSET CLR CLEAR CMU CONCRETE MASONRY UNIT CO CLEAN OUT COL COLUMN CONN CONNECTION CONT CONTINUOUS CS CASEMENT CSK COUNTERSINK DH DOUGLAS FIR DI DOUBLE HUNG DIA DIAMETER DN DOWN DS DOWNSPOUT DWG DRAWING E EAST (E) EXISTING EA EACH EJ EXPANSION JOINT ELEV ELEVATION EN EDGE NAIL EQ EQUAL EQUIP EQUIPMENT FAU FORCED AIR UNIT FBO FURNISHED BY OWNER OR OTHERS, TO BE INSTALLED BY CONTRACTOR FD FLOOR DRAIN FE(C) FIRE EXTINGUISHER (& CABINET) FF FLOOR DRAIN FG FINISHED FLOOR FH FLAT HEAD FIN FINISH FL FLOW LEVEL FLG FLASHING FR FLOOR FN FIELD NAILING FOC FACE OF CONCRETE FOF FACE OF FINISH FOM FACE OF MASONRY FOP FACE OF PLYWOOD FOS FACE OF STUD FR FRENCH DOOR FT FOOT OR FEET FX FIXED GA GAUGE GALV GALVANIZED GYP GYPSUM HB HOSE BIBB HCW HOLLOW CORE WOOD HM HOLLOW METAL HP HORSE POWER HR HOUR HTR HEATER HWAC HEATING/VENTILATION/AIR CONDITIONING HOT WATER RETURN HW(R) INVERT LAG LAMINATED GLASS LAM LAMINATE LB LAG BOLT</p> <p>IT LIGHT MAS MASONRY MATL MATERIAL MAX MAXIMUM MB MACHINE BOLT MECH MECHANICAL MEMB MEMBRANE MET METAL MFR MANUFACTURER MIN MINIMUM MISC MISCELLANEOUS N NORTH NEW NEW NIC NOT IN CONTRACT NO OR NUMBER # NTS NOT TO SCALE OC ON CENTER OH OVAL HEAD OR OVER HEAD OPNG OPENING PERF PERFORATED PF FINISHED PL PLATE OR PROPERTY LINE PLAM PLASTIC LAMINATE PLAS PLASTER PLYVD PLYWOOD PMTR PERIMETER PT PAINT PR PAIR PDR PRESSURE TREATED RD DOUGLAS FIR ROOF DRAIN RH ROUND HEAD RM ROOM RO ROUGH OPENING RWD REDWOOD SCHD(SCHED) SCHEDULED SCV SOLID CORE WOOD S SOUTH SF SQUARE FEET SH SINGLE HUNG SHT SHEET SHT'G SHEATHING SIM SIMILAR RE: THE ARCH SHEET METAL MANUAL STRUCTURAL SPECIFICATION SQ SQUARE S/S STAINLESS STEEL ST STAIN STD STANDARD STL STEEL TC TOP OF CURB OR TOP OF CONCRETE TCB TOP OF CATCH BASIN T&G TONGUE AND GROOVE THRU THROUGH TMP TEMPERED TP TOP OF PAVING TW TOP OF WALL TYP TYPICAL ITEMS UNLESS SHOWN OR NOTED OTHERWISE UNLESS NOTED OTHERWISE UV ULTRAVIOLET BLOCKING GLASS VCT VINYL COMPOSITION TILE VERT VERTICAL VGF VERTICAL GRAIN VTR VENT THRU ROOF W WEST WC WATER CLOSET WD WOOD WH WATER HEATER WP WATERPROOF WS WOOD SCREW WWF WEIDED WIRE FABRIC W/ WITH W/O WITHOUT</p>	<p>1. ALL WORK, MATERIAL, METHODS, ETC., SHALL CONFORM TO ALL GOVERNING BUILDING CODES AND REGULATIONS CURRENTLY IN EFFECT.</p> <p>2. THE "GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION" AIA DOCUMENT A201, LATEST VERSION, SHALL BE PART OF THESE PLANS AND SPECIFICATIONS.</p> <p>3. IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO ENSURE THAT ALL SAFETY LAWS ARE STRICTLY ENFORCED AND TO MAINTAIN A SAFE CONSTRUCTION PROJECT. INSTALL TEMPORARY BRACING AND SHORING AS REQUIRED TO GUARANTEE THE SAFETY OF THE WORK UNTIL IT IS IN ITS COMPLETED FORM.</p> <p>4. THE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES OR INCONSISTENCIES DISCOVERED IN THE DRAWINGS AND/OR SPECIFICATIONS. IN THE EVENT OF DISCREPANCIES BETWEEN ANY DRAWINGS AND/OR SPECIFICATIONS, THE COSTIER OR MORE RESTRICTIVE CONDITION SHALL BE DEEMED THE CONTRACT REQUIREMENT, UNLESS OTHERWISE APPROVED IN WRITING BY THE ARCHITECT.</p> <p>5. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION BETWEEN ALL SUB-CONTRACTORS.</p> <p>6. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ALL UNDERGROUND UTILITIES.</p> <p>7. THE CONTRACTOR AND SUBCONTRACTORS SHALL VISIT THE SITE AND FAMILIARIZE THEMSELVES WITH ALL EXISTING CONDITIONS PRIOR TO BID. ON SITE VERIFICATION OF ALL (E) DIMENSIONS AND CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND/OR SUB-CONTRACTOR.</p> <p>8. GENERAL NOTES AND TYPICAL DETAILS SHALL APPLY TO ALL PARTS OF THE JOB, EXCEPT WHERE THEY MAY CONFLICT WITH SPECIFIC DETAILS AND NOTES. WHERE CONDITIONS ARE NOT SPECIFICALLY INDICATED AND TYPICAL DETAILS DO NOT APPLY, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY.</p> <p>9. ALL DIMENSIONS TYPICALLY TO FACE TO STUD (F.O.S.) UNLESS NOTED OTHERWISE. ALL OPENINGS DIMENSIONED TO CENTERLINE OF OPENING. PLYWOOD AT EXTERIOR WALLS SHALL ALIGN WITH FACE OF CONCRETE FOOTING. "FINISHED FLOOR" INDICATES TOP OF STRUCTURAL CONCRETE SLAB OR PLYWOOD DECK.</p> <p>10. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALE. LARGER SCALE DRAWINGS TAKE PRECEDENCE OVER SMALLER SCALE.</p> <p>11. CARPENTRY SHALL BE IN ACCORDANCE WITH CHAPTER 23, U.B.C.</p> <p>12. ALL COVER PLATES, GRILLS, AND EXPOSED ELECTRICAL FITTINGS TO BE WHITE, UNLESS NOTED OTHERWISE.</p> <p>13. ALL PENETRATIONS OF 1-HOUR FIRE RESISTIVE CONSTRUCTION SHALL BE PROTECTED WITH APPROVED FIRE ASSEMBLIES.</p> <p>14. THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY CEILING, BASEMENT, UNDERFLOOR OR WALL ACCESS PANELS AS REQUIRED BY GOVERNING AGENCIES FOR VENTILATION, CRAWLSPACE AND ATTIC ACCESS, AIR CONDITIONING, PLUMBING, FIRE SPRINKLER AND ELECTRICAL SYSTEMS. PROVIDE RATED ASSEMBLIES WHERE REQUIRED.</p> <p>15. ARCHITECT IS NOT RESPONSIBLE FOR MOLD ENCOUNTERED DURING OR AFTER CONSTRUCTION. MOLD & MILDEW OCCURS NATURALLY IN THE ENVIRONMENT. CONTRACTOR TO PROVIDE PROPER VENTILATION, PROPERLY DRIED WOOD, VAPOR BARRIERS, AS WELL AS MATERIALS THAT "BREATHE" TO AVOID MOLD FROM OCCURRING. NOTIFY ARCHITECT OF ANY DISCREPANCIES OR CONDITIONS IN PLANS THAT COULD LEAD TO MOLD OCCURRENCE PRIOR TO CONSTRUCTION.</p> <p>COMMERCIAL JOBS ONLY:</p> <p>16. HANDICAPPED ACCESSIBILITY: THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE THE STANDARD USED TO IDENTIFY FACILITIES THAT ARE ACCESSIBLE TO AND USABLE BY PHYSICALLY DISABLED PERSONS AS SET FORTH IN TITLE 24 CAC AND ADA TITLE III STANDARDS. THE SYMBOL SPECIFIED SHALL CONSIST OF A WHITE FIGURE ON A BLUE BACKGROUND. THE BLUE SHALL BE EQUAL TO COLOR NO. 15090 IN FED. STANDARD 595A.</p> <p>THE CENTER OF RECEPTACLE OUTLETS SHALL BE NOT LESS THAN 15" ABOVE THE FLOOR OR WORKING PLATFORMS. ALL LIGHT SWITCHES AND THERMOSTATS SHALL BE MOUNTED NO MORE THAN 48" ABOVE FINISHED FLOOR ELEVATION.</p> <p>ALL RAMPS SHALL HAVE A MEDIUM BROOM FINISH UNLESS NOTED OTHERWISE ON PLANS.</p> <p>17. REFER TO FORM MF-1 ON SHEET A9.1 FOR ALL REQUIREMENTS RELATED TO ENERGY COMPLIANCE.</p> <p>CITY OF SANTA BARBARA WITH PLANNING COMMISSION APPROVAL ONLY:</p> <p>18. PLANNING CONDITIONS: CONTRACTOR SHALL COMPLY WITH THE PLANNING DEPARTMENT CONDITIONS OF APPROVAL DATED XX/XX/XX. ON SHEET A9.2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FAMILIARIZE HIMSELF WITH THESE CONDITIONS AND TO FULLY COMPLY WITH ALL REQUIREMENTS.</p> <p>REMODELS:</p> <p>19. ALL NEW CONSTRUCTION DETAILS SHALL MATCH EXISTING CONDITIONS TO THE GREATEST EXTENT POSSIBLE.</p> <p>SANTA BARBARA COUNTY:</p> <p>20. TOILETS SHALL HAVE A MAXIMUM OF 1.6 GALLONS PER FLUSH. SHOWER HEAD FLOW SHALL NOT EXCEED 2.5 GALLONS PER MINUTE.</p> <p>21. FIRESTOPPING SHALL BE PROVIDED IN THE FOLLOWING LOCATIONS:</p> <p>A. CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING/FLOOR LEVELS AND AT 10 FOOT INTERVALS ALONG THE LENGTH OF THE WALL.</p> <p>B. INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILINGS AND COVE CEILINGS.</p> <p>C. CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN AND BETWEEN STUDS ALONG AND IN LINE WITH THE RUN OF THE STAIRS. U.B.C. SEC. 708.2.1 (3)</p> <p>22. ALL EXTERIOR OPENINGS TO BE FLASHED IN A MANNER TO MAKE THEM WEATHERPROOF. U.B.C. SEC. 1402</p>	<p>PROPERTY OWNERS: CHRISTIAN BONILLO & ANA LA TORRE</p> <p>PROJECT ADDRESS: 849 CHELTENHAM ROAD SANTA BARBARA, CA 93105</p> <p>A.P.N.: 023-172-001</p> <p>HIGH FIRE ZONE? YES FLOOD ZONE? NO AVG. SLOPE % LAND USE ZONE: 7R-1 (MISSION CANYON SPECIFIC PLAN) SETBACKS: FRONT/REAR/INTERIOR: HEIGHT LIMIT: 35'0" GENERAL PLAN DESIGNATION</p> <p>LOT AREA: GROSS: 7,928 SF 0.18 ACRES NET: 7,928 SF 0.18 ACRES</p> <p>PROPOSED RESIDENCE: GROSS: NET: MAIN FLOOR 1,374 SF 1,369 SF LOWER FLOOR 1,166 SF 969 SF PATIO/ LANAI 367 SF 0 SF TOTAL: 2,907 SF 2,338 SF</p> <p>PARKING: ATTACHED 2-CAR GARAGE 539 SF 500 SF</p> <p>SITE STATISTICS: BUILDING FOOTPRINT 1,933 SF 24.4 % TRELLIS 211 SF 2.7 % LANDSCAPING 3,706 SF 46.7 % PAVED AREAS 2,078 SF 26.2 % TOTAL: 7,928 SF 100.0 %</p> <p>PROPOSED GRADING CUT: SEE SHEET GP1 FOR DEMO AND GRADING</p> <p>FIRE DEPARTMENT FIRE SPRINKLERS REQUIRED</p>	<p>ARCHITECT: CEARNAL ANDRULAITIS, LLP 521 1/2 STATE STREET SANTA BARBARA, CA 93101 (805) 963-8077 FAX 963-0684</p> <p>CIVIL ENGINEER: MICHAEL J. GERENSER 5255 CALLE CRISTOBAL SANTA BARBARA, CA 93101 (805) 618-9500 FAX 618-9500</p> <p>LANDSCAPE ARCHITECT: COURTNEY JANE MILLER 300 EAST CANYON PERDIDO STREET, SUITE C-2 SANTA BARBARA, CA 93101 (805) 698-2120</p>	<p>ARCHITECTURAL: G-000 TITLE SHEET/TABULATIONS A-001 AERIAL PHOTO A-002 ENLARGED AERIAL PHOTO A-101 SITE PLAN/FIRST FLOOR & LOWER LEVEL PLAN A-201 EXTERIOR ELEVATIONS A-202 EXTERIOR ELEVATIONS/ SECTION</p> <p>CIVIL: GP1 PRELIMINARY GRADING & DRAINAGE PLAN GP2 SITE SECTION & NOTES</p> <p>LANDSCAPE: LO PRELIMINARY LANDSCAPE PLAN</p>
		<p>PROJECT DESCRIPTION</p> <p>CONSTRUCT A TWO STORY SINGLE FAMILY HOME WITH A 2-CAR ATTACHED GARAGE, 3-BEDROOMS AND 3 BATHROOMS.</p>		
		<p>SYMBOLS</p> <p>WORK POINT, CONTROL PT. OR DATUM PT. INTERIOR ELEVATION(S) ELEVATION # SHEET WHERE DRAWN WINDOW TYPE DOOR TYPE REVISION PARTITION TYPE ROOM NUMBER REFERENCE NOTE</p> <p>SECTION SECTION IDENTIFICATION SHEET WHERE DRAWN DETAIL REFERENCE DETAIL NUMBER SHEET WHERE DRAWN EXIST. CONTOUR NEW CONTOUR NEW GRADE EXISTING GRADE</p> <p>Room Name 101 101</p>		
		<p>VICINITY MAP</p>		
		<p>JOB NUMBER: 14-042</p> <p>CONTENTS: TITLE SHEET/TABULATIONS</p> <p>DRAWN BY: MM</p> <p>CHECKED BY:</p> <p>CEARNAL ANDRULAITIS LLP expressly reserves their copyright and other proprietary rights in these plans. These plans are to be reproduced, changed, or copied in any form or manner whatsoever, nor are they to be assigned to a third party without first obtaining the written permission and consent of Cearnal Andrulaitis LLP. In the event of unauthorized reuse of these plans by a third party, the third party shall incur Cearnal Andrulaitis LLP's damages.</p> <p>SUBMITTALS: DATE TYPE 02.13.15 SBAR</p> <p>ISSUE DATE: 06/30/15</p> <p>REVISIONS: NO. DATE TYPE</p> <p>G-000</p> <p>SHEET OF</p>		



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Proposed project for:
849 Cheltenham Road
Santa Barbara, CA 93105

JOB NUMBER: 14042

CONTENTS:
AERIAL PHOTO

DRAWN BY: MM

CHECKED BY:

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SUBMITTALS

DATE	TYPE
02.13.15	SBAR

ISSUE DATE: 06/30/15

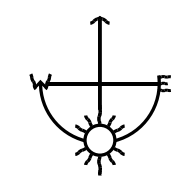
REVISIONS

NO.	DATE	TYPE


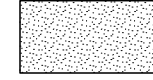

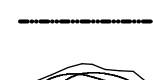

A-001

SHEET OF

1 AERIAL PHOTO
Scale: 1" = 40 ft



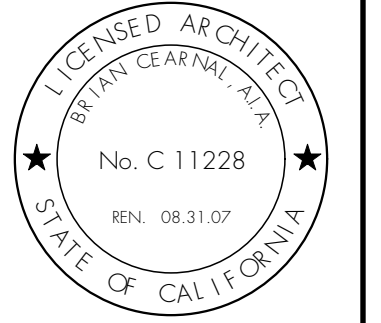
SITE LEGEND

-  PERMEABLE CONCRETE PAVING
-  DECOMPOSED GRANITE
-  TILE/CONCRETE PAVING
-  PROPERTY LINE
-  SANDSTONE BOULDER



1 SITE PLAN
Scale: 1/8" = 1'-0"

CEARNAL ANDRULAITIS
ARCHITECTURE
INTERIOR DESIGN
521 1/2 STATE STREET
SANTA BARBARA
CALIFORNIA 93101
P: 805.963.8077
F: 805.963.0984
www.cearnal.com



Proposed project for:
849 Cheltenham Road
Santa Barbara, CA 93105

JOB NUMBER: 14042

CONTENTS:
ENLARGED AERIAL PHOTO

DRAWN BY: MM

CHECKED BY:

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SUBMITTALS

DATE	TYPE
02.13.15	SBAR

ISSUE DATE: 06/30/15


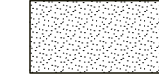

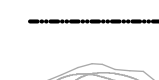

REVISIONS

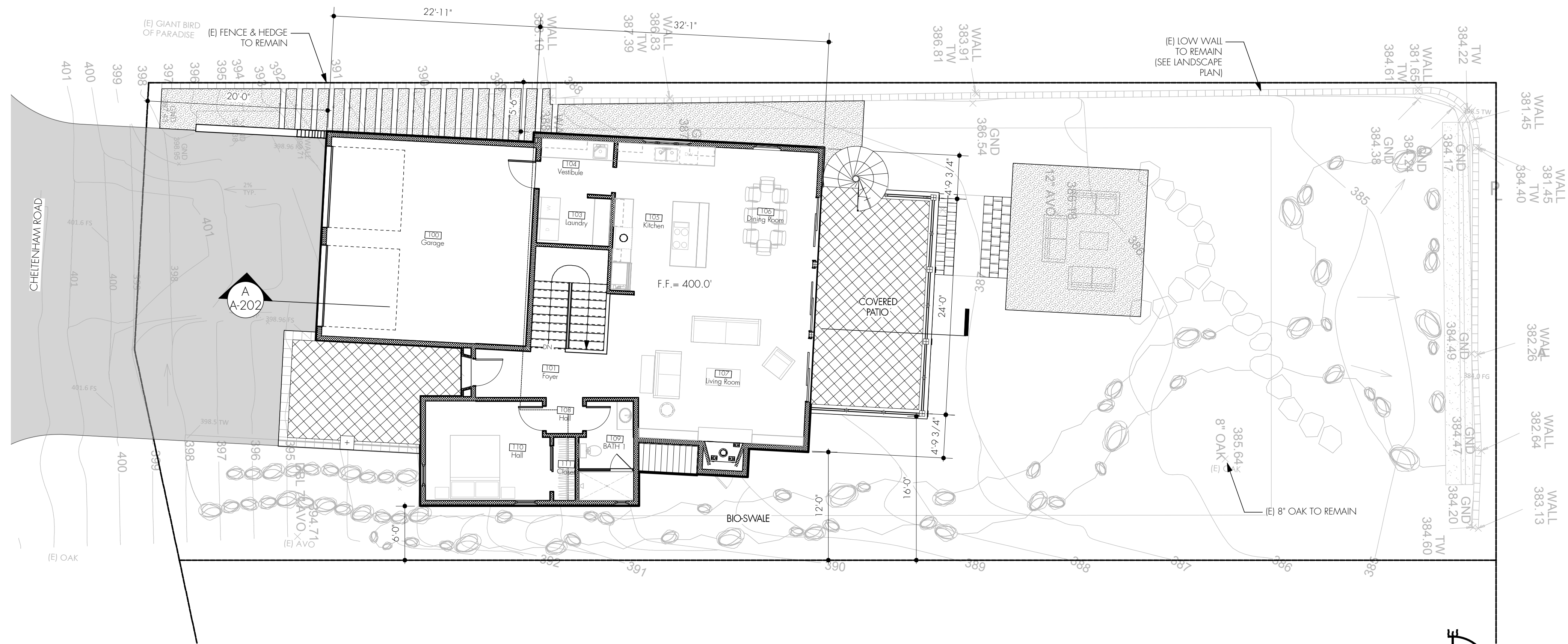
NO.	DATE	TYPE

A-002

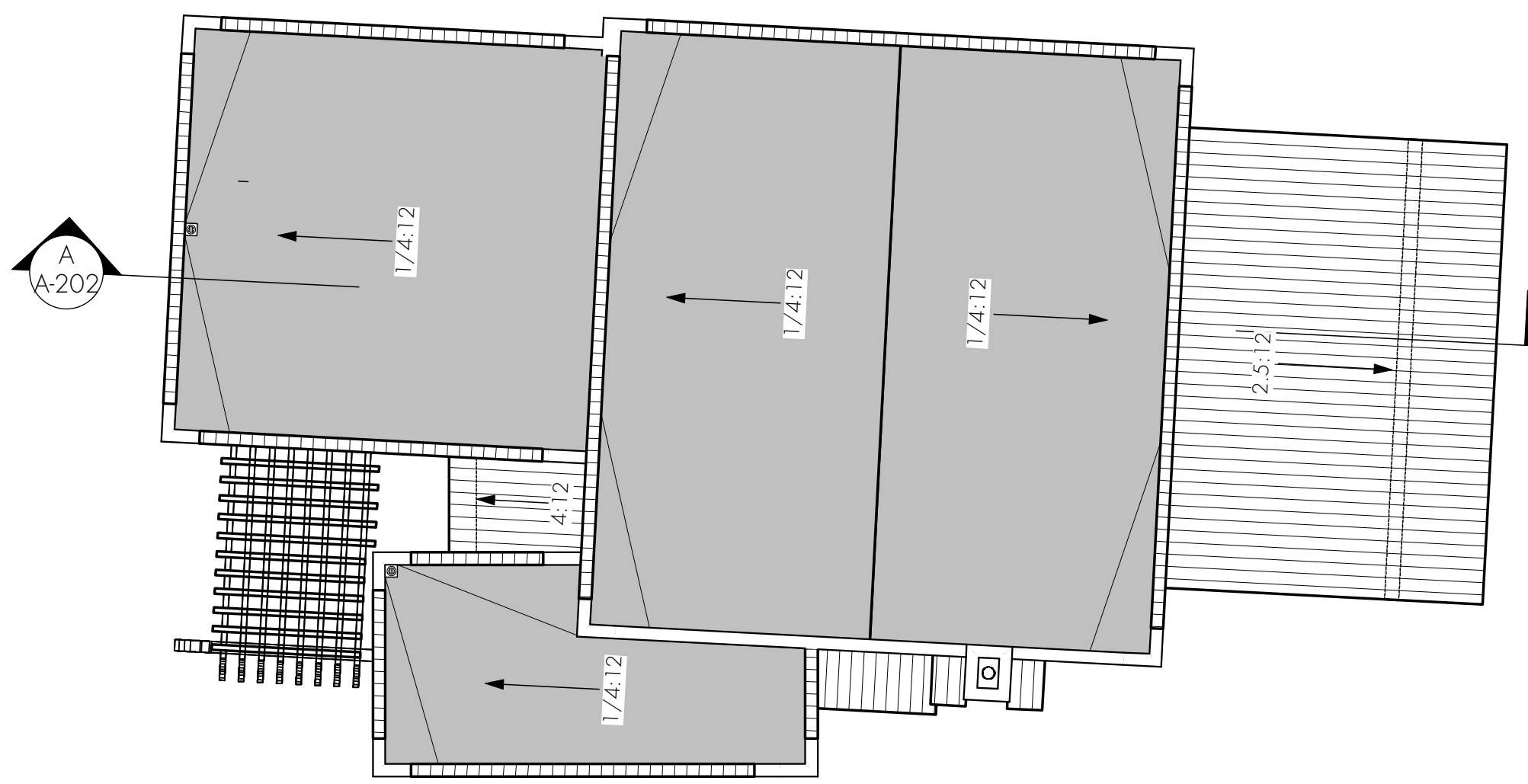
SHEET OF

SITE LEGEND

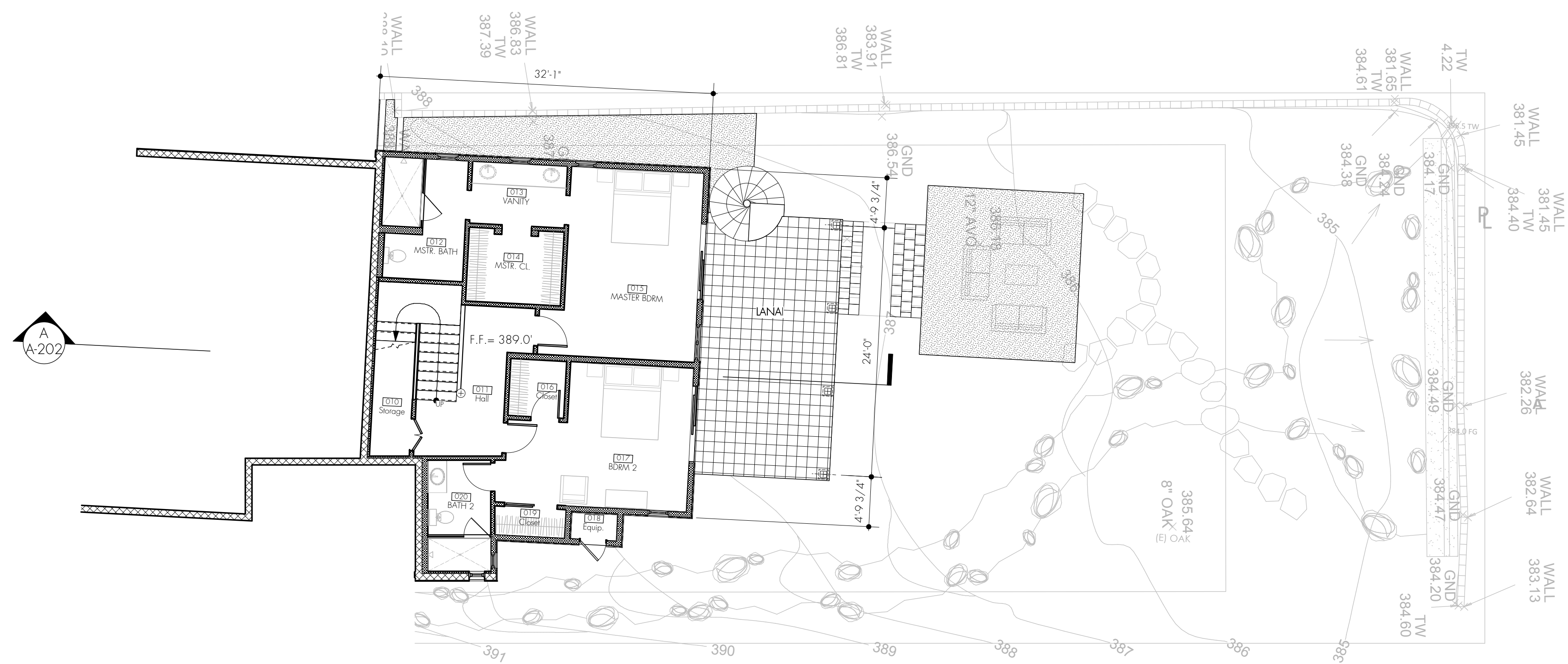
-  PERMEABLE CONCRETE PAVING
-  DECOMPOSED GRANITE
-  TILE/CONCRETE PAVING
-  PROPERTY LINE
-  SANDSTONE BOULDER



1 SITE PLAN/ FIRST FLOOR PLAN
Scale: 1/8" = 1'-0"



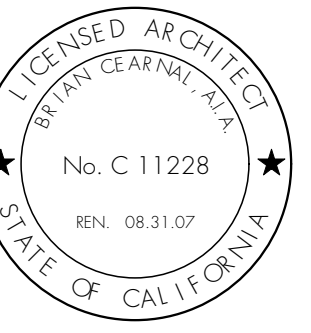
3 ROOF PLAN
Scale: 1/8" = 1'-0"



2 LOWER LEVEL PLAN
Scale: 1/8" = 1'-0"



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Proposed project for:
849 Cheltenham Road
Santa Barbara, CA 93105

JOB NUMBER: 14-042

CONTENTS:
FIRST FLOOR PLAN

DRAWN BY: MM

CHECKED BY:

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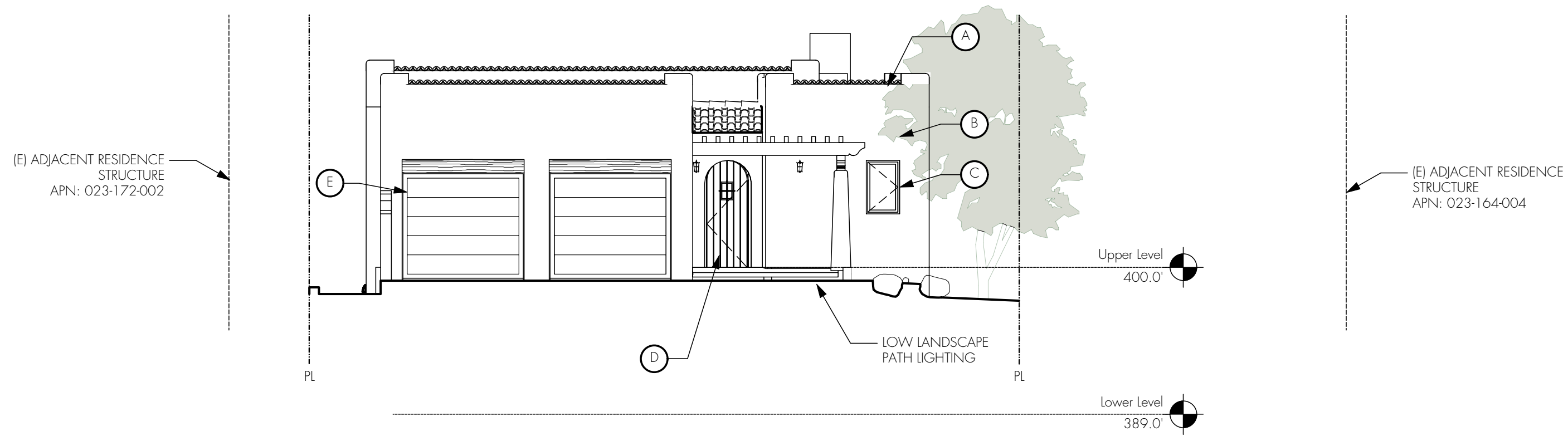
SUBMITTALS
DATE TYPE
02.13.15 SBAR

ISSUE DATE: 06/30/15

REVISIONS
NO. DATE TYPE

A-101

SHEET OF



North Elevation

Scale: 1/8" = 1'-0"



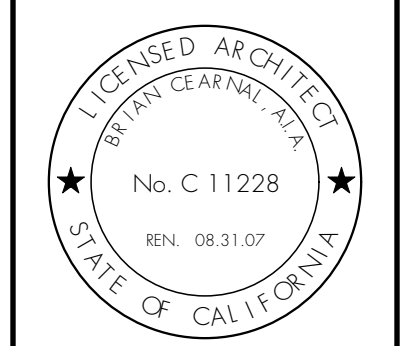
South Elevation

Scale: 1/8" = 1'-0"

TYPICAL FINISHES & COLORS	
ROOF:	A Two-Piece Clay Tile: Redlands Tierra Antigua Blend, 4000 Series
EXT. WALLS:	B 3-Coat Cement Smooth Trowel Plaster: Frazee-CLC1250M
WINDOWS:	C Alum. Clad: Eagle - Sage
ENTRY DOOR:	D Wood, Stained: Frazee-M413
GARAGE DOOR:	E Wood, Stained: Frazee-M413
EXTERIOR DOOR:	F Alum. Clad: Eagle - Sage
WROUGHT IRON:	G N/A
WOOD BRACKETS/RAILINGS:	H Solid Body Stain
AWNING:	I N/A
LIGHT FIXTURE:	J TBD

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Proposed project for:
849 Cheltenham Road
Santa Barbara, CA 93105

JOB NUMBER: 14-042

CONTENTS:
EXTERIOR ELEVATIONS

DRAWN BY: MM

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SUBMITTALS

DATE	TYPE
02.13.15	SBAR

ISSUE DATE: 06/30/15

REVISIONS

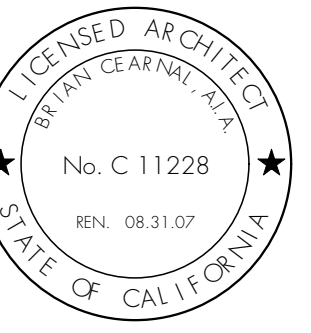
NO.	DATE	TYPE

A-201

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Proposed project for:
849 Cheltenham Road
Santa Barbara, CA 93105

JOB NUMBER: 14042

CONTENTS:
EXTERIOR ELEVATIONS

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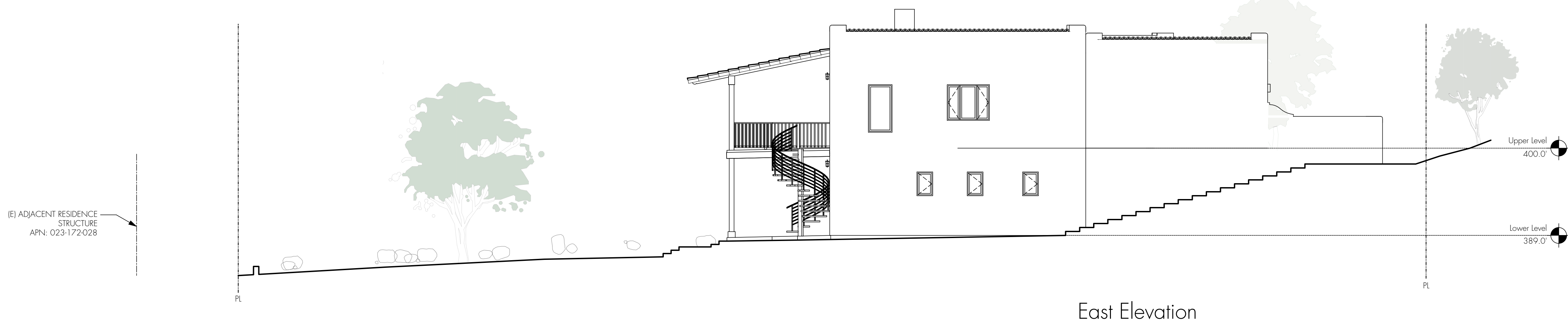
ISSUE DATE: 06/30/15

REVISIONS

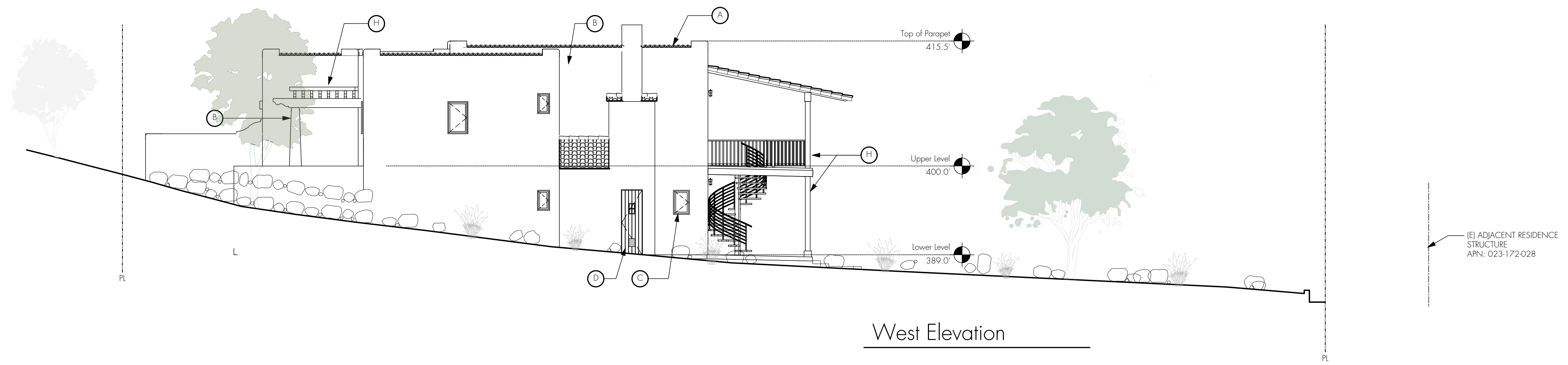
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A-202

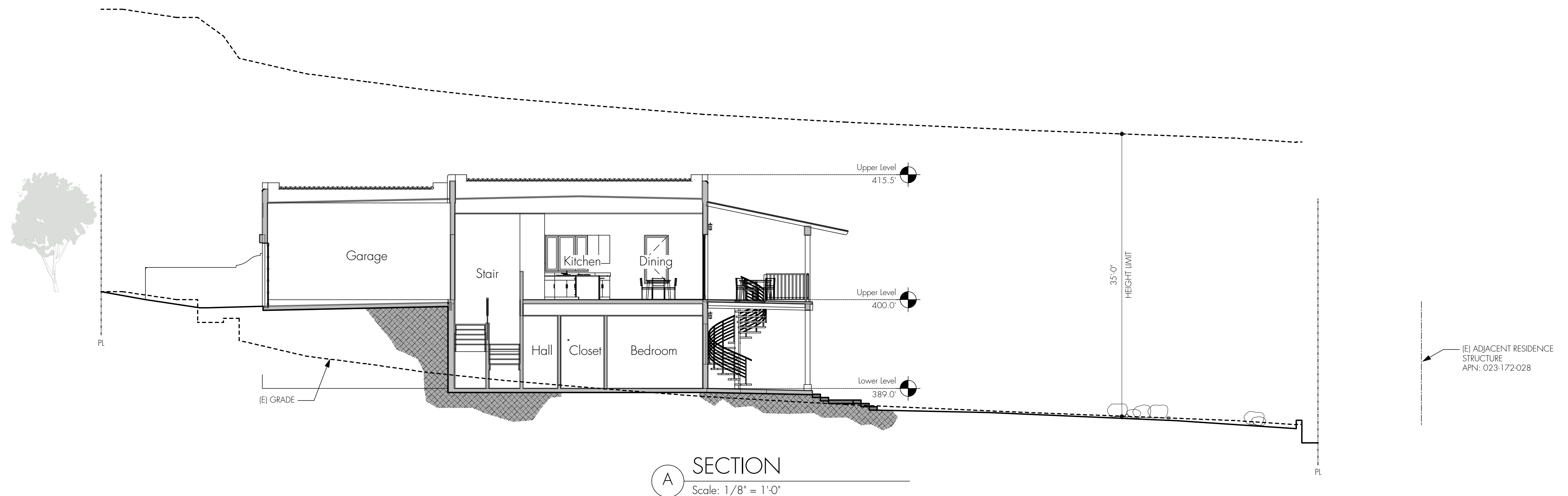
SHEET OF



East Elevation



West Elevation



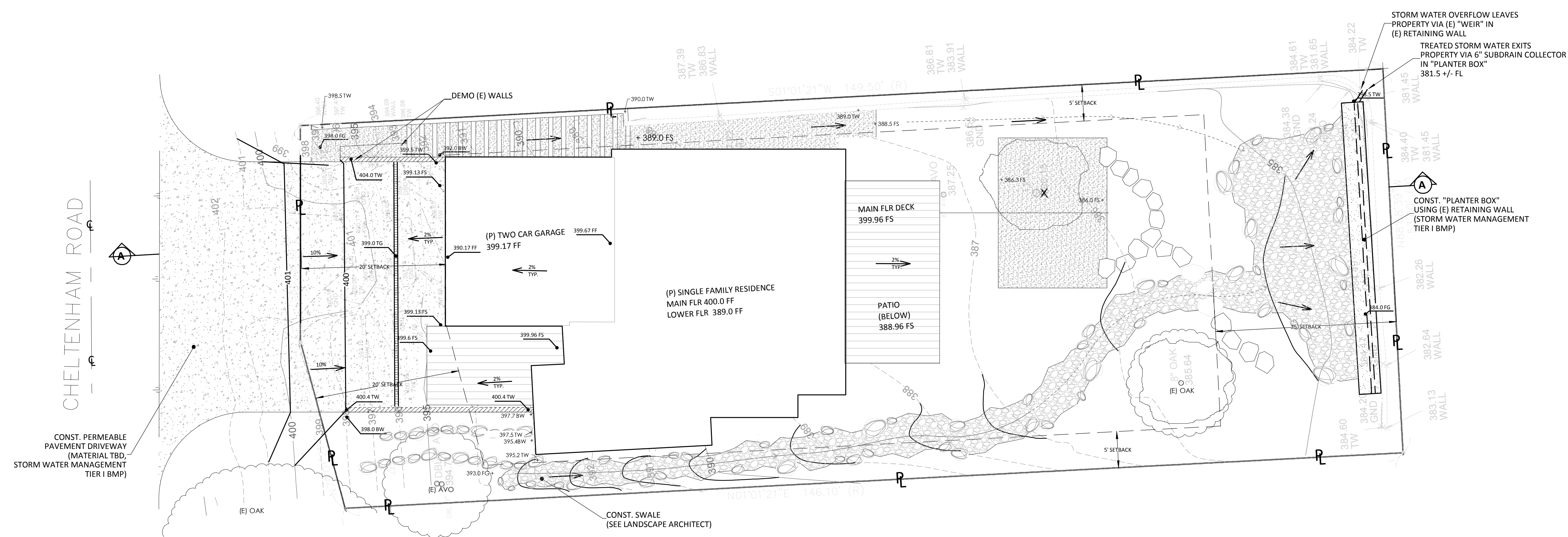
A SECTION
Scale: 1/8" = 1'-0"



VICINITY MAP
NOT TO SCALE

LEGEND	
CMP	CORRUGATED METAL PIPE
DI	DROP INLET
INV	INVERT
AVO	AVOCADO
CIT	CITRUS
DBL	DOUBLE
TRPL	TRIPLE
RCP	REINFORCED CONCRETE PIPE
CHLF	CHAIN LINK FENCE
GND	GROUND
TW	TOP OF WALL
FL	FLOW LINE
●	FOUND MONUMENT
○	NO FOUND MONUMENT
⊕	BORING LOCATION

CONTOUR LEGEND:	
	= (E) MAJOR CONTOUR, 5' INTERVALS
	= (E) MINOR CONTOUR, 1' INTERVALS
	= (P) FINISH CONTOUR

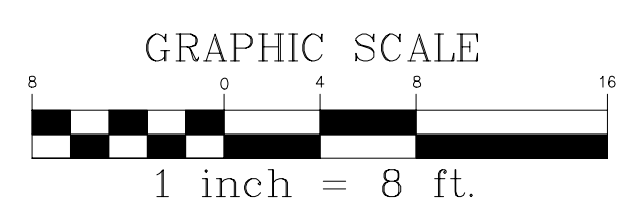


CHELTENHAM ROAD

CONST. PERMEABLE
PAVEMENT DRIVEWAY
(MATERIAL TBD,
STORM WATER MANAGEMENT
TIER I BMP)

CONST. SWALE
(SEE LANDSCAPE ARCHITECT)

PRELIMINARY PLANS
NOT FOR CONSTRUCTION



NOTE: IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT UNDERGROUND SERVICES ALERT (1-800-227-2600) TO LOCATE ALL UTILITIES PRIOR TO ANY EXCAVATION.

NOTE: TOPOGRAPHIC AND/OR BOUNDARY SURVEYS BY OTHERS. NO RESPONSIBILITY IS ASSUMED BY ENGINEER FOR ACCURACY, PRECISION, OR COMPLETENESS OF SURVEY(S).

PRELIMINARY GRADING & DRAINAGE PLAN

SCALE: 1/8" = 1'-0"



PRELIMINARY GRADING AND DRAINAGE PLAN	
FOR: 849 CHELTENHAM SANTA BARBARA, CALIFORNIA	
SCALE: AS SHOWN	DRAWN BY: MJG
DATE: 10/17/14	REVISED: 1/29/15, 2/13/15
MICHAEL J. GERENSER CIVIL ENGINEER 5255 Calle Cristobal, Santa Barbara, CA 93111 (805) 681-9500 office/fax	
SHEET 1 OF 2 SHEETS	DRAWING NUMBER: GP1

GENERAL REQUIREMENTS OF CONTRACTOR

1. Contractor shall maintain a complete and accurate record of all changes of construction from that shown on these plans and specifications for the purpose of providing a basis for construction record drawings. No change shall be made without prior approval by the engineer and the agency having jurisdiction.
2. Upon completion of the project, contractor shall deliver this record of all construction changes to the engineer along with a letter which declares that other than these noted changes "the project was constructed in conformance with the approved plans and specifications."
3. Contractor shall promptly notify the engineer upon discovery of, and before disturbing, any physical conditions differing from those represented by approved plans and specifications.
4. Contractor agrees that, in accordance with generally accepted construction practices, contractor will be required to assume sole and complete responsibility for job site conditions during the course of construction of this project including safety of all persons and property, that this requirement shall be made to apply continuously and not be limited to normal working hours. And contractor further agrees to defend, indemnify and hold design professionals harmless from all liability and claims, real or alleged, in connection with the performance of work on this project, excepting liability arising from the sole negligence of design professionals.
5. Grading or other construction work offsite is not permitted without prior written permission of the affected offsite property owner.
6. Contractor agrees to assume sole and complete responsibility for protection of public and private property in the vicinity of the job site and further agrees to, at contractor's expense, repair or replace to original condition all existing improvements within or in the vicinity of the job site which are not designated for removal and which are damaged or removed as a result of contractor's operations which may affect or be affected by his operations.
7. An effort has been made to define the location of existing underground facilities within the job site. However, all existing utility and other underground structures may not be shown on these plans and their location, where shown, is approximate. It shall be contractor's responsibility to determine the location and depth of all existing underground facilities including service connections which may affect or be affected by his operations. Upon learning of the existence and location of any underground facilities not shown or shown inaccurately on these plans or not properly marked by the utility owner, contractor shall immediately notify the utility owner and the engineer.

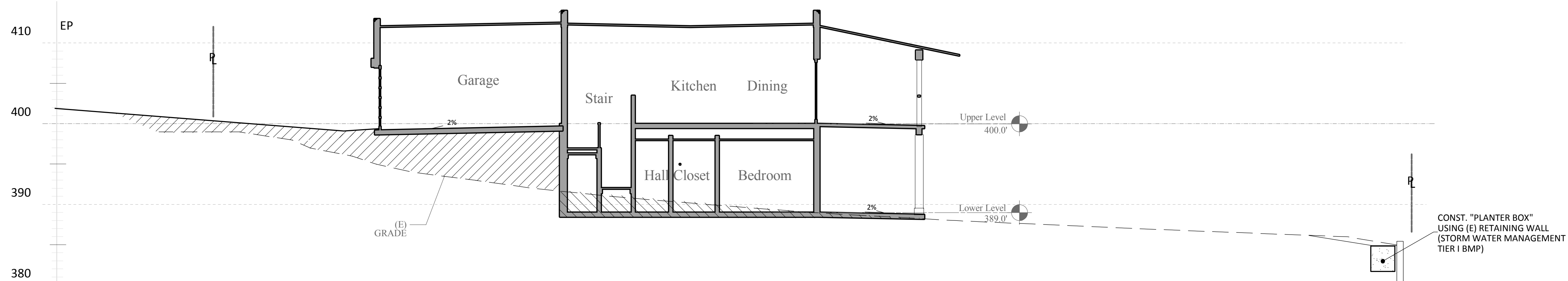
**SANTA BARBARA COUNTY BUILDING & SAFETY DIVISION
GRADING NOTES**

1. All grading shall conform with Santa Barbara County Code Chapter 14 Grading Ordinance #4477 and standards and requirements pertaining thereto, these construction drawings and the recommendations of the soils engineer and engineering geologist.
2. Contractor to notify the county grading inspector and soils laboratory at least 48 hours before start of grading work or any pre-construction meeting.
3. Contractor shall employ all labor, equipment and methods required to prevent his operations from producing dust in amounts damaging to adjacent property, cultivated vegetation and domestic animals or causing a nuisance to persons occupying buildings in the vicinity of the job site. Contractor shall be responsible for damage caused by dust from his grading operation.
4. Before beginning work requiring exporting or importing of materials, the contractor shall obtain approval from Public Works Road Division for haul routes used and methods provided to minimize the deposit of soils on county roads. Grading/road inspectors shall monitor this requirement with the contractor.
5. The geotechnical engineer shall provide observation and testing during grading operations in the field and shall submit a final report stating that all earth work was properly completed and is in substantial conformance with the requirements of the grading ordinance.
6. Areas to be graded shall be cleared of all vegetation including roots and other unsuitable material for a structural fill, then scarified to a depth of 6" prior to placing of any fill. Call grading inspector for initial inspection.
7. A thorough search shall be made for all abandoned man-made facilities such as septic tank systems, fuel or water storage tanks, and pipelines or conduits. Any such facilities encountered shall be removed and the depression properly filled and compacted under observation of the geotechnical engineer.
8. Areas with existing slopes which are to receive fill material shall be keyed and benched. The design and installation of the keyway shall be per the geotechnical engineer's recommendation or per County Standard Detail No. G-13.
9. Fill material shall be spread in lifts not exceeding 6" in compacted thickness, moistened or dried as necessary to near optimum moisture content and compacted by an approved method. Fill material shall be compacted to a minimum of 90% maximum density as determined by 1957 ASTM D - 1557 - 91 modified proctor (AASHTO) test or similar approved methods. Some fill areas may require compaction to a greater density if called for in the construction documents. Soil tests shall be conducted at not less than one test for each 18" of fill and/or for each 500 cubic yards of fill placed.
10. Cut slopes shall not exceed a grade of 1 1/2 horizontal to 1 vertical. Fill and combination fill and cut slopes shall not exceed 2 horizontal to 1 vertical. Slopes over three feet in vertical height shall be planted with approved perennial or treated with equally approved erosion control measures prior to final inspection.
11. Surface drainage shall be provided at a minimum of 2% for 6 feet away from the foundation line or any structure.
12. All trees that are to remain on site shall be temporarily fenced and protected around the dripline during grading operation.
13. An erosion and sediment control plan shall be required as part of the grading plan and permit requirements.

Earthwork estimates

Excavation: **90** cubic yards
 Import: **165** cubic yards
 Export: **90** cubic yards
 Fill: **165** cubic yards

NOTE: PER SOILS REPORT, SOILS EXCAVATED ON-SITE ARE UNLIKELY TO SUITABLE FOR RE-USE AS STRUCTURAL FILL.



SITE SECTION A

SCALE: 1/8" = 1'-0" HORIZ. & VERT.

LEGEND:

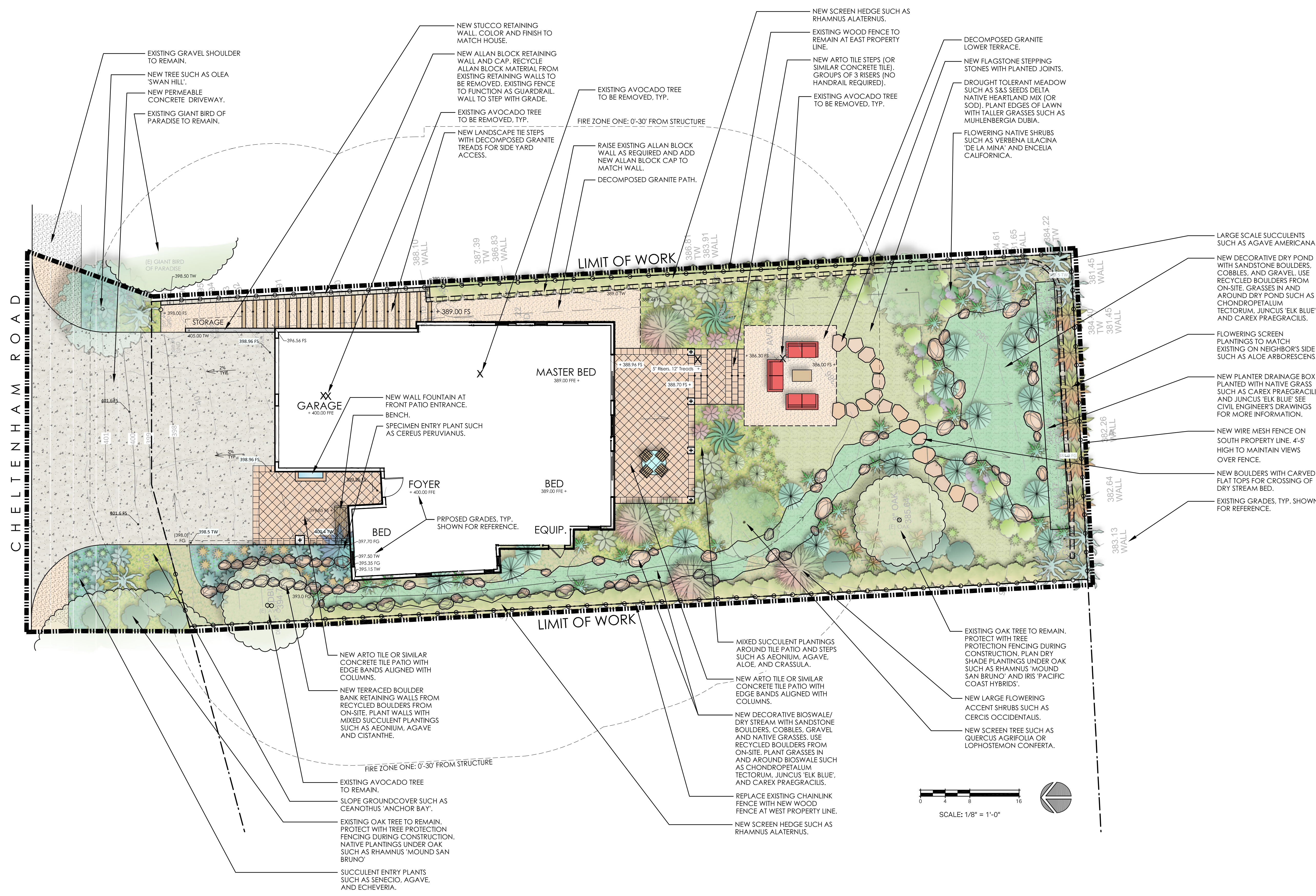
- FILL
- CUT

SITE SECTION & NOTES

PRELIMINARY PLANS
NOT FOR CONSTRUCTION



PRELIMINARY GRADING AND DRAINAGE PLAN	
FOR: 849 CHELTENHAM SANTA BARBARA, CALIFORNIA	
SCALE: AS SHOWN	DRAWN BY: MJG
DATE: 10/17/14	REVISED: 1/29/15, 2/13/15
MICHAEL J. GERENSER, CIVIL ENGINEER 5255 Calle Cristobal, Santa Barbara, CA 93111 (805) 681-9500 office/fax	
SHEET 2 OF 2 SHEETS	DRAWING NUMBER: GP2



PRELIMINARY PLAN - PLANT LIST

BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	WUCOLS
TREES:				
ALOE BARBERAE	TREE ALOE	15 GAL	MULTI	L
CITRUS SPECIES (DWARF SPECIES)		15 GAL		M
DRACAENA DRACO	DRAGON TREE	15 GAL	MULTI	L
LOPHOSTEMON CONFERTA	BRISBANE BOX	15 GAL		M
QUERCUS AGRIFOLIA	COAST LIVE OAK	15 GAL	MULTI	L
OLEA EUROPAEA 'SWAN HILL'	FRUITLESS OLIVE	15 GAL	MULTI	L
SHRUBS, PERENNIALS AND GROUNDCOVER:				
ACHILLEA 'MOONSHINE'	MOONSHINE YARROW	1 GAL		L
AEONIUM SPECIES	SAUCER PLANT	1 GAL		L
AGAVE SPECIES	CENTURY PLANT	1 GAL, 5 GAL		L
ALOE SPECIES	ALOE	1 GAL		L
ARCTOSTAPHYLOS 'JOHN DOURLEY'	MANZANITA	1 GAL		L
ASTERISCUS MARTIMUS	GOLD COIN DAISY	1 GAL		L
CAREX SPECIES	SEDGE	4" POT		M
CARISSA 'TUTTLE'	NATAL PLUM	5 GAL		L
CEANOETHUS 'ANCHOR BAY'	BAY CEANOETHUS	1 GAL		L
CEREUS SPECIES	CEREUS CACTUS	15 GAL		L
CHONDROPETALUM TECTORIUM	SMALL CAPE RUSH	1 GAL		L
CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL		L
CISTANTHE 'JAZZ TIME'	ROCK PURSLANE	1 GAL		L
CRASSULA 'BLUE BIRD'	BLUE JADE	1 GAL		L
CYCAS REVOLUTA	SAGO PALM	5 GAL		M
DIANELLA SPECIES	TASMAN FLAX LILY	1 GAL		M
DYMONDIA MARGARETAE	SILVER CARPET	FLATS		L
ECHEVERIA SPECIES	HEN AND CHICKS	1 GAL		L
ENCELLA CALIFORNICA	COAST SUNFLOWER	1 GAL		L
ERIOGONUM G.V. RUBESCENS	ISLAND BUCKWHEAT	1 GAL		L
IRIS 'PACIFIC COAST HYBRIDS'	PCH HYBRID IRIS	1 GAL		L
OLEA 'LITTLE OLLIE'	DWARF OLIVE	5 GAL		L
JUNCUS 'ELK BLUE'	BLUE RUSH	1 GAL		L
KNIPHOFIA SPECIES	TORCH LILY	1 GAL		L
LAMPFRANTHUS AUREUS	ORANGE ICEPLANT	4" POT		L
LAVANDULA ANGSTIFOLIA	ENGLISH LAVENDER	1 GAL		L
LOTUS MACULATA	GOLD FLASH	4" POT		M
OSMANTHUS FRAGRANS	SWEET OSMANTHUS	5 GAL		M
MUHLENBERGIA DUBIA	PINE MUHLY	1 GAL		L
MYOPORUM P. 'PUTAH CREEK'	CREeping MYOPORUM	1 GAL		L
PITOSPORUM 'GOLF BALL'	GOLF BALL KOHUIHU	5 GAL		M
RHAMNUS ALATERNUS	ITALIAN BUCKTHORN	5 GAL		L
RHAMNUS 'MOUND SAN BRUNO'	DWARF COFFEEBERRY	5 GAL		L
ROSMARINUS SPECIES	ROSEMARY	5 GAL		L
SEDUM SPECIES	STONECROP	4" POT		L
SENECIO SPECIES	BLUE CHALK STICKS	4" POT		L
TRICHOSTEMA LANATUM	WOOLLY BLUE CURLS	1 GAL		L
VERBENA LILACINA 'DE LA MINA'	ISLAND VERBENA	1 GAL		L
WOODWARDIA FIMBRIATA	GIANT CHAIN FERN	1 GAL		M

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NOT FOR CONSTRUCTION
LATORRE RESIDENCE
849 Cheltenham Rd.
SANTA BARBARA, CA 93105

PRELIMINARY PLAN - PLANTING AND DESIGN

CJM::LA STRIVES TO UPHOLD THE ARCHITECTURAL AND CULTURAL HERITAGE OF THE SANTA BARBARA COMMUNITY THROUGH THE DEVELOPMENT OF ENGAGING SPACES. OUR APPROACH RESPONDS TO CONTEXT, HISTORY AND OUTLOOK IN ORDER TO PROVIDE OUTDOOR SPACES WHICH QUIET THE MIND AND ACTIVATE THE SENSES. THE BUILT ENVIRONMENT IS PARAMOUNT IN REPRESENTING THE IDENTITY OF A COMMUNITY, AND WE SEEK TO PROVIDE RESPONSIBLE DESIGN THAT RESPECTS THE BALANCE OF PAST AND FUTURE. WE PRIDE OURSELVES IN DESIGN THAT IS UNIQUE AND SPECIFIC, ENDURING AND AUTHENTIC.

THIS PLAN ENGAGES BOTH SUSTAINABLE BUILDING PRACTICES AS WELL AS AESTHETIC AND FORWARD-THINKING DESIGN SOLUTIONS TO CREATE A UNIQUE ADDITION TO THE BUILT ENVIRONMENT.

- PEDESTRIAN, BICYCLE AND VEHICULAR CIRCULATION HAS BEEN STUDIED IN ORDER TO MAINTAIN APPROPRIATE CONNECTIVITY WITH THE SURROUNDING COMMUNITY, AS WELL AS WITHIN THE DEVELOPMENT.
- STORMWATER QUALITY WILL BE ADDRESSED WITH THE MOST APPROPRIATE BEST-MANAGEMENT PRACTICES FOR THIS DEVELOPMENT.
- GREEN SCREENS WILL BE INCLUDED WHERE FEASIBLE.

EXISTING TREES ON SITE WILL BE PROTECTED TO THE MAXIMUM EXTENT FEASIBLE WITHIN THE PROJECT REQUIREMENTS.

THE PLANT PALETTE WILL BE MEDITERRANEAN IN CHARACTER AND SUITABLE TO THE SANTA BARBARA REGIONAL CLIMATE. PLANT MATERIAL WILL BE LOW-WATER AND LOW-MAINTENANCE. ONLY ORGANIC FERTILIZERS AND SOIL AMENDMENTS WILL BE USED.

COMMON AREA IRRIGATION WILL INCLUDE A COMBINATION OF LOW-VOLUME SPRAY HEADS, BUBBLERS AND DRIP SYSTEMS AS APPLICABLE. ALL IRRIGATION WILL BE CONTROLLED BY AN AUTOMATIC TIMER WITH A SEASONAL ADJUSTMENT CAPACITY TO APPLY LESS WATER DURING THE RAINY SEASON. POTS WILL BE HAND-WATERED OR WILL INCLUDE SELF-WATERING SYSTEMS.

PRELIMINARY PLAN - EXISTING TREE NOTES

CJM::LA STRIVES TO PROTECT EXISTING TREES ON SITE TO THE MAXIMUM EXTENT FEASIBLE WITHIN THE PROJECT REQUIREMENTS.

MANY FACTORS ARE REVIEWED IN EVALUATING THE APPROPRIATENESS OF PROTECTING-IN-PLACE, RELOCATING, OR REMOVING EXISTING TREES AT EACH PROJECT SITE. IN GENERAL, THE FOLLOWING PARAMETERS ARE CONSIDERED:

HEALTH AND LONG-TERM VIABILITY OF EXISTING TREES IS ASSESSED EITHER BY A REPRESENTATIVE OF CJM::LA OR BY THE PROJECT ARBORIST.

LOCATION OF EXISTING TREES IN RELATIONSHIP TO PROPOSED PROJECT ELEMENTS SUCH AS BUILDINGS, HARDSCAPE AND LANDSCAPE AMENITIES IS REVIEWED IN DETAIL.

APPROPRIATENESS OF EXISTING TREE SPECIES IN RELATIONSHIP TO PROJECT DESIGN AND ARCHITECTURAL STYLES IS CONSIDERED.

VALUE OF EXISTING TREES RELATED TO BIOLOGICAL HABITAT IS REVIEWED.

VISUAL AND AESTHETIC VALUE IS ASSESSED IN RELATIONSHIP TO NEIGHBORHOOD OR SITE CONTEXT.

HISTORIC VALUE IS REVIEWED, AND SPECIMEN TREES ARE NOTED.

THE FOLLOWING TREES REQUIRE SPECIFIC REVIEW AND ADDITIONAL REQUIREMENTS PER THE CITY OF SANTA BARBARA:

STREET TREES
TREES ON CITY OR PUBLIC PROPERTY
SETBACK TREES
PARKING LOT TREES
HISTORIC OR SPECIMEN TREES
TREES WITHIN THE EL PUEBLO VIEJO LANDMARK DISTRICT

EXISTING TREE INVENTORY (ON SITE TREES ONLY):

BOTANICAL NAME	COMMON NAME	QTY.	STATUS
PERSEA SPECIES	AVOCADO	1	REMAIN IN PLACE.
PERSEA SPECIES	AVOCADO	5	TO BE REMOVED.
QUERCUS AGRIFOLIA	COAST LIVE OAK	1	REMAIN IN PLACE.

PRELIMINARY PLAN - IRRIGATION NOTES

IRRIGATION SYSTEM SHALL COMPLY WITH ALL REQUIREMENTS OF CALIFORNIA ASSEMBLY BILL 1881.

ALL NEW PLANTINGS WILL BE IRRIGATED. CONFIRM ALL ZONES (STATIONS) WITH LANDSCAPE ARCHITECT AND TOTAL NUMBER OF VALVES PRIOR TO INSTALLATION OF IRRIGATION SYSTEM.

ALL VALVES SHALL BE SEPARATED BY SUN/ SHADE REQUIREMENTS, PLANT TYPE, AND WATER NEEDS.

ALL NEW SHRUBS AND GROUNDCOVER SHALL BE IRRIGATED WITH DRIP IRRIGATION OR MICROSPRAY. DRIPLINE MAY BE INLINE EMITTER TYPE OR PUNCHED EMITTERS.

NEW TREES WILL BE IRRIGATED WITH BUBBLERS, PROVIDE SEPARATE VALVES AND LATERAL LINE FOR ALL TREE BUBBLERS.

INSTALL ALL VALVES IN PLASTIC VALVE BOXES WHERE THEY CAN BE SCREENED BY PLANTS.

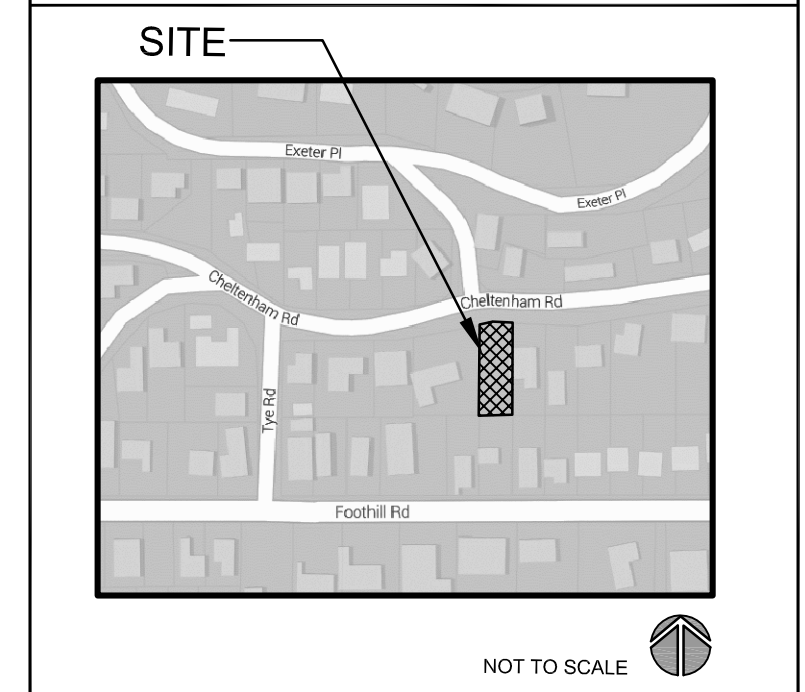
INSTALL IRRIGATION SYSTEM IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND LOCAL CODES.

ALL PIPE INSTALLED UNDER PAVING, THROUGH WALLS OR FOOTINGS MUST BE PLACED INSIDE SCHEDULE 40 PVC SLEEVES.

IRRIGATION CONTROLLER RUN TIMES SHALL BE ADJUSTED TO NOT ALLOW ANY IRRIGATION WATER OVERSPRAY ONTO PAVED SURFACES.

UNDER CANOPIES OF EXISTING TREES, EXCAVATE TRENCHES BY HAND OR PER THE ARBORIST REPORT.

VICINITY MAP



REVISIONS

02/13/15	City Sub
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PROJECT NUMBER
1502

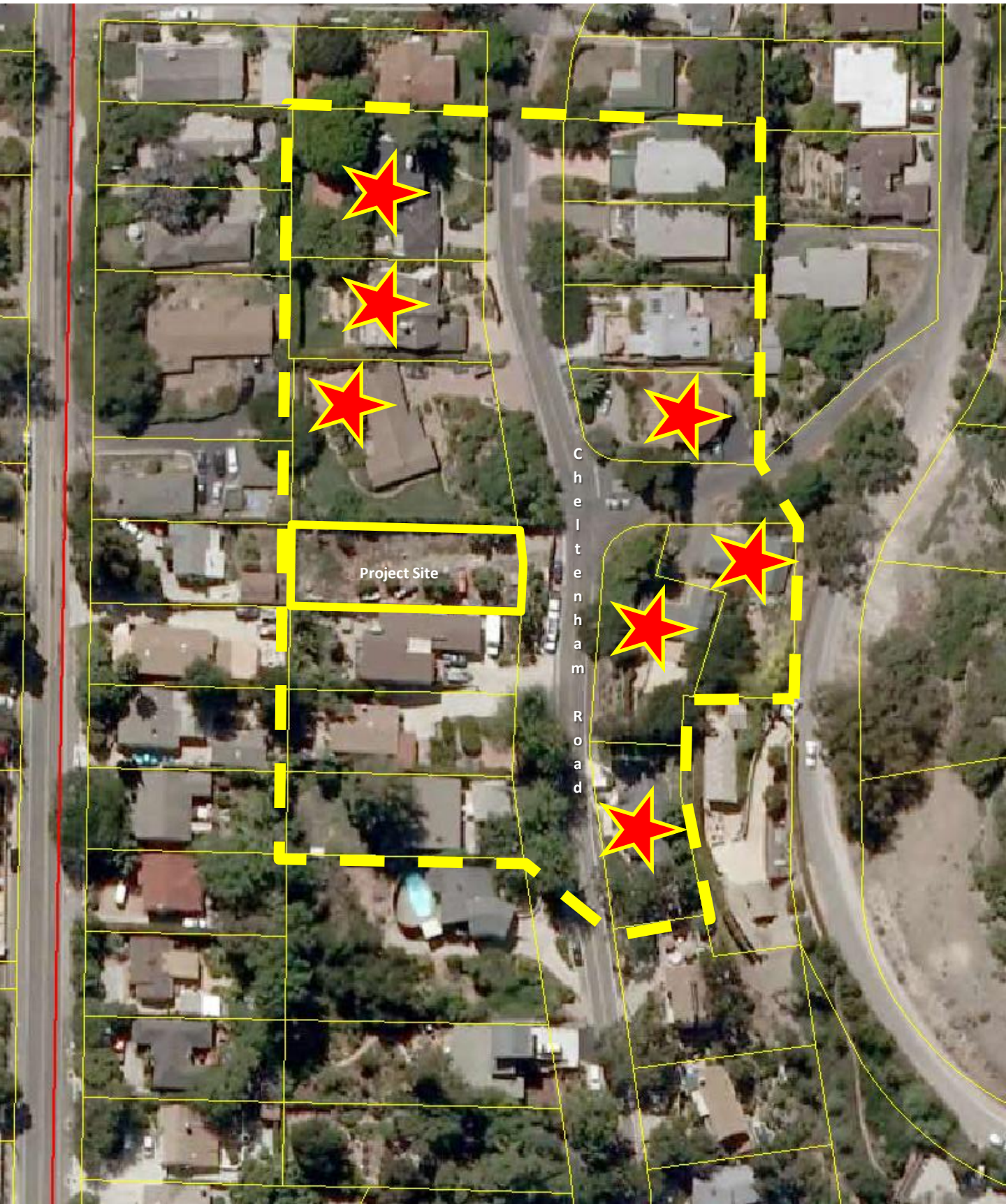
DRAWN BY
AC

DATE DRAWN
02/13/15

SCALE
1/8"=1'-0"

PRINT DATE
02/13/15

ATTACHMENT G NEIGHBORHOOD MAP





09BDV-00115
Ref: 09BDV-00166

County of Santa Barbara
Planning and Development
John Baker, Director
Dianne Meester Black, Assistant Director

August 30, 2006

Ken & Karin Jones
847 Cheltenham Rd.
Santa Barbara, CA 93105

Gerald & Kim Castillo
3061 Samarkand Dr.
Santa Barbara, CA 93105

Subject: Drainage and grading concerns at the vacant lot between 847 and 851 Cheltenham

Dear Mr. & Mrs. Jones and Mr. & Mrs. Castillo,

As you are aware, the County has been investigating the recent grading and retaining wall construction on the vacant lot between 847 and 851 Cheltenham, their need for permits and their potential impacts on the historic drainage that has traversed across the property. The County has spent many hours reviewing the site, listening to neighborhood concerns and researching historical data. With the information the County has been provided or has access to, we have come to the following conclusions:

1. ~~We have utilized a first hand accounting of the property by a staff inspector, photographs and site indicators to help us visualize the pre-grading condition of the property.~~ With that, the Grading Division has determined the grading to be less than 50 cubic yards of cut and less than 50 cubic yards of fill. Pursuant to County Code Chapter 14, section 14-6(a), this does not require a grading permit.
2. The County has inspected and measured the site walls on the vacant lot, including having the owner expose the footing to determine the total height of the wall. In every accounting of the wall height, at no point did the total height of the wall exceed four feet. The California Building Code, section 106.2(5), adopted by the Board of Supervisors, exempts retaining walls up to four feet in height with a level backfill. Since the walls do not exceed four feet and have a level backfill, there is no requirement for a building permit.
3. The drainage concerns at the vacant lot and surrounding properties have been thoroughly investigated to the best of our ability with the information we have to date. The pre-grading account of the County Inspector, aerial photographs, ground photos, old survey maps, site indicators and the site's current configuration, all show that approximately 90% of the area of the vacant lot drains from the North-North-West, to the South-South-East due to the slope of the topography. Using existing conditions and undisturbed site indicators, the County has been able to determine that approximately 90% of the historic runoff exited the vacant lot just to the north of the south east property corner. From there, it traveled briefly across the corner of the lot directly to the east of the vacant lot, draining in a South-South-Easterly direction onto a shared driveway between 2840 and 2848 Foothill Rd. and draining to the drainage swale that runs along the Northern side of Foothill Road. As long as the runoff that exits the vacant lot is maintained in this historic drainage path there will not be any violation of the Grading Ordinance caused by altering the historic drainage. As property owners, you must be diligent in maintaining this historic drainage pattern. The retaining wall must be completed so as to allow the drainage to exit the property in the same manner as prior to the grading and construction of the wall.

Unfortunately, although the County has been able to determine the historic path water took as it traversed the site prior to grading and wall construction, the information we have reviewed is inconclusive as to what waters flowed onto the vacant lot. As property owners you contend that the culvert crossing under Cheltenham Road and exiting in a South-Easterly direction on the 851 Cheltenham lot did not drain onto your vacant lot and used to drain to the south, around the neighbor's residence, then onto a shared driveway between 2860 and 2866 Foothill Road. The neighbors to the west, among others in the area, contend that the water from the culvert did drain across the vacant lot as it does today. To date, the County has not received any hard evidence that backs up the claims made by either side.

Although there appears to have been work performed at 851 Cheltenham Road a few years ago, we have no evidence of what the site looked like before the work took place. Therefore, we have been unable to determine the extent of that work and whether the culvert drainage was changed to take the path it does today, or whether the culvert drainage has taken that path historically. If the waters from the culvert drained historically onto the vacant lot historically, as it does today, you have to accept that water and ensure it leaves the property in a historic way. Again, if the historic path of water flowing from the culvert has been altered, the County has been unable to make that determination.

The County takes drainage issues very seriously, as improperly managed drainage can cause serious safety issues to both life and property. With that, the County must ensure that drainage is managed properly. Since the current configuration of the culvert and its drainage path direct water onto the vacant lot, as property owners you must accept that water, until conclusive evidence is provided to the County showing otherwise.

~~If you have any questions please feel free to contact me at (805) 934-6513 or (805) 686-5027.~~

Sincerely,



Jeff Thomas
Supervising Building & Grading Inspector
Building & Safety Division
Santa Barbara County

CC:

Mr. & Mrs. Urbany, 851 Cheltenham Road, Santa Barbara, CA, 93105
Mr. & Mrs. Ashby, 2840 Foothill Road, Santa Barbara, CA, 93105
Mr. Dale Gage, 2860 Foothill Road, Santa Barbara, CA, 93105
Mr. Michael Hoffman, 2866 Foothill Road, Santa Barbara, CA, 93105
Mr. Donald Pinkham, 2848 Foothill Road, Santa Barbara, CA, 93105
Ms. Kim Vandyk, 2834 Foothill Road, Santa Barbara, CA, 93105
Salud Carbajal, 1st District Supervisor, County of Santa Barbara, sent via email
John Baker, Director, Planning and Development, Santa Barbara County, sent via email
Dianne Meester, Assistant Director, Planning and Development, Santa Barbara County, sent via email
Mike Zimmer, Building Official, Planning and Development, Santa Barbara County, sent via email
Mary Pat Barry, County Council, Santa Barbara County, sent via email