



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: July 6, 2005
AGENDA DATE: July 14, 2005
PROJECT ADDRESS: 561 W. Mountain Drive (MST2004-00206)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Allison De Busk, Associate planner

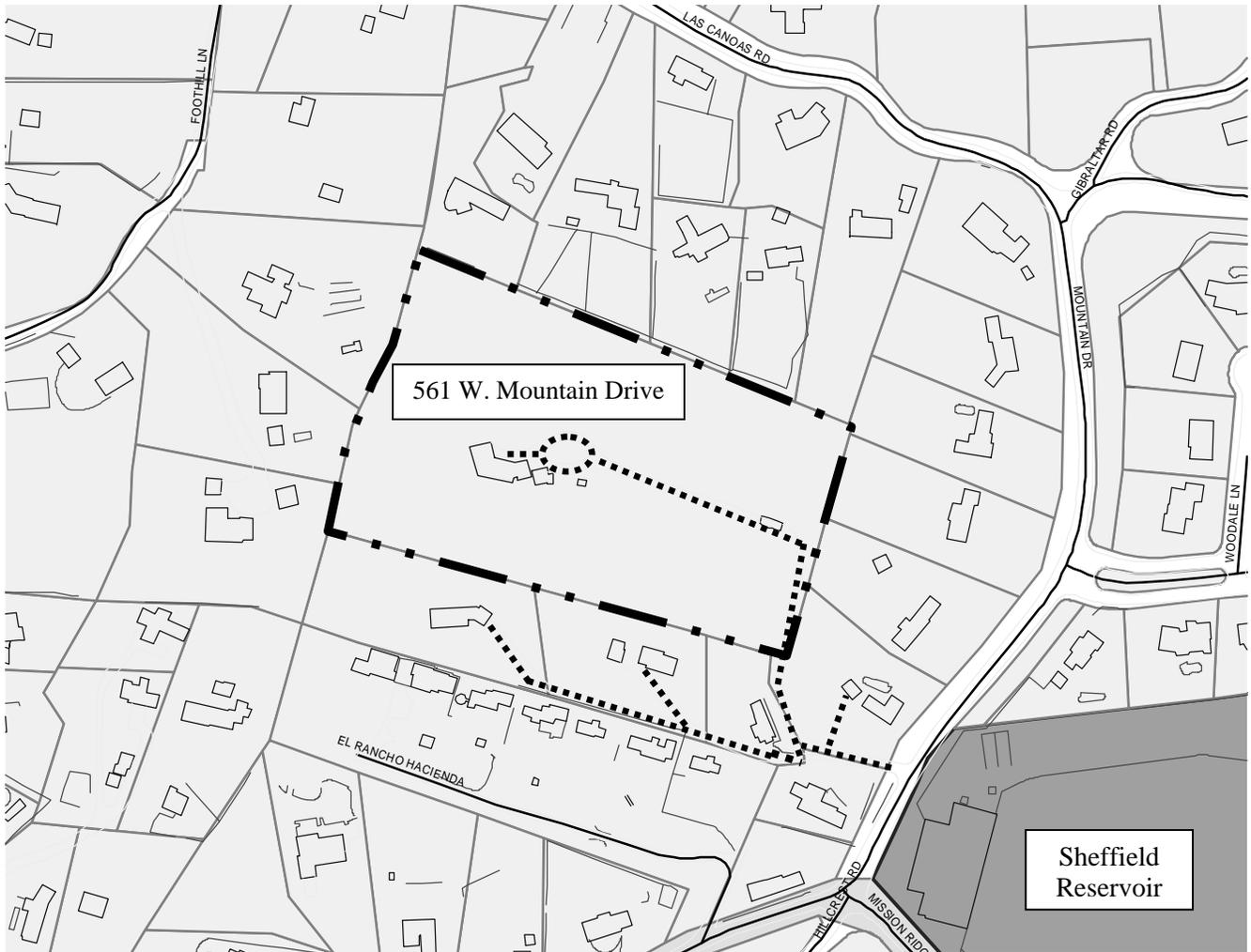
I. PROJECT DESCRIPTION

Request for a 6-lot subdivision of an 8.8-acre parcel for future residential development. One lot would be designated for an affordable home site. Current development on the site includes a single-family residence, detached garage and shed, which are proposed to remain. Refer to Exhibit A (Applicant's Letter) and Development Plans for additional information on the proposal.

Proposed lot sizes and slopes are as follows:

Lot No.	Slope	Lot Area Proposed	Lot Area Required
1	18.4%	1.50	1.50
2	18.9%	2.00	1.50
3	19.8%	1.50	1.50
4	17.4%	1.50	1.50
5	19.5%	1.50	1.50
6	20.1%	0.34	2.00

As currently proposed, the discretionary applications required for this project would be: a Modification to provide less than the required lot area for the proposed affordable lot (SBMC §28.15.080); a Modification of the lot frontage requirement for each lot (SBMC §28.15.080); a Vesting Tentative Subdivision Map (TSM) to divide one lot into 6 residential lots (SBMC Title 27); Neighborhood Preservation Ordinance findings by the Planning Commission for a residential subdivision in the Hillside Design District (SBMC §22.68.040); Historic Landmarks Commission review and approval of the Phase 1 Archaeological Resources Report; and a Public Street Frontage Waiver (SBMC §22.60.300).



Vicinity Map – 561 W. Mountain Drive

II. PRELIMINARY REVIEW

The project was submitted to the City's Pre-Application Review Team (PRT) process on March 23, 2004. At that time, the project was a five-lot subdivision and did not include the affordable lot. The primary issue areas identified in the PRT letter were: provision of a public road, drainage, and biological resources.

On March 4, 2005, the project was submitted to the Development Application Review Team (DART). The project had been modified to include a sixth residential lot, proposed as an affordable lot. The primary issue identified was the fact that the project would not be served by a public road (refer to Exhibit B, DART letter, dated April 7, 2005).

This project has not yet been reviewed by the Architectural Board of Review (ABR).

III. ISSUES

A. PUBLIC VS. PRIVATE ROAD

The subject parcel is landlocked and takes access via a private road easement from Mountain Drive. Although the applicants are willing to offer that portion of the road located on their property to the City for dedication as a public road, there is an intervening section of road that connects the subject parcel to Mountain Drive that they do not have the authority to offer. Public Works will not accept a road dedication until a connection to the existing public road (Mountain Drive) can be established.

Therefore, the project requires a Public Street Frontage Waiver. Santa Barbara Municipal Code Section 22.60.300 requires that each lot created by a new subdivision front upon a public street or private driveway serving no more than two lots, unless this requirement is waived by the Planning Commission. Currently, five parcels take access off this private road. Following the proposed subdivision, ten parcels would take access off the private road.

In order to waive the public street frontage requirement and approve the proposed Vesting Tentative Map, the Planning Commission must find that:

1. The proposed driveway(s) would provide adequate access to the subject sites, including access for fire suppression vehicles.
2. There is adequate provision for maintenance of the proposed private driveway(s) through a recorded agreement.
3. The waiver is in the best interest of the City and will improve the quality and reduce the impacts of the proposed development.

Staff *cannot* make the findings necessary to support a private road as the access to these new parcels, and does *not* support a public street frontage waiver for the project for the following reasons:

1. The project is located in a High Fire Area and staff does not believe that a private road will be in the public's best interest due to public safety concerns. This property is in the High Fire Area that is indicated in the Wildfire Master Plan as the most extreme in the City.
2. Private hydrants and water lines are a concern to the Fire Department due to the potential for inadequate maintenance. The City does not and will not maintain water lines on a private road and the Fire Department only inspects private fire hydrants on a complaint basis due to lack of staff.
3. A proposal to paint curbs red has been offered as mitigation to keeping the road open at all times for fire/emergency response vehicles, but parking in signed and/or red-curbed areas cannot be enforced by the City on a private road, which means that the City cannot tow illegally parked cars in the event of an emergency.

4. Private roads are a concern to the Public Works Department due to the potential for inadequate maintenance. Oftentimes, the City is asked to take on a private road several years down the line, at which point the road is in poor condition.

5. A total of 10 lots would be served off of the private road, well above the limits prescribed in the Municipal Code (Section 22.60.300), which allows access to 2 lots. Staff generally supports waiver requirements up to 4 lots.

Provisions to ensure the maintenance required on the utilities, roads and fire equipment can be incorporated into recorded covenants and maintenance agreements on the property; however, performance of regular maintenance as agreed may be difficult to ensure. Given the large number of properties that would take access off the road, both existing and proposed, this presents a considerable public safety concern for the City.

Whether the road is private or public, it would be required to be constructed to City public road standards.

B. LOT AREA MODIFICATION FOR AFFORDABLE UNIT

Staff has concerns that the proposed affordable lot is not appropriate for the site due to the development constraints on that lot (seasonal drainage, biological habitat, oaks, slopes, etc.) and the requested lot area modification. Feedback from the Planning Commission on the desirability of the proposed lot and the findings to support a lot area modification would be appreciated.

A table listing lot areas and slopes for surrounding parcels has been included in Exhibit C to assist in understanding the surrounding development pattern.

C. ENVIRONMENTAL REVIEW

The DART submittal package included a Biological Evaluation prepared by Lawrence Hunt and dated January 24, 2005, an Arborist's Report prepared by Peter Winn of Westree and dated December 10, 2004, a Soils Engineering Report prepared by Earth Systems Pacific and dated November 11, 2004, a Drainage Analysis prepared by Flowers & Associates and dated February 28, 2005 and a Phase 1 Archaeological Report prepared by Stone Archaeological Consulting and dated October 2004. Staff has requested additional information relative to the Biological Evaluation and the Arborist's Report.

The property has two seasonal drainages, one along the western portion of the lot and one along the eastern portion of the lot. Given the potential for these drainages to have biological resources, adequate setbacks and protection measures will be required. This will be analyzed in more detail through the project's environmental review.

There are also many oak trees on the property, particularly along the eastern portion. The proposed road has the potential to impact many of these trees. Any realignment of the road must take into consideration potential oak removal and grading. This will also be analyzed in more detail during environmental review.

An environmental determination has not been made for this project, although Staff anticipates the preparation of an Initial Study once the application has been deemed complete in order to analyze

the project's potential environmental impacts.

IV. SUMMARY

The purpose of this hearing is to provide the applicant with feedback on the proposed subdivision and development, with specific attention paid to those issue areas identified above.

Exhibits:

- A. Applicant's Letter dated June 23, 2005
- B. DART letter dated April 7, 2005
- C. Table of Surrounding Lot Areas and Slopes, with Corresponding Map
- D. Letters from Neighbors