



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: September 29, 2005
AGENDA DATE: October 6, 2005
PROJECT ADDRESS: 1325 West Mountain Drive (MST2003-00131)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Renee Brooke, AICP, Project Planner

I. PROJECT DESCRIPTION

The applicant is requesting that the City initiate annexation of a 1.32-acre portion of a 56.1-acre parcel within the unincorporated area of Santa Barbara County to the City of Santa Barbara. The project would require a lot line adjustment between two properties (2.01 and 56.1 acres in size), resulting in a 3.33-acre lot and a 54.78-acre lot, to allow the future annexation to occur. Existing development on the 2.01-acre property includes a 900 square-foot residence, an approximately 600 square-foot storage building, two sheds, and a water storage pond. A building envelope and new driveway for an additional dwelling unit on the resulting 3.33-acre lot are proposed as part of the annexation request and future development of the property.

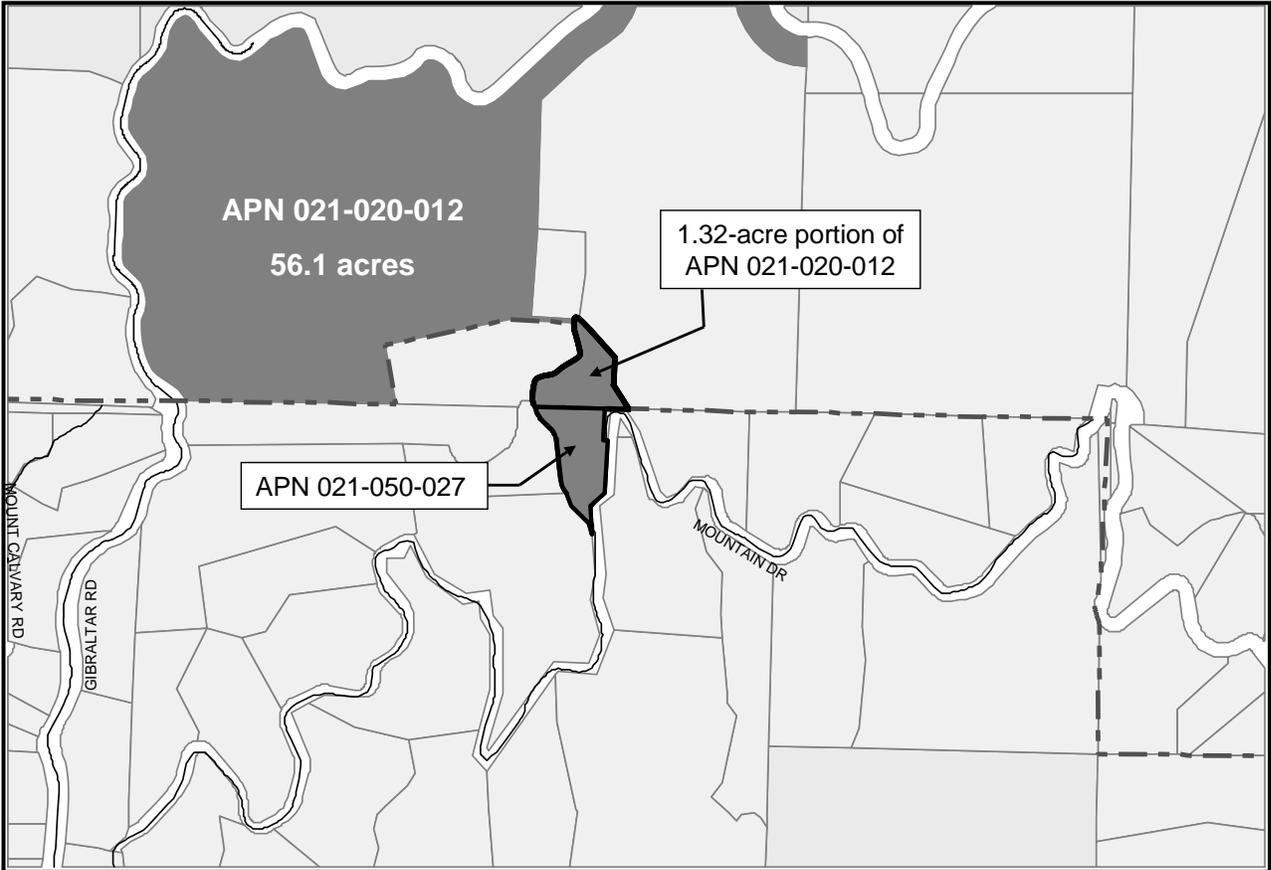
At this time, the discretionary application required for this project is an Initiation of Annexation. If annexation of this property is initiated, the necessary applications required for the project, as currently proposed, would be:

1. An Annexation of the subject property within the unincorporated area of Santa Barbara County to the City of Santa Barbara;
2. A General Plan Amendment upon annexation of the property to add the subject property to the City's General Plan Map;
3. A Zoning Map Amendment upon annexation of the property to zone the subject property;
4. A Lot Line Adjustment between two lots, in order to obtain 1.32 acres from an adjacent lot (Gov. Code §66412); and
5. A Conditional Use Permit to allow an additional dwelling unit on the property (SBMC §28.94.030.X).

II. RECOMMENDATION

Staff recommends that the Planning Commission not initiate the annexation. The property proposed for annexation is not located within the City's Sphere of Influence, is within the Los Padres National Forest Boundary, is an area of steep hillsides where the General Plan encourages zoning greater than

typical one-acre minimums, and Staff does not support facilitating additional development in this constrained area of the City.



III. SITE INFORMATION AND PROJECT STATISTICS

SITE INFORMATION

Applicant/Property Owner: Grant Gibson	
APN 021-050-027 (City)	APN 021-020-012 (County)
Lot Area: 2.01 acres	Lot Area: 56.1 acres
General Plan: Major Hillside	General Plan: Single Family Residential
Zoning: A-1, Single Family Residence	Zoning: 40-E-1
Topography: Approx. 16% slope	Topography: Approx. 40% slope
Approximate slope of proposed 3.33-acre lot ≈ 16%	
Adjacent Land Uses:	
North – Single Family Residential	East - Mountain Drive
South – Single Family Residential	West – Single Family Residential

PROJECT STATISTICS

	Existing	Proposed
Living Area	900 sq. ft.	± 3,400 sq. ft. (existing 900 sq. ft. residence + new 2,500 sq. ft. residence)
Garage	N/A	3-car garage
Accessory Space	1,340 sq. ft.*	840 sq. ft.

* Includes 500 sq. ft. shed on adjacent property proposed for annexation

IV. REQUEST AND ISSUES

The applicant is requesting that the City initiate annexation of a 1.32-acre portion of an adjacent 56.1-acre parcel to the north, which is located completely within the unincorporated area of Santa Barbara County. The applicant’s property is 2.01 acres in size and is located within the City’s jurisdiction. With the approval of a necessary lot line adjustment to complete the annexation, the applicant’s property would increase to 3.33 acres and be located completely within the City’s jurisdiction. The request, if processed as currently proposed, may facilitate the development of an additional dwelling unit on the property. This request was reviewed by the Pre-Application Review Team (PRT) in April 2003 (PRT comment letter attached as Exhibit C).

An annexation is a legislative process and the City procedures require that the Planning Commission or City Council initiate the annexation before the applicant can submit a formal application for any other necessary permits related to the annexation. The purpose of this hearing is to receive direction from the Planning Commission on the appropriateness of the requested annexation, and to either initiate the annexation for further study or to decline to initiate the request for the annexation. If the requested annexation is initiated, Staff would begin evaluating the potential for environmental impacts related to the request.

A. ANNEXATION POLICIES

The Local Agency Formation Commission (LAFCO) considers several standards in their review of annexation requests. When making decisions on annexation proposals, LAFCO considers the location of the City’s Sphere of Influence, which establishes the probable ultimate physical boundaries and service area of the City. LAFCO policies encourage the annexation and development of existing vacant non-open space land within the City’s Sphere of Influence prior to development of land outside of an existing sphere of influence. The property proposed for annexation is not located within the City’s Sphere of Influence. Thus, Staff has concerns with the City annexing land in an area where additional development has not been envisioned.

Additionally, LAFCO considers the approval of an annexation to be favorable if it can meet the following standards: 1) islands or other distortion of existing boundaries are eliminated; 2) the area considered for annexation is urban in character or urban development is imminent, requiring municipal services; 3) the proposed area can be provided all urban services, and; 4) the proposal is consistent with adopted spheres of influence and adopted general plans. Several factors unfavorable to annexation approval include: 1) the premature intrusion of urbanization

into a predominantly agricultural or rural area; 2) financial infeasibility of extending services due to topography, distance, or natural boundaries; 3) encouraging a type of development in an area which, due to terrain, isolation, or other economic or social reasons, is not in the public interest, and; 4) resulting boundaries that do not include a logical service area. It should also be noted that the property, while privately owned, is within the boundary of Los Padres National Forest. Additional or more intense development is strongly discouraged within the Forest boundaries.

B. CONSISTENCY WITH THE LAND USE ELEMENT

The applicant's property, which is located within the City, has a General Plan designation of Major Hillside. The Land Use Element of the General Plan recommends that the residential density in the hillside open space areas be limited to one or less dwelling units per acre, depending on topography and other characteristics of the land. The description of the Cielito neighborhood states that designated major hillside open space areas should be rezoned to more restrictive densities than one dwelling unit to the acre. The General Plan encourages zoning up to 10-A-1 in the Major Hillside, which, when combined with slope density, would result in minimum lot sizes ranging from 10 to 30 acres.

In addition, the Land Use Element states that major hillsides are a valuable asset to the open space inventory of Santa Barbara and serve as a transition between the residential areas of the community and the mountains. As such, "suitable controls must be instituted to restrict the density and manner of future development in a way that would leave these foothills essentially open and unscarred." Although the subject property is not as steep as some of the surrounding areas in the Major Hillside land use category, Staff recommends that the Planning Commission carefully consider the appropriate intensity of development in this area. While Staff would support the creation of a larger parcel for the existing residence, we are concerned about the possibility of an additional dwelling unit in this sensitive and potentially hazardous area.

The adjacent 56.1-acre property within the County's jurisdiction has a Comprehensive Plan designation of Single Family Residential, with a 40-acre minimum lot size. If the request were approved as proposed, the resulting 54.78-acre lot would appear to remain consistent with the County's designation of this property. No residential development exists on this property at this time.

C. ZONING DESIGNATION

The surrounding property on West Mountain Drive within the City's jurisdiction is zoned A-1, which requires a minimum lot size of one acre per dwelling unit. The slope of the resulting 3.33-acre parcel would be approximately 16%. The City's slope density standards (SBMC §28.15.080) require that the minimum lot size be increased by a factor of 1.5 for properties with an average slope of 10% to 20%. Thus, a minimum of 1.5 acres would need to be provided per dwelling unit to meet the slope density standards. This would potentially allow two dwelling units on the resulting 3.33-acre property, with a Conditional Use Permit for an additional dwelling unit or approval of a lot split.

The surrounding County zoning designation is 40-E-1, where a minimum of 40 acres is required per dwelling unit. In light of this, with the direction provided in the City's Land Use Element to reduce the density of development in this area, and the number of constraints on the subject property, Staff would recommend as part of the annexation proposal that the entire property be down-zoned to a more restrictive designation than the current A-1 Zone. However, given that the subject property is not within the City's Sphere of Influence, and that the City does not expect to receive a significant amount of requests to annex properties in this area, the potential down-zoning of the subject property would result in one parcel in the City having a more restrictive zoning designation than all surrounding properties (spot zoning). Spot zoning is discouraged and would result in an inconsistent application of land use regulations in this area of the City.

D. WATER AND WASTEWATER SERVICE

The applicant's property currently obtains its water supply from an overland pipe that connects to a water main on Gibraltar Road, to the north. Currently, the nearest City water main on Mountain Drive is located approximately 600 feet to the south. The City's water main is proposed to be extended approximately 1,000 feet along Mountain Drive in the near future to serve the subject property, and several surrounding properties, at the expense of the residents.

The subject property is served by a septic system in an area of the City that is prone to septic tank failure. As such, Staff has concerns about increasing the density of development in this area without connecting to City sewer services. The extension of the nearest City sewer main, located west of Gibraltar Road, near Mount Calvary, would be economically infeasible for this project. The septic system was originally constructed in 1980 and the applicants states that it was sized for a total capacity of five bedrooms; however, Staff has concerns that the system may not meet current sizing and construction standards for septic systems.

E. EMERGENCY ACCESS AND FACILITIES

The proposed residence would take access from the private road along the western boundary of the property. Future development of the site would have to comply with the following Fire Department access requirements:

- The access road must be at least 16 feet in width, to within 150 feet of the furthest exterior wall of all structures, and not exceed 16% grade. To meet this requirement, the existing private driveway may need to be widened and additional grading will need to occur to create a new driveway to serve the proposed residence.
- The turning radius of roadways shall be no less than 70 feet in diameter, measured from outer edge to outer edge. This may necessitate reconfiguring the intersection of the private road with Mountain Drive.
- If the required access road exceeds 300 feet in length, an approved Fire Department turnaround shall be provided. The length of the private driveway, measured from Mountain Drive to the area of the proposed driveway, is approximately 520 feet. Thus, an area for a turnaround may need to be provided.

Additionally, a ten thousand (10,000) gallon water tank to be used for fire protection purposes only shall be provided within 500 feet of any new structure. This requirement is in addition to the existing 2,500 gallon water storage tank on the property required for previous structures.

F. BIOLOGICAL RESOURCES

The property contains a significant number of oak trees and olive trees. The location of the proposed building envelope for the additional dwelling unit is located partially within a small clearing with several olive trees, and many oak trees surround the perimeter of the envelope.

Depending on the location of development and ground disturbance associated with the construction of the proposed residence and related improvements, biological resources may be impacted. Therefore, Staff has requested that a biological survey be prepared to determine whether the construction activities or long-term operational impacts of the development would pose a significant threat to native specimen trees, involve a loss or disturbance to a unique, rare or threatened animal species or plant community, or impact any designated environmentally sensitive habitat or wildlife migration corridors.

Given that a significant amount of vegetation may need to be cleared for development or thinned to meet the Fire Department's vegetation management requirements in the High Fire Hazard Zone (all native brush, shrubs and grasses must be kept clear (thin, limb and/or prune) to within 150' of any structure), the placement of an additional dwelling unit on the property may impact biological resources, and limit the feasibility of such development on the property.

G. SOIL STABILITY

The proposed building envelope borders a relatively steep downhill slope to the east, which is identified by the City's Master Environmental Assessment (MEA) maps as an area of active erosion. A significant structural setback may be required from this slope, reducing the proposed developable area. If the project proceeds as proposed, a geological engineering and soils report will be required as part of the formal application submittal to evaluate soil conditions and determine an acceptable setback from the hillside.

Exhibits:

- A. Site Plan
- B. Applicant's letter, dated August 5, 2005
- C. PRT Comment Letter dated April 2, 2003