

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

## Agenda Number:

**Prepared on:** February 6, 2004  
**Department Name:** Planning and Development  
**Department No.:** 053  
**Agenda Date:** February 17, 2004  
**Placement:** Departmental  
**Estimate Time:** 60 minutes  
**Continued Item:** Yes  
**If Yes, date from:** 11/25/03 and 1/20/04  
**Document File Name:** G:\GROUP\Permitting\Case  
Files\Cdh\01\_cases\01CDH-00000-  
00060&61 Chase\Board  
Appeal\BSAppealSRcoco2.DOC

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**TO:** Board of Supervisors

**FROM:** Valentin Alexeeff, Director

**STAFF CONTACT:** Jackie Campbell, Deputy Director  
568-2076

**SUBJECT:** Appeal of the Zoning Administrator's Approval of the Chase Single Family Dwellings and Variances (01CDH-00000-0000-00060; 01CDH-00000-00061; 02VAR-00000-00003; 02VAR-00000-00004)  
The application involves AP Nos. 075-181-022 and 075-181-023, located in the 6800 block of Del Playa Drive in the community of Isla Vista. The project is located in the Third Supervisorial District.

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## Recommendations:

Staff recommends that the Board of Supervisors take either of the following actions:

### Option One

1. Deny the appeals, upholding the Zoning Administrator's decision;
2. Adopt the required findings for the project, included as Attachment A to the Staff Report prepared on November 13, 2003.
3. Certify the Environmental Impact Report (03-EIR-03) pursuant to Section 15120 of the Guidelines for Implementation of the California Environmental Quality Act.
4. Approve Case Nos. 01CDH-00000-00060, 01CDH-00000-00061, 02VAR-00000-00003 and 02VAR-00000-00004 subject to the conditions attached to each permit included as Attachments B, C, D and E of the Staff Report prepared November 13, 2003.

### **Option Two**

1. Adopt the required findings for the project, included as Attachment A to this Staff Report.
2. Deny the Chase appeal.
3. Deny the Maguire appeal.
4. Deny the Murdock appeal.
5. Partially uphold the Stich, et al appeal, reducing the size of the development approved by the Zoning Administrator.
6. Certify the Environmental Impact Report (03-EIR-03) pursuant to Section 15120 of the Guidelines for Implementation of the California Environmental Quality Act.
7. Approve Case Nos. 01CDH-00000-00060, 01CDH-00000-00061, 02VAR-00000-00003 and 02VAR-00000-00004 subject to the conditions attached to each permit included as Attachments B, C, D and E of this Staff Report.

**Alignment with Board Strategic Plan:** The recommendations are primarily aligned with actions required by law or by routine business necessity.

### **Discussion:**

Information regarding the history of the proposed development application, the Zoning Administrator approval and the subsequent appeals has been provided in previous staff reports to the Board of Supervisors on this matter. The following information is provided to assist the Board in making a final decision on this matter.

### **Project Details**

The Board continued the last hearing with direction to staff to return with additional diagrams of project alternatives with no wetland encroachment on either parcel. In accordance with this direction, staff has prepared a revised project description for the two subject lots. Both lots would be granted front setback variances and side setback variances along their western property boundaries. Each structure would be allowed a two-car carport but no garage.

The Board also discussed providing greater flexibility in the Aesthetic/Visual Resources mitigation measure (from the EIR), which limits the second story of each structure to 50% of the first floor footprint. In particular, the Board asked whether second story development could be increased to compensate for a first floor footprint that avoids encroachment of the delineated wetland. The Board may disagree with the EIR conclusion that a 50% reduction is necessary to reduce visual impacts, and is free to select a different ratio. In response to this discussion, staff proposes to allow second stories that are 75% of the total square footage allowed on the first floor (including the carports), with the first floor footprints required to avoid the wetlands as defined in the 1997 FLx Report. Details of the development for each lot are shown in table format and discussed below:

	Lot 23	Lot 22 (Option 1)	Lot 22 (Option 2)
Front Setback	12 feet	5 feet	5 feet
Side Setback - West	2 feet	0 feet	0 feet
Side Setback - East	5 feet	5 feet	3 feet
First Floor Area	926 sq ft	777	807
Second Floor Area	694	583	605
Carport Area	400	400	400
Total Living Area	1,220	960	1,012
Total Area	1,620	1,360	1,412
First Floor Deck Area	216	none	none
Second Floor Deck Area	232	194	202
Balcony Area	72 (approx.)	None	none
Area of Wetland Encroachment	none	none	none

### Lot 23

The residential structure would have a first floor development footprint of 926 square feet (s.f.), with 526 s.f. of living space and a 400 s.f. carport on the first floor. The second story would be limited to 75% of the first floor development footprint, or 694 s.f. A first floor deck of approximately 216 square feet would also be permitted outside the delineated wetland boundary. Total living space for the structure would be approximately 1,220 s.f., with a maximum total square footage of 1,620 s.f.

The front yard variance would allow the structure to be located as close as twelve feet from the right of way line and 27 feet from the centerline of Del Playa Drive. Given the improved width of Del Playa Drive at this location, the structure would be located approximately 20 feet from the existing curb. The front setback variance would allow development of the parcel that would lessen the impacts to the wetland resources, and avoid development in the delineated wetland entirely, by moving the development footprint as far north as possible toward Del Playa Drive and away from the southern, more sensitive wetland area.

The side yard variance along the western boundary would allow the structure to be built up to 2 feet from the western property boundary. This variance would allow the Board to achieve the goals of wetland preservation while at the same time allowing for floor planning flexibility.

The side setback on the eastern property boundary adjacent to the Isla Vista Recreation and Park District (IVRPD) property would be five feet, consistent with the Zoning Ordinance standard for this lot. (See Lot 23 - Figure 1.)

### Lot 22: Option 1

The residential structure would have a first floor development footprint of 777 s.f., with 377 s.f. of living space and a 400 s.f. carport on the first floor. The second story would be limited to 75% of the first floor development footprint, or 583 s.f. No first floor decks would be allowed. Total living space for the structure would be approximately 960 s.f., with a maximum total square footage of 1,360 square feet.

The front yard variance would allow the structure to be located as close as five feet from the right of way line and 20 feet from the centerline of Del Playa Drive. Given the improved width of Del Playa Drive at this location, the structure would be located approximately 13 feet from the existing curb. The front setback variance would allow development of the parcel that would lessen the impacts to the wetland resources by moving the development footprint as far north as possible toward Del Playa Drive and out of the more sensitive delineated wetland area to the south.

The side yard variance along the western boundary would eliminate the setback on the western boundary entirely to allow the structure to be built up to the western property boundary. This variance would allow the Board to achieve the goals of wetland preservation while allowing for floor planning flexibility.

The side setback along the eastern property boundary adjacent to Lot 23 would be five feet, leaving seven feet between the buildings. (See Lot 22 – Figure 1.)

### **Lot 22: Option 2**

The residential structure would have a first floor development footprint of 807 s.f., with 407 s.f. of living space and a 400 s.f. carport on the first floor. The second story would be limited to 75% of the first floor development footprint, or 605 s.f. No first floor decks would be allowed. Total living space for the structure would be approximately 1,012 s.f., with a maximum total square footage of 1,412 square feet.

As in Option 1, the front yard variance would allow the structure to be located as close as five feet from the right of way line and 20 feet from the centerline of Del Playa Drive. This front setback variance would allow development of the parcel that would lessen the impacts to the wetland resources by moving the development footprint as far north as possible toward Del Playa Drive and out of the more sensitive delineated wetland area to the south. Also similar to Option 1, the side yard variance along the western boundary would eliminate the setback on the western boundary entirely to allow the structure to be built up to the western property boundary adjacent to the County-owned open space (Lot 21) to achieve the same goals of wetland preservation and floor planning flexibility.

In addition, Option 2 would include a variance to the side setback on the eastern property boundary adjacent to Lot 23, which would allow the structure to be three feet from the property line and five feet from the structure on Lot 23 if development is approved as recommended above. (See Lot 22 – Figure 2.) This variance would allow for an additional 52 s.f. of living space for the structure. If the Board found this side yard variance unacceptable, additional square footage could only be achieved through allowing a larger second story or by permitting encroachment into the delineated wetland.

### **Mandates and Service Levels:**

No changes in programs or service levels are anticipated.

### **Fiscal and Facilities Impacts:**

No filing fees are collected for appeals in the appeals jurisdiction of the Coastal Zone. Costs associated with unfunded appeals to the Board of Supervisors are included in Planning & Development's approved budget.

**Special Instructions:**

Clerk of the Board should forward a copy of the Board Minute Order to Planning and Development Hearing Support Section, Attention: Cintia Mendoza.

**Concurrence:**

County Counsel

**Attachments:**

Attachment A – Findings and Facts in Support of Findings

Attachment B – Conditions of Approval for Case No. 01CDH-00000-00061 (Lot 23)

Attachment C – Variance Approval: 02VAR-00000-00004 (Lot 23)

Attachment D – Conditions of Approval for Case No. 01CDH-00000-00060 (Lot 22)

Attachment E – Variance Approval: 02VAR-00000-00004 (Lot 22)

**Figures:**

Parcel 23 - Figure 1

Parcel 22 - Figures 1 and 2