

Rachel Alvarado

Professor Klemann

March 15, 2024

Environmental Studies Field Assignment

Project: 1533 Shoreline Drive

Required Materials / Information

1. Photos



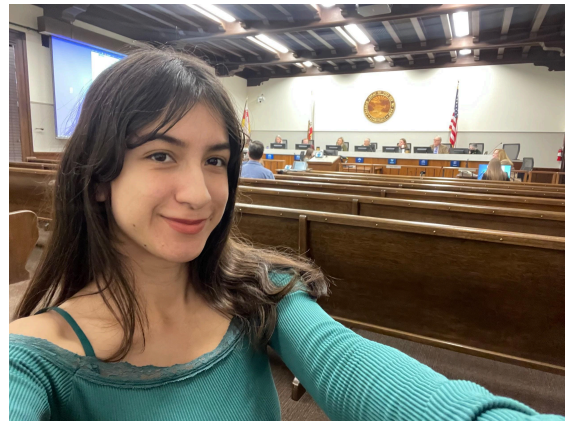
Santa Barbara City Hall



Council Chambers



Powerpoint Presentation during hearing



Physical attendance

2. Provide the URL where the staff report and other hearing exhibits are published.

Planning Commission Agenda:

https://santabarbaraca.gov/sites/default/files/filesync/Advisory_Groups/Planning_Commission/Current/02_Current_Agenda/2024-03-14_March_14_2024_Agenda.pdf

Staff Report:

https://santabarbaraca.gov/sites/default/files/filesync/Advisory_Groups/Planning_Commission/Current/02_Staff_Reports/2024-03-14_March_14_2024_Item_III_B_1553_Shoreline_Drive_Staff_Report.pdf

Conceptual Landscape Plan:

https://santabarbaraca.gov/sites/default/files/filesync/Advisory_Groups/Planning_Commission/Current/09_Architectural_Drawings/2024_03_14_March_14_2024_Item_III_B_1533_Shoreline_Drive.pdf

Project and Hearing Questions / Requests for Information

3. Provide the following information:

A. Decision-maker(s) and jurisdiction:

Commission members include John M. Baucke, Chair Devon Wardlow, Vice Chair Brian Barnwell Lucille Boss Donald DeLuccio Sheila Lodge Lesley Wiscomb. City Council Liaison is Mike Jordan and other staff include Tava Ostrenger as Assistant City Attorney, Megan Arciniega as Senior Planner, and Mariah Johnson as Commission Secretary.

The jurisdiction is the City of Santa Barbara, City Hall Planning Commission.

B. Department or agency responsible for managing the hearing:

The Department of Community Development, Planning Commission was responsible for managing the hearing.

C. (Not applicable).

D. Adjudicatory decisions

- *Location of the project site:*

The site is located at 1553 Shoreline Drive. It is along the ocean side of Shoreline Drive, at the terminus of Loyola Drive.

- *Size of the project site:*

The project site is a 22,961-square-foot vacant bluff-top parcel.

- *Land use and zoning designation(s) for the subject property:*

The Coastal Land Use Plan designates the site as a residential area. There is a zoning ordinance for the size of construction - Accessory Dwelling Units require a minimum size of 150 square feet and the maximum size is 1,200 square feet. The proposed project would be 509 square feet which meets the standard. The height maximum of the E-3

zoning district is 30 feet and the proposed ADU would be 14 feet in height. Adjacent land use and zoning designations are as follows:

- North: E-3/S-D-3 Public Right-of-Way (Shoreline Drive)
- East: E-3/S-D-3 Single-Unit Residential
- South: N/A Pacific Ocean/ Beach
- West: E-3/S-D-3 Single-Unit Residential
- *Existing use(s) and/or development on the subject property:*

The lot is vacant with no existing use. There is no previous development - only a wrought iron security fence approved in 2012 replacing an unpermitted chain link fence.
- *Proposed use(s) and/or development on the subject property:*

The proposal is to construct a new 3,905- square-foot two-story single-unit residence, 488-square-foot attached two-car garage, and a 509-square-foot detached Accessory Dwelling Unit.
- *Requested entitlement(s) (e.g., Conditional Use Permit or Tentative Parcel Map), approval(s), and/or authorization(s):*

A Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone.
- *Any unusual or significant environmental features of the subject property or surroundings (e.g., designated Environmentally Sensitive Habitat Areas on project sites located in the Coastal Zone):*

The project site is located in the Prehistoric Watercourse Buffer archaeological sensitivity zone. Since there was a previously approved project on the site, there was already a Phase I Archaeology Report prepared. It concluded that the probability of impacting archeological resources is low, and therefore not a legitimate worry. However, this previous report was made in 2020, so the report was reviewed by the City Environmental Analyst, Julia Pujo, and the Historic Landmarks Commission Advisory Member, Dr. Glassow to ensure the report still applied to the site in 2024. It was accepted by the Historic Landmarks Commission and therefore it can be concluded that the project avoids disturbance to archeological resources.

4. Staff Report Analysis and Recommendations:

A. California Environmental Quality Act (CEQA):

(1) What were staff's recommended actions regarding the CEQA environmental determination?

The staff noted that the project was exempt from CEQA Guidelines under section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines because the project is the construction of a single unit residence within a residential zone. There is no significant impact on the environment, the project does not damage scenic

highways or historic resources, and the project site is not identified as a hazardous waste site. The project site does not contain any historical resources and it is not located within a sensitive environment.

(2) Did staff prepare (or have prepared) an environmental document for the proposed project? If so, what was it and what significant environmental impacts did it identify?

The environmental impacts were within the staff report. Potential impacts were as follows:

- Interfering with the Prehistoric Watercourse Buffer within the site.
- Adverse impacts - erosion
- Disturbing natural water flows

(3) Was a mitigation monitoring and reporting program prepared for the project? Generally, what were the requirements of the mitigation monitoring and reporting program?

Yes, each of the environmental impacts were monitored and reported on within the staff report.

The potential Prehistoric Watercourse Buffer interference was subject to an Archaeology Report reviewed by Julia Pujo, the City's Environmental Analyst, and Dr. Michael Glassow, and HLC Advisory Member. The report concluded the impact was low.

For the adverse impacts risk, a Report Peer Review, ENGEO Geotechnical & Walter Crampton, was conducted for geological investigation and slope stability analysis. The project was found to conform to the city's local coastal program. The site is to be constructed in only the non-hazard area, therefore minimizing erosion.

Regarding the disruption of natural water flows, an SWMP Report by Flowers & Associates, Inc., was submitted and reviewed. The project was recommended to include a detention/infiltration basin and three bioretention areas under the city's water laws.

(4) What procedural actions did staff recommend that the decision-makers take in order to comply with CEQA?

Since the project was exempt from CEQA, the staff did not need to make any recommendations to comply with CEQA.

(5) Did staff recommend the adoption of conditions of approval to ensure project consistency with CEQA, the general plan, zoning regulations, and/or other requirement(s)? If so, what were the specific purposes and requirements of the conditions (e.g., implement a CEQA mitigation measure or comply with a general plan policy)?

Yes, staff recommended the conditions of approval so that the project would be consistent with CEQA, the Coastal Act, the Coastal Land Use Plan, and the City Zoning & Building Ordinances. CEQA determines if an activity is subject to environmental review. Coastal Land Use evaluates if the project will harm coastal resources, disrupt the public, or contribute to erosion. City Zoning

& Building Ordinances evaluate if the project is built in a proper area, it is not built within an area at risk, and the unit size does not exceed maximum measurements. Other Conditions of Approval were as follows:

- Storm Water Pollution Control Maintenance: maintain drainage systems and storm water pollution control devices.
- Future Threat Management: remove anything deemed unsafe
- Slope Stabilization: new slope stabilization devices.
- Ownership Limitation: Permit validity is tied to land ownership.
- Parking Area Maintenance: Parking areas and access must remain open and available as originally designed.
- Design Review Conditions: Tree Protection, new plantings must be native and drought tolerant, use of modern irrigation technology.

B. Recommended Findings and Actions

(1) What were the staff's recommended decision-maker findings? What substantial evidence did staff provide to support them?

Staff recommended approval for CEQA, the Coastal Act, the Coastal Land Use Plan, and the City Zoning & Building Ordinances. For CEQA, the project is exempt from further environmental review under Sections 15303 - the construction of a single unit residence within a residential zone. The project is also consistent with the policies of the California Coastal Act since it will not harm coastal resources, including public views, public access to the coast, and coastal bluff erosion. The project is consistent with the City's Local Coastal Plan because it is compatible with surrounding neighborhood development and will not contribute to safety or drainage hazards on the site. Lastly, the project follows all zoning and building ordinances regarding size, use, and location.

(2) What were the staff's recommended actions to the decision-makers regarding the proposed project?

The staff recommended the decision-makers to conditionally approve the project. The project conforms to the City's Zoning and Building Ordinances and the size of the project is consistent with the surrounding neighborhood.

5. Hearing Procedures and Outcome:

A. Did staff make a presentation and did you find it to be persuasive? Did staff provide new or additional information that was not presented in the written staff report? If so, what changed?

Yes, the staff created a presentation detailing the Staff Report and the Conceptual Landscape Plan. Their presentation was compelling and straightforward. Several of their documents had been pre-approved for a 2020 project on the site, however they revised and re-approved all the

documents for the new site project. The potential environmental impacts were also subject to their individual reports where experts assessed the impacts and reported on the best ways to respond to it. Once the presentation was completed, the representative went over the Conditions of Approval with the decision makers to edit small errors on the document such as fixing headers and deleting parts of the environmental review (agriculture section no longer applied).

B. For adjudicatory decisions, who represented the applicant for the project)?

The project was represented by Assistant Planner, Barbara Burkhart. She went over the project site and description, coastal compliance, and environmental review. The Applicant, Trish Allen, Architect Liz Hughes, Landscape Architect Courtney Miller, then shared 15 minutes to discuss the Conceptual Landscape Plan.

C. Was there public comment? If so, summarize who provided comment (e.g., neighbor or advocate) and their main points.

No, there was no public comment.

D. What was the decision? Approve, conditionally approve, or deny the project? Continue the item to a later hearing/workshop?

There was a unanimous decision to conditionally approve the project for construction.

Analysis

6. Did you agree or disagree with the staff recommendations? Why or why not?

Yes, I agree with the staff recommendations. The project underwent a thorough investigation of past and present site regulations and found that environmental and coastal impacts were small and mitigable.

7. For adjudicatory decisions that involved a conditional approval of a project, did the adopted conditions of approval (1) seem reasonably related to compelling governmental (public) interests and (2) proportional to the impacts of the project? Why or why not?

Yes, all the conditions of approval were related to public and environmental interests. They were also proportional to the impacts of the project. The project was to adhere to the approved development measurements, uninterrupted water flow, limit recreational vehicle storage, comply with the landscape plan, protect the shoreline and slope, and control stormwater pollution and drainage. The conditional requirements were easy to follow and proportional to the project.

8. What areas of controversy and/or other topics were addressed in the staff report, written public comment, and/or presented at the hearing? Which arguments did you find most compelling/convincing? Why?

The plan was straight cut and without controversy. The staff nor the decision-makers regarded the hearing as controversial. An argument I found compelling was regarding the Prehistoric Watercourse Buffer archaeological sensitivity zone. I thought since it was on historic land and simultaneously Native American Land, discovering artifacts or even human remains would be a possibility. However, their report found that this possibility was minimal and if any human remains were discovered, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission.

9. What reasons did the decision-maker(s) provide to justify their decision on the proposed project? Did the reasons seem genuine, compelling, and legitimate? Why or why not?

The decision-makers seemed genuinely enthusiastic about this project. They praised the project for being thorough, sensitively designed, and keeping much of the natural landscape closer to the cliff-side bluffs. They agreed that the scale of the project was in proportion to the land and they were excited to see a home built on a lot of land that has been empty for a long time.

10. What socioeconomic interests were considered or involved in the decision-making process and how were they considered or involved (e.g., additional noticing requirements)?

A social aspect was the possibility of interfering with public access to the beach or disrupting public views. The staff visited the location and planned out maps deeming these scenarios false to the project. An economic aspect would be the increasing of house prices once this unit is built, however the city attorney in the courtroom deemed this situation inapplicable to the current agenda.

11. Was the hearing/workshop conducted in a fair and equitable manner? Were underrepresented groups afforded equal opportunity to participate?

When I first arrived at the hearing, I noticed that the decision-maker committee was made up of an entirely white staff. I wondered if this would have any impact on the decision making process, however when the hearing began, I realized that was not the case. Vice President Devon Wardlow was very interested in housing and affordability for lower income families. There was also the opportunity for anyone to participate multiple times throughout the hearing.

12. Which participants and/or interests were the most effective at influencing the outcome of the hearing and/or decision on the project and why?

I felt that the Assistant Planner, Barbara Burkhart did a thorough job of presenting the project. She explained all the potential risks and all the measures they'd taken to investigate them. Since the presentation was so detailed, the decision makers did not have many questions. When a decision-maker asked about the collection of run-off water in a basin, Burkhart introduced their geology engineer to explain the process.

13. Did you submit comments regarding the project for the decision-makers' consideration? If so, what were your comments and how did you provide them?

Not applicable. To provide a comment, you had to fill out a form and submit it to staff in the hearing room.

14. What lessons did you learn from, or other thoughts do you have about, your experience?

From this experience, I felt like I was able to grasp a basic understanding of the extensive work needed to conduct each project. For this hearing, there were about 140 pages of writing and regulations. This extensive research and time poured into this project was not even approval to start building, it was a conditional approval for construction. Each section also had several layers of investigation and approval - old reports being revised and re-approved.

I was also shocked to hear of the divide between younger and older decision-makers. From observation, the younger decision-makers seemed to take more of an interest in affordability and finances, especially for people of lower income. However, the older generation seemed more lenient when it came to discussing expensive housing (seen from their agenda prior to this hearing). I was relieved to see the younger generations pushing for affordable and environmentally friendly practices.