



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 3, 2007
AGENDA DATE: May 10, 2007
PROJECT ADDRESS: 1318 N. Ontare Road (MST2003-00296)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner *JH*

I. INTRODUCTION

The applicant requests the Planning Commission's conceptual review and comments regarding a revised proposal to divide the property at 1318 N. Ontare Road into two parcels. The purpose of the staff report is to provide a brief summary of the proposal and a discussion of the related issues, and recommend that the Planning Commission provide direction to the applicant whether additional processing of an application is warranted. Positive comments by the Commission are important to the applicant to continue with the project. Staff requests that the Planning Commission comment on the conceptual plans as submitted.

If the Planning Commission responds positively to the subdivision, City staff will continue to process the project upon formal application, including environmental review, prior to further Planning Commission hearings.

II. PROJECT DESCRIPTION/REQUIRED APPLICATIONS

The revised project consists of a two-lot subdivision of an 8-acre lot in the A-1 zone and Hillside Design District. The resulting lots would have a net area of 2.31 (parcel 1) and 5.62 acres (parcel 2), with average slopes of approximately 30% and 37%, respectively. An approximately 8,500 square foot building envelope is proposed on parcel 2 to accommodate the development of a new future residence (residence not proposed as part of this review) accessed by a proposed driveway approximately 700 feet in length. The driveway would serve as access for both parcels. The grading for driveway access and the building pad is estimated at 3,600 cubic yards of grading, of which 2,000 cubic yards is from cut, 1,600 cubic yards of fill and 400 cubic yards of export. A number of trees are proposed to be removed, consisting primarily of fruit and pine species. Two native oak trees are proposed for removal. A trail easement is again offered for dedication in favor of the City of Santa Barbara across the property between the Ontare Hills Lane property to the west and the County owned property to the east.

The discretionary applications required for this project are:

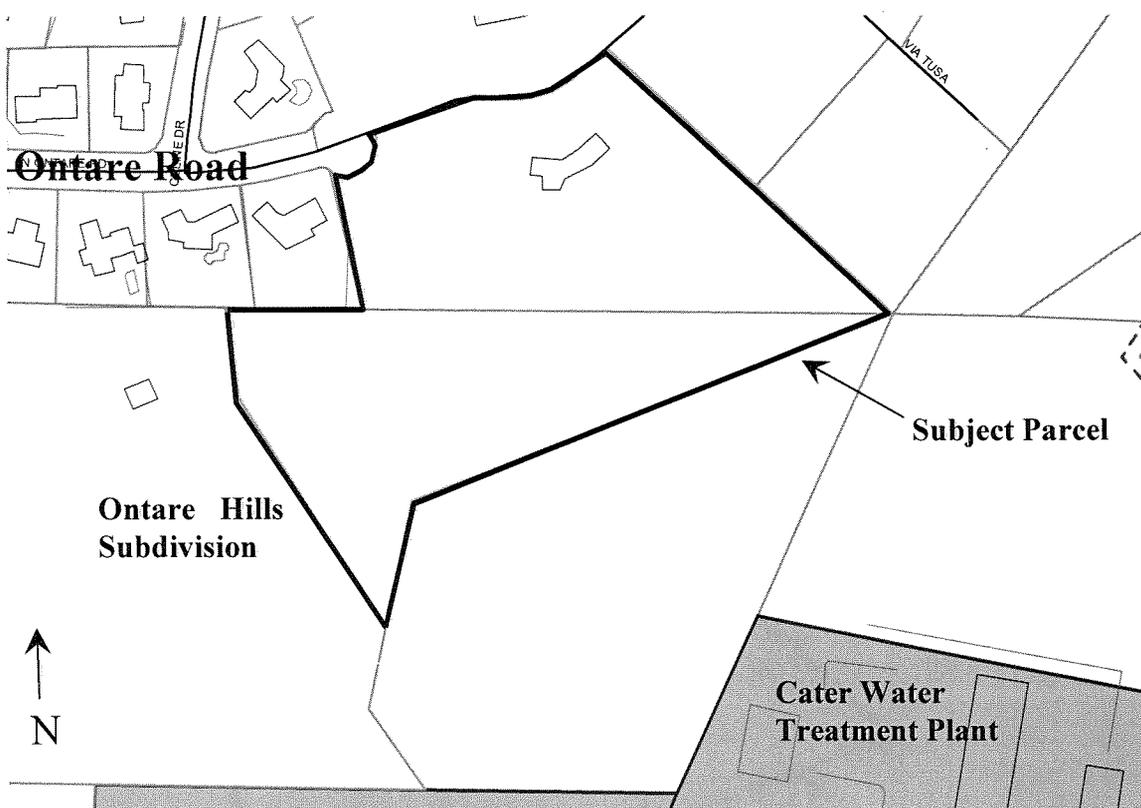
A Tentative Subdivision Map would be required to divide the commercial/office spaces and residential units into condominiums (SBMC §27.07); and

Neighborhood Preservation Ordinance findings to allow an excess of 500 cubic yards of grading in the Hillside District (SBMC §22.68.060, §22.68.070.A.3); and

A Lot Frontage Modification to create a lot without the required minimum 100 feet of street frontage (SBMC §28.15.080 & 28.92.110.A.2).

No action on this project will be taken at this time, nor will any determination be made regarding environmental review of the proposed project.

Vicinity Map



III. SITE INFORMATION

SITE INFORMATION

Applicant: Isaac Romero, Suzanne Elledge Planning & Permitting Services Inc.	Property Owner: Thomas Swiggum
Parcel Numbers: 055-160-027 & 055-160-046 (one lot)	Lot Area: 8.01 Acres
General Plan: Residential 1 Unit per acre	Existing Zoning: A-1
Existing Use: Residential	Topography: > 30%
Adjacent Land Uses: North – Residential South – Santa Barbara County Flood Control Debris Basin & Stevens Park East – Residential & San Roque Creek West – Residential (Ontare Hills subdivision)	
Master Environmental Assessment: Highly Expansive Soils High Erosion Hazard High Fire Zone Area of Visual Sensitivity: major hillside and 30% slope Prehistoric Watercourse (San Roque Creek at bottom of parcel)	

IV. REQUEST AND ISSUES

The applicant requests that the Planning Commission review the subdivision proposal and give direction on the level of support for the proposed lot split creating a new parcel, building site and access, and discuss any concerns the Commission may have with the proposed project. The direction provided will allow the applicant and property owner to consider whether to formally pursue project approval.

Two separate assessor parcel numbers make up the single legal parcel of 8.01 acres. The property is currently developed with a single-family residence (SFR) and attached garage on the northeast portion of the property. The proposed subdivision would create two parcels with the new parcel line established between them in an east-west direction.

Originally, the applicant explored access to the proposed site through the newly created Ontare Hills subdivision to the east, but indicated that this was infeasible. On March 16, 2006, the applicant conceptually proposed to the Planning Commission a lot split and building envelope to create a new north-south property division line and create access from Ontare Road along the western property line to a building envelope and pad. The topography of the western site was steep and the Planning Commission expressed concerns regarding the steepness and the difficulty in developing the site. Some members of the Commission also suggested that the applicant consider another potential building site further to the north that might result in less grading and be less visible.

As before, the project proposal offers a dedication of a trail easement in favor of the City to connect the trails between Stevens Park and the easement dedication received through the Ontare Hills subdivision.

The Pre-application Review Team (PRT) reviewed the first project in January 2006 and the revised project in October 2006. The table below shows a comparison between the first proposal and the current one:

	March 2006	May 2007
Slope/Area: Parcel 1	32.53% / 4.23 acres	29.89% / 2.1 acres (net)
Parcel 2	36.16% / 3.77 acres	37.43% / 5.61 acres
Building envelope slope / area	29% / 14,728 SF	16.99% / 8,383 SF
Driveway length	340 feet	
Grading: Cut	2,700 CY	2,000 CY
Fill	1,300 CY	1,600 CY
Export	1,400 CY	400 CY

This project proposes a lot division line in an east-west configuration with parcel 1 in the north containing the existing residence and parcel 2 in the south. The two parcels would be accessed through the construction of a new driveway off the private portion of Ontare Road along the eastern boundary and then turning to the west to reach a small peninsular ridge. Two retaining walls would be required. One would be required for the driveway, approximately 200 feet long and eight feet high at its maximum point. The second wall would retain the Fire Department required hammerhead turnaround and would be about 40 feet long and seven feet tall at its high point. Grading the driveway would involve the removal of two oak trees (six-inch and eight-inch at four feet above grade), a 15-inch pine tree, a 4-inch pepper tree, and a 15-inch eucalyptus tree. The oak trees would require replacement at a ratio to be determined. Staff is concerned that the location of the driveway and building pad and the resulting grading and structures on the hillside may be more visible to the public than at the previously proposed location, although its immediate impact on adjacent neighbors may be reduced. Although there are improvements to the design in terms of the slopes of the "new" parcel and the proposed building envelope, the proposed driveway still includes areas on each end that would exceed a 30% slope.

Planning staff identified conflicts with the following General Plan policies and directional language:

Development, which necessitates grading on hillsides with slopes greater than 30%, should not be permitted. And

Development on hillsides shall not significantly modify the natural topography and vegetation.

The Land Use Element provides the following language:

Densities as low as one dwelling unit for every ten or more acres may be appropriate in some of the steeper hillside areas.

Staff is also concerned whether the following Neighborhood Preservation Ordinance (NPO) findings can be made by the new Single Family Design Board (SFDB):

1. **Consistency and Appearance.** *The proposed development is consistent with the scenic character of the City and will enhance the appearance of the neighborhood.*
2. **Compatibility.** *The proposed development is compatible with the neighborhood, and its size, bulk, and scale is appropriate to the site and neighborhood.*
3. **Quality Architecture and Materials.** *The proposed buildings and structures are designed with quality architectural details. The proposed materials and colors maintain the natural appearance of the ridgeline or hillside.*
4. **Trees.** *The proposed project does not include the removal of or significantly impact any designated Specimen Tree, Historic Tree or Landmark Tree. The proposed project, to the maximum extent feasible, preserves and protects healthy, non-invasive trees with a trunk diameter of four inches (4") or more measured four feet (4') above natural grade. If the project includes the removal of any healthy, non-invasive tree with a diameter of four inches (4") or more measured four feet (4') above natural grade, the project includes a plan to mitigate the impact of such removal by planting replacement trees in accordance with applicable tree replacement ratios.*
5. **Health, Safety, and Welfare.** *The public health, safety, and welfare are appropriately protected and preserved.*
6. **Good Neighbor Guidelines.** *The project generally complies with the Good Neighbor Guidelines regarding privacy, landscaping, noise and lighting.*
7. **Public Views.** *The development, including proposed structures and grading, preserves significant public scenic views of and from the hillside.*

The following additional findings must be made by the SFDB for properties in the Hillside Design District:

1. **Natural Topography Protection.** *The development, including the proposed structures and grading, is appropriate to the site, is designed to avoid visible scarring, and does not significantly modify the natural topography of the site or the natural appearance of any ridgeline or hillside.*
2. **Building Scale.** *The development maintains a scale and form that blends with the hillside by minimizing the visual appearance of structure(s) and the overall height of structures.*

Staff continues to recognize the potential public benefit from the owner's offer to provide the trail easement linking the Ontare neighborhood to the Arroyo Burro/Jesusita trail system and Stevens Park. Given the conflict between the development, policies, site constraints, and the ability for the City to acquire a desired recreational resource, the applicant and staff seek guidance regarding the supportability of the project proposal.

Staff would like direction from the Commission on the following issues:

- Supportability of subdivision with offer of the easement dedication

- Building envelope location
- Visual impacts of grading, retaining walls, and potential future structure.
- Site access

V. **RECOMMENDATION/FINDINGS**

- Staff requests that the Planning Commission provide support or opposition of the proposal based upon the above issues.

This request does not imply any approval of, or formal position on a future proposed project other than acknowledging that the proposed subdivision can proceed for further study and environmental review.

Exhibits:

- A. Applicant's letter, dated October 6, 2006
- B. March 16, 2006 Staff Report
- C. March 16, 2006 Planning Commission Minutes

S U Z A N N E  E L L E D G E
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

6 October 2006

City of Santa Barbara Planning Commission
c/o City of Santa Barbara Planning Division
630 Garden Street P.O. Box 1990
Santa Barbara, CA 93102-1990

Dear Commissioners:

Your Commission conducted a Concept Review of a proposed subdivision of the subject property on March 16, 2006. The Commission advised that the proposed building pad on the northwest corner of the site was not supportable. The Commission suggested the applicant study locating a building pad on the moderately sloped area to the southeast of the existing residence. The current proposal is for shared driveway access located at the northeast corner of the site serving the existing residence and proposed building pad location. This new location affords a significant reduction in earthwork quantities and locates the new residence in proximity to the existing residence on a relatively flat portion of the lot.

Property and Neighborhood Description:

The subject property is located on North Ontare Road just north of Celine Drive. The Assessor's Parcel Number (APN) is 055-160-023. The parcel is adjacent to the recently approved Ontare Hills subdivision. The site is 8.01 gross acres in size and is developed with an existing residence and attached garage. Access is provided to the existing residence via a driveway from Ontare Road.

The existing Santa Terresita residential neighborhood is adjacent to and northwest of the project site. Properties in the southern half of this neighborhood are generally less than 1 acre in size. The north half of the neighborhood contains properties between 1 and two acres in size. Immediately to the northwest of the site, lot sizes range from about three to six acres. To the south of the site lot sizes range widely from as small as one acre to as large as 14 acres.

Subdivision

The 8.01 acre site would be divided into two lots. Proposed Parcel 1 would be 2.31 acres (2.10 acres net) in size and would contain the existing residence. The average slope of proposed Parcel 1 would be approximately 29.89% to which no changes are proposed. Proposed Parcel 2 would be 5.62 acres (5.62 acres net) with an average slope of approximately 36%. However the slope of the proposed development envelope would only be 17%. The proposed parcel sizes of 2.31 acres and 5.62 acres meet the lot size requirement dictated by the slope density ordinance.

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**CITY OF SANTA BARBARA
PLANNING DIVISION**

Most of the lots in the surrounding area are smaller than the proposed lots. These two large lots would contain single family residences that would serve as an infill development between the more densely developed neighborhood to the west and the semi-rural neighborhood further north on Ontare Road. Slopes on the property are similar in nature to those found on many other developed lots in the vicinity.

Driveway Access

Driveway access is now proposed at the northeast corner of the lot via a shared driveway for both residences. The design objectives for the driveway access are to allow for a suitable building pad, minimize earthwork and paving to the extent feasible and meet emergency access standards. The proposal provides a solution to achieve these objectives.

By following the existing contours, grading cut for this building pad location has been minimized. The driveway represents 1,050 cubic yards of cut and 1,600 cubic yards of fill.

The driveway will require two retaining walls. The wall above the driveway would range in height from two feet near the turn to the west to approximately eight feet near the turnaround. Designing the driveway without the upper retaining wall was studied. Flowers and Associates estimate that to do so would require significantly more disturbance of the hillside to re-contour the slope from the driveway toward the existing residence. This would increase the earthwork quantities by 50%-75%. That option was rejected as infeasible.

A second wall is proposed below the proposed turnaround. The maximum height of this wall would be seven feet but is only a total length of 40 feet. It is required in order to make the turnaround feasible.

The driveway construction would require the removal of two small oak trees and three other non-native trees. The driveway as proposed meets the Fire Department requirements for slope and provides an adequate turnaround area.

Building Envelope

The proposed building site at the center of the 8-acre parcel minimizes impacts to neighboring properties by relocating the proposed residence away from the neighbors to the west. There are only 3 homes within 500-foot radius of the building pad, not including the Swiggum residence. The building pad also protects neighbor's views by locating the new home near the Swiggum's existing residence, minimizing grading to the extent feasible and minimizing vegetation removal.

The building pad location was suggested by Mr. Mahan at the site visit and during the March 16, 2006 concept review. This building pad requires less grading because its average slope is only 17%. Earthwork for the building pad would be 950 cubic yards of cut and no fill.

Centering the home in the 8-acre site minimizes any visual or noise impacts to any adjacent neighbors. The design review process would further refine the proposed home and further minimize any visual impacts.

Water, sewer and utility service would be provided from existing services in Ontare Road via the proposed driveway. A pepper and a pine tree would be removed from the building envelope area. There is not a significant amount of brush on this area of the lot so vegetation removal will be minimal.

Protection of Resources

The driveway and home construction would require the removal of a 6-inch and an 8-inch oak tree, a 15-inch pine tree, a 4-inch pepper tree and a 15-inch eucalyptus. Due to the small size of the oaks to be removed, we do not anticipate that their removals would constitute a biological impact. In the PRT review, staff requested that a biological study be prepared to examine potential impacts to resources on the site. This report would be completed prior to the Development Application Review Team (DART) application review process.

Flowers and Associates have preliminarily determined that the total amount of cut would be approximately 2,000 cubic yards with total amount of fill of 1,600 cubic yards resulting in 400 cubic yards of export. This has been reduced from 2,700 cubic yards of cut, 1,300 cubic yards of fill and 1,300 cubic yards of export for the previous proposal. The plan nearly balances grading on the site and substantially reduces grading related truck trips. Assuming an average truckload of 10 cubic yards, the proposed plan would require about 40 truck trips compared with 130 for the previous proposal.

Trail Easement

Although not required, the Swiggum's are offering to dedicate an easement in favor of the City of Santa Barbara to allow the continuation of the trail easement the City recently acquired through the Ontare Hills subdivision through the subject property. This would complete this portion of the trail allowing trail users from the north to reach Stevens Park. We understand through discussions with City staff and with the developers of Ontare Hills that completion of the trail to Steven's Park is a priority. The Swiggum's have generously offered to complete this trail connection through their property.

Tentative Map Requirements

The map submitted is intended to be preliminary in nature until such time as the Planning Commission has conceptually reviewed the project. Based on the direction given, the tentative map submitted with the future DART application will meet all of the map requirements as specified in Section 27.07.030 Tentative Map Requirements

Subdivision Findings:

The following are the findings required for new subdivisions and following each finding is a brief discussion on how this project is in compliance with each:

- **The design or improvement of the proposed development is consistent with applicable general and specific plans.**

The General Plan policies applicable to the project those regarding grading in areas designated Major Hillside. In particular the Open Space Element seeks to “restrict the density and manner of future development in a way that would leave these foothills essentially open and unscarred.” It goes on to state “the location of development should be controlled in a manner that will preserve the natural characteristics of the terrain and the native vegetation.” Language in the Land Use Element for the Foothill neighborhood states that “even though these areas remain in an A-1 zoning category, it is advisable to rezone them to a more restrictive density at a later date.”

By creating a parcel substantially greater than required for the new residence, following hillside residential development standards, retaining the majority of the 8.01 acre lot are undeveloped, avoiding extension of public infrastructure, minimizing the amount of grading and its visual impact, retaining an open and semi rural feel and providing a significant public benefit through the dedication of a public trail easement, the project in its preliminary stages can be found to be consistent with General Plan policies.

- **The site is physically suitable for the type of development**

A soils report from Pacific Materials Laboratory was prepared for the existing residence. A site specific report for the proposed residence has not been prepared. This report will be prepared and submitted at the time of the DART application. Based on the results of the report for the existing residence, there is every reason to believe that the proposed site is suitable for development.

- **The site is physically suitable for the proposed density of development**

The project is in compliance with the Slope Density Ordinance which specifies increased minimum lot sizes based for sloped parcels and as a result is in compliance with the General Plan density designation of 1 unit per acre. The density of this project would be slightly greater than 1 unit per 4 acres. The density of the resulting subdivision will be compatible with the surrounding levels of density in adjacent neighborhoods. Lot sizes are also comparable and in many cases significantly larger than neighboring lots in the area.

- **The design of the development or the type of improvement is not likely to cause serious public health problems.**

The proposed development would create only one new residential lot with the potential for only one new residence. The future development will not result in any offensive land uses, noise, odors, or any other activities that would jeopardize the public health and safety. The residence would be served by City water and sewer services that are available within Ontare Road.

- **The design of the development or the type of improvement will conflict with easements acquired by the public at large, for access through or use of property within the proposed development; provided however, approval may be granted if its is found that alternative easements, for access of or use, will be provided, and that they will be substantially equivalent to the ones previously acquired by the public.**

The proposed development will not conflict with any existing public easements through the property. In fact, a new public trail easement is proposed as a part of the project. By providing the final connection between the existing trail easement and Stevens Park, this easement dedication would complete this portion of the trail and represents a very significant public benefit.

The project as presented represents an approach to infill development in existing residential hillside areas that is consistent with General Plan policy direction. The resulting lots are large and substantially in excess of the required minimums per the Slope Density Ordinance. The grading required for provision of access has been minimized to the degree possible and designed to avoid visibility of the resulting vehicular access. We look forward to discussing the project and receiving your comments at our conceptual review hearing.

Summary

The proposed project achieves neighborhood compatibility and consistency with City policies for hillside development by proposing a development that is sensitive to the existing community in which it is located. The City has indicated via the General Plan that the Foothill neighborhood should seek to retain its semi rural feel by encouraging development to provide large lots and to discourage higher residential density. The City's response to this goal was development of the Slope Density Ordinance which requires steep lots to have a much greater minimum lot size. This project goes one step further by proposing lots that are in excess of the Slope Density Ordinance requires.

The enclosed subdivision map demonstrates that a significant amount of the proposed parcels will remain in open space. Development is restricted to areas closest to existing residential development and close to the existing access provided by Ontare Road. This results in a very large contiguous area of open space created by the southern half of the Swiggum's lots the County Flood Control Basin facility and Stevens Park.

The area wide parcelization exhibit of the enclosed plans shows the topography and lot lines for residential development in the neighborhood. The map shows that to the north, east and south there is a pattern of neighborhood development that is much more dense than the proposed project. The lots immediately adjacent to the subject site provide the best comparisons. To the east are four lots that are substantially smaller in size that were created via a tentative parcel map approved in the late 1990's. Immediately to the west is the recently approved Ontare Hills subdivision. With the exception of one lot, all of the parcels in that development are significantly smaller than the lots proposed with this project.

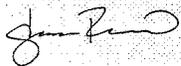
Further examination of the neighborhood shows that this project is an infill project. No extension of public infrastructure is needed to serve the site with water and sewer services and the lots are located between two recently approved subdivisions.

Grading will be required for provision of access to the building envelope and for creation of a suitable building area since the alternative access options explored were not feasible. The goal behind the grading plan was to provide suitable access while minimizing the amount of earthwork. The access as proposed will provide access to both homes. The driveway to the new residence will follow the existing contours to the extent feasible and avoid slopes of 30% or greater. The ABR review of the residence will ensure that the new residence is sensitive to the hillside condition and avoids unnecessary alteration of the topography.

The project is in compliance with the policy direction of the General Plan because the proposed lots provide substantially more lot area than required by ordinance or than other neighboring developments, only one net new residential unit is proposed, approximately 75%-80% of the 8.01 acre site will remain in a natural state, and the project avoids the need to extend public infrastructure for vehicular access, sewer or water because the project is essentially a neighborhood infill proposal.

Sincerely,

SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.



Isaac Romero
Associate Planner



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: March 9, 2006
AGENDA DATE: March 16, 2006
PROJECT ADDRESS: 1318 N. Ontare Road (MST2003-00296)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Steve Foley, Project Planner

I. INTRODUCTION

The applicant is requesting the Planning Commission's conceptual review and comments regarding the proposal to divide the property at 1318 N. Ontare Road into two parcels. The purpose of the staff report is to provide a brief summary of the proposal and a discussion of the related issues, and recommend that the Planning Commission provide direction to the applicant whether further processing of an application is warranted. Positive comments by the Commission are important to the applicant to continue with the project. Staff requests that the Planning Commission comment on the conceptual plans as submitted.

If the Planning Commission responds positively to the subdivision, City staff will continue to process the project upon formal application, including environmental review, prior to further Planning Commission hearings.

II. PROJECT DESCRIPTION/REQUIRED APPLICATIONS

The project consists of a two-lot subdivision of an 8-acre lot in the A-1 zone and Hillside Design District. The resulting lots would have a net area of 4.23 (parcel 1) and 3.77 acres (parcel 2), with average slopes of 32.53% and 36.16%, respectively. A 14,728 square foot building envelope is proposed on parcel 2 to accommodate the development of a new residence accessed by a proposed driveway approximately 340 feet in length. The grading for driveway access involves the preliminary estimate of 2,700 cubic yards of grading, of which 1,300 cubic yards results from cut and fill, and 1,400 cubic yards of soil exported from the site. No native trees are proposed for removal. A trail easement is offered for dedication in favor of the City of Santa Barbara across the property between the Ontare Hills Lane property to the west and the County owned property to the east.

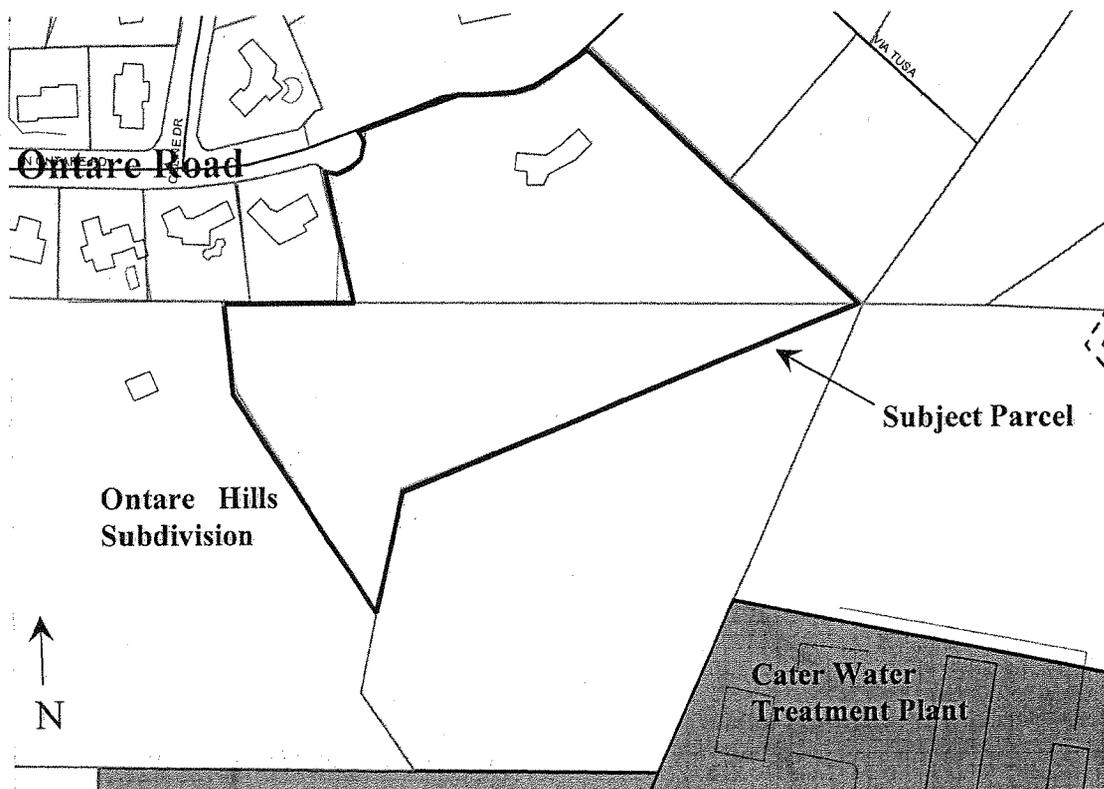
The discretionary applications required for this project are:

A Tentative Subdivision Map would be required to divide the commercial/office spaces and residential units into condominiums (SBMC §27.07); and

Neighborhood Preservation Ordinance findings to allow an excess of 500 cubic yards of grading in the Hillside District (SBMC §22.68.060, §22.68.070.A.3).

No action on this project will be taken at this time, nor will any determination be made regarding environmental review of the proposed project.

Vicinity Map



III. SITE INFORMATION

SITE INFORMATION

Applicant: Isaac Romero, Suzanne Elledge Planning & Permitting Services Inc.	Property Owner: Thomas Swiggum
Parcel Numbers: 055-160-027 & 055-160-046 (one lot)	Lot Area: 8.01 Acres
General Plan: Residential 1 Unit per acre	Existing Zoning: A-1
Existing Use: Residential	Topography: > 30%
Adjacent Land Uses: North –Residential South – Santa Barbara County Flood Control Debris Basin & Stevens Park East – Residential & San Roque Creek West – Residential (Ontare Hills subdivision)	
Master Environmental Assessment: Highly Expansive Soils High Erosion Hazard High Fire Zone Area of Visual Sensitivity: major hillside and 30% slope Prehistoric Watercourse (San Roque Creek at bottom of parcel)	

IV. REQUEST AND ISSUES

The applicant requests that the Planning Commission review the subdivision proposal and give direction on the level of support for the proposed new parcel, building site and access, and discuss any concerns the Commission may have with the proposed project. The direction provided will allow the applicant and property owner to consider whether to formally pursue project approval.

The 8.01 acre property is one legal parcel with two separate assessor parcel numbers, and is developed with a single family residence (SFR) and attached garage on the northeast portion of the property. The proposed subdivision would create two parcels with a new parcel line established between them in a north-south direction.

The applicant explored access to the proposed site through the newly created Ontare Hills subdivision to the east, but indicated that this was infeasible; therefore, access is proposed from Ontare Road. The topography of the western site is steep, averaging 29% within the proposed building envelope and 36% over the entire site. During the pre-application review, staff determined that portions of the proposed disturbed area for driveway access, fire department required turnaround, and the building envelope exhibited slopes in excess of 40%. The applicant has estimated that the construction of the driveway

improvements and building pad preparation would require approximately 2,700 cubic yards of grading. The project proposal offers a dedication of a trail easement in favor of the City to connect the trails between Stevens Park and the easement dedication received through the Ontare Hills subdivision. The Pre-application Review Team (PRT) reviewed the project in January 2006. Planning staff identified conflicts with the following general plan policies and directional language:

Development, which necessitates grading on hillsides with slopes greater than 30%, should not be permitted. and

Development on hillsides shall not significantly modify the natural topography and vegetation.

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Densities as low as one dwelling unit for every ten or more acres may be appropriate in some of the steeper hillside areas.

However, staff also recognized the potential public benefit from the owner's offer to provide the trail easement linking the Ontare neighborhood to the Arroyo Burro/Jesusita trail system and Stevens Park. Given the conflict between the development, policies, site constraints, and the ability for the City to acquire a desired recreational resource, the applicant and staff seek guidance regarding the supportability of the project proposal.

Staff would like direction from the Commission on the following issues:

- Supportability of subdivision with offer of the easement dedication
- Building envelope location
- Visual impacts
- Site access

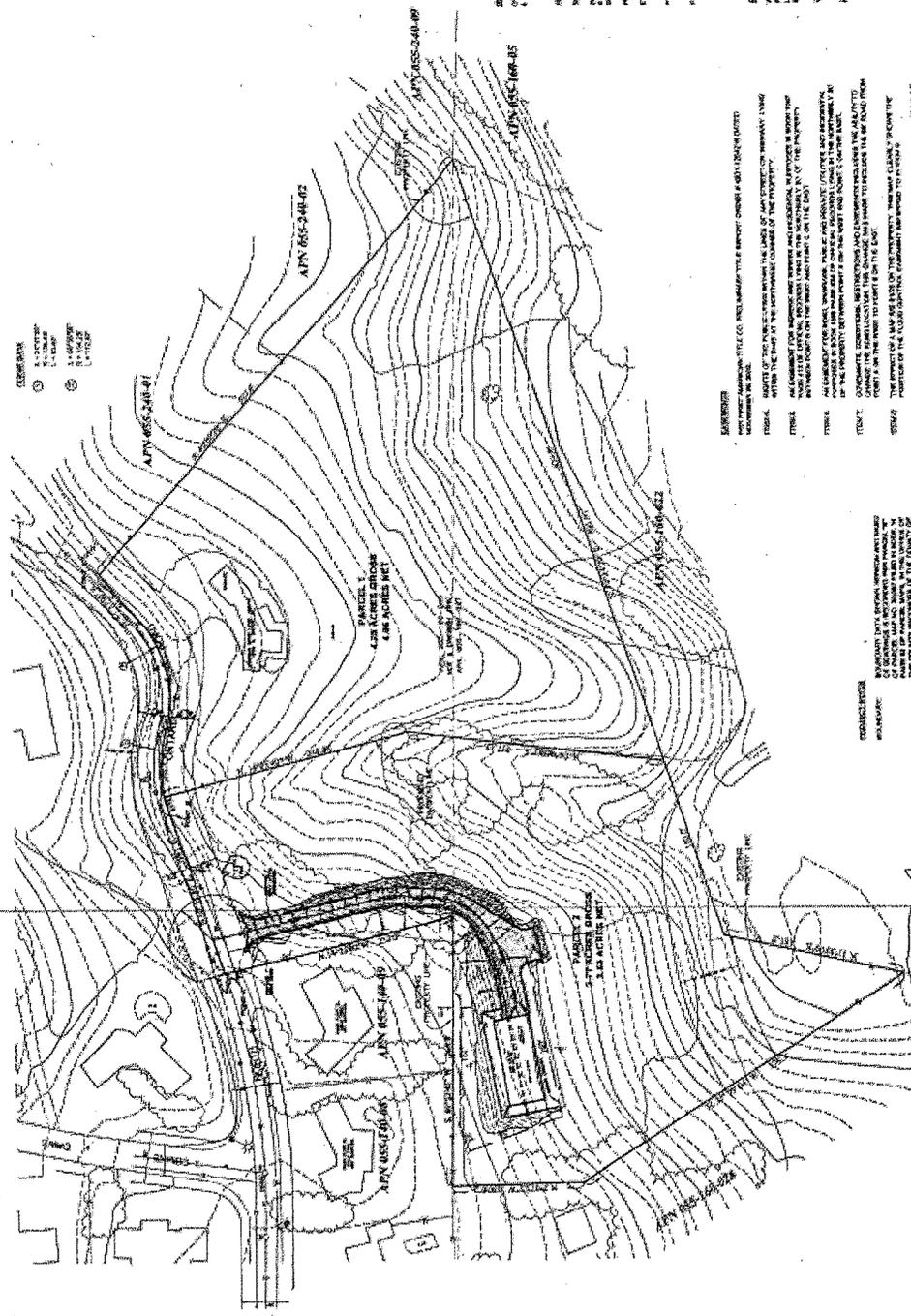
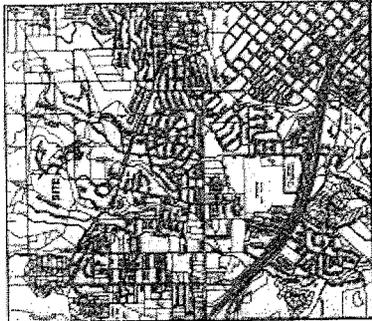
V. RECOMMENDATION/FINDINGS

- Staff requests that the Planning Commission provide support or opposition of the proposal based upon the above issues.

This request does not imply any approval of, or formal position on a future proposed project other than acknowledging that the proposed subdivision can proceed for further study and environmental review.

Exhibits:

- A. Site Plan
- B. Applicant's letter, dated March 16, 2006



GENERAL INFORMATION

PROJECT: 428 ACRES DRIVE
 APN: 065-248-01
 SITE: 428 ACRES DRIVE
 PREPARED BY: FLOWERS & ASSOCIATES, INC.
 DATE: NOVEMBER 2007

GENERAL NOTES

1. THIS MAP IS A TENTATIVE PARCEL MAP FOR THE PURPOSE OF THE PROVISION OF PUBLIC UTILITIES AND IS NOT A FINAL PARCEL MAP. IT IS SUBJECT TO THE APPROVAL OF THE COUNTY SUPERVISORS AND THE STATE OF CALIFORNIA.

TENTATIVE PARCEL MAP NO. XXXXX

ASSASSIN'S PARCELS 065-160-007 & 046
 NOVEMBER 2007

PREPARED BY:
FLOWERS & ASSOCIATES, INC.
 10000 FLOWERS DRIVE
 SUITE 100
 SAN JOSE, CALIFORNIA 95131
 PHONE: (408) 261-1111
 FAX: (408) 261-1112
 WWW.FLOWERSANDASSOCIATES.COM



EXHIBIT A

March 16, 2006

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**CITY OF SANTA BARBARA
PLANNING DIVISION**

City of Santa Barbara Planning Commission
c/o City of Santa Barbara Planning Division
630 Garden Street P.O. Box 1990
Santa Barbara, CA 93102-1990

Dear Commissioners:

On behalf of Tom Swiggum, property owner, we are requesting Planning Commission Concept Review of a tentative subdivision map to subdivide the property at 1318 North Ontare Road into two parcels, create a building envelope to allow for the development of one new residence, and construct related improvements to provide vehicular access to the proposed building site.

Our objective in pursuing a Planning Commission Concept Review is to receive direction on the level of support for the proposed new parcel, building site and access, and to discuss any concerns the Commission may have regarding the proposed project. This process will allow the property owner to make an informed decision on whether to formally pursue project approval and embark on the Development Application Review Team (DART) process. We look forward to discussing the proposed project with your Commission and are confident that by seeking your input early on in the process, a project can be developed that satisfies the goals of both the property owner and the City.

Property Description:

The subject property is located on North Ontare Road just north of Celine Drive. The Assessor's Parcel Number (APN) is 055-160-023. The parcel is adjacent to the recently approved Ontare Hills subdivision. The site is 8.01 gross acres in size and is developed with an existing residence and attached garage. Access is provided to the existing residence via a driveway from Ontare Road.

The existing Santa Terresita residential neighborhood is adjacent to and northwest of the project site. Properties in the southern half of this neighborhood are generally less than 1 acre in size. The north half of the neighborhood contains properties between 1 and two acres in size. Immediately to the northwest of the site, lot sizes range from about three to six acres. To the south of the site lot sizes range widely from as small as one acre to as large as 14 acres.

Most of the lots in the surrounding area are smaller than the two lots proposed with this project. The proposed parcel sizes of 3.77 acres and 4.23 acres exceed the three acre lot size requirement dictated by the slope density ordinance.

EXHIBIT B

These two lots would contain single family residences on large lots that would serve as a infill development between the more densely developed neighborhood to the west and the semi-rural neighborhood further north on Ontare Road.

Slopes on the property are similar in nature to those found on many other developed lots in the vicinity. Proposed Parcel 1 would be 4.23 acres (4.06 acres net) in size and would contain the existing residence. The average slope of proposed Parcel 1 would be approximately 32.5% to which no changes are proposed. Proposed Parcel 2 would be 3.77 acres (3.63 acres net) with an average slope of approximately 36%. However the proposed development envelope would be approximately 29%.

Driveway Access

Driveway access is available to serve the proposed lot on the north side of the existing lot via Ontare Road. A second access option at the southwest portion of the lot through the Ontare Hills subdivision was explored but determined to be infeasible. As such, Ontare Road provides the only access option.

The design objectives for driveway access to the proposed building pad are to allow for a suitable building pad, meet emergency access standards, minimize earthwork to the extent feasible and minimize the visibility of the driveway. The proposal provides a solution to achieve all four objectives.

By following the existing contours, grading cut and fill is minimized. Flowers and Associates have preliminarily determined that the total amount of cut would be approximately 2,700 cubic yards with total amount of fill of 1,300 cubic yards resulting in 1,400 cubic yards of export.

No native specimen trees would be removed as a result of the driveway or home construction for either option. The driveway as proposed meets the Fire Department requirements for slope and provides an adequate turnaround area.

Building Area

The proposed building site affords a location for a residence that minimizes impacts to neighboring properties by respecting the view corridor enjoyed by neighboring properties, minimizing grading to the extent feasible, terracing the home to the hillside and minimizing vegetation removal.

The building pad location was partially driven by the need for the driveway to follow the existing contours as much as possible. Building sites closer to Ontare Road were studied but found infeasible because providing vehicular access that meets the driveway slope requirements could not be achieved.

The building pad is located on a sloped portion of the lot. To minimize visual impacts the home would be terraced to follow the general form of the slope. This approach is shown in conceptual form on Sheet 2 of the enclosed plans. Visibility of the home is further minimized by locating the building pad lower on the hillside as opposed to locating the home higher on the hill making it more visible from public viewing areas. The design review process would further refine the proposed home and further minimize any visual impacts.

Water, sewer and utility service would be provided from existing services in Ontare Road. No native trees would be removed to create the proposed building area. There is not a significant amount of brush on this area of the lot so vegetation removal will be minimal.

Protection of Resources

The project would not result in the removal of any specimen oak or sycamore trees. The parcel contains mainly citrus trees and avocado trees. There are a small number of oaks on the site but the proposed development area has been sited to avoid impacts to these trees. In the PRT review, staff requested that a biological study be prepared to examine potential impacts to resources on the site. This report would be completed prior to the Development Application Review Team (DART) application review process.

Trail Easement

Although not required, the Swiggum's are offering to dedicate an easement in favor of the City of Santa Barbara to allow the continuation of the trail easement the City recently acquired through the Ontare Hills subdivision through the subject property. This would complete this portion of the trail allowing trail users from the north to reach Stevens Park. We understand through discussions with City staff and with the developers of Ontare Hills that completion of the trail to Steven's Park is a priority. The Swiggum's have generously offered to complete this trail connection through their property.

Tentative Map Requirements

The map submitted is intended to be preliminary in nature until such time as the Planning Commission has conceptually reviewed the project. Based on the direction given, the tentative map submitted with the future DART application will meet all of the map requirements as specified in Section 27.07.030 Tentative Map Requirements

Subdivision Findings:

The following are the findings required for new subdivisions and following each finding is a brief discussion on how this project is in compliance with each:

- **The design or improvement of the proposed development is consistent with applicable general and specific plans.**

The General Plan policies applicable to the project those regarding grading in areas designated Major Hillside. In particular the Open Space Element seeks to “restrict the density and manner of future development in a way that would leave these foothills essentially open and unscarred.” It goes on to state “the location of development should be controlled in a manner that will preserve the natural characteristics of the terrain and the native vegetation.” Language in the Land Use Element for the Foothill neighborhood states that “even though these areas remain in an A-1 zoning category, it is advisable to rezone them to a more restrictive density at a later date.”

By creating parcels substantially greater than required, following hillside residential development standards, retaining the majority of the 8.01 acre lot are undeveloped, avoiding extension of public infrastructure, minimizing the amount of grading and its visual impact, retaining an open and semi rural feel and providing a significant public benefit through the dedication of a public trail easement, the project in its preliminary stages can be found to be consistent with General Plan policies.

- **The site is physically suitable for the type of development**

A soils report from Pacific Materials Laboratory was prepared for the existing residence. A site specific report for the proposed residence has not been prepared. This report will be prepared and submitted at the time of the DART application. Based on the results of the report for the existing residence, there is every reason to believe that the proposed site is suitable for development.

- **The site is physically suitable for the proposed density of development**

The project is in compliance with the Slope Density Ordinance which specifies increased minimum lot sizes based for sloped parcels and as a result is in compliance with the General Plan density designation of 1 unit per acre. The density of this project would be slightly greater than 1 unit per 4 acres. The density of the resulting subdivision will be compatible with the surrounding levels of density in adjacent neighborhoods. Lot sizes are also comparable and in many cases significantly larger than neighboring lots in the area.

- **The design of the development or the type of improvement is not likely to cause serious public health problems.**

The proposed development would create only one new residential lot with the potential for only one new residence. The future development will not result in any offensive land uses, noise, odors, or any other activities that would jeopardize the public health and safety. The residence would be served by City water and sewer services that are available within Ontare Road.

- **The design of the development or the type of improvement will conflict with easements acquired by the public at large, for access through or use of property within the proposed development; provided however, approval may be granted if it is found that alternative easements, for access of or use, will be provided, and that they will be substantially equivalent to the ones previously acquired by the public.**

The proposed development will not conflict with any existing public easements through the property. In fact, a new public trail easement is proposed as a part of the project. By providing the final connection between the existing trail easement and Stevens Park, this easement dedication would complete this portion of the trail and represents a very significant public benefit.

The project as presented represents an approach to infill development in existing residential hillside areas that is consistent with General Plan policy direction. The resulting lots are large and substantially in excess of the required minimums per the Slope Density Ordinance. The grading required for provision of access has been minimized to the degree possible and designed to avoid visibility of the resulting vehicular access. We look forward to discussing the project and receiving your comments at our conceptual review hearing.

Summary

The proposed project achieves neighborhood compatibility and consistency with City policies for hillside development by proposing a development that is sensitive to the existing community in which it is located. The City has indicated via the General Plan that the Foothill neighborhood should seek to retain its semi rural feel by encouraging development to provide large lots and to discourage higher residential density. The City's response to this goal was development of the Slope Density Ordinance which requires steep lots to have a much greater minimum lot size. This project goes one step further by proposing lots that are in excess of the Slope Density Ordinance requires.

The enclosed subdivision map demonstrates that a significant amount of the proposed parcels will remain in open space. Development is restricted to areas closest to existing residential development and close to the existing access provided by Ontare Road. This results in a very large contiguous area of open space created by the southern half of the Swiggum's lots the County Flood Control Basin facility and Stevens Park.

Sheet 3 of 3 of the enclosed plans shows the topography and lot lines for residential development in the neighborhood. The map shows that to the north, east and south there is a pattern of neighborhood development that is much more dense than the proposed project. The lots immediately adjacent to the subject site provide the best comparisons. To the east are four lots that are substantially smaller in size than were created via a tentative parcel map approved in the late 1990's. Immediately to the west is the recently

approved Ontare Hills subdivision. With the exception of one lot, all of the parcels in that development are significantly smaller than the lots proposed with this project.

Further examination of the neighborhood shows that this project is an infill project. No extension of public infrastructure is needed to serve the site with water and sewer services and the lots are located between two recently approved subdivisions.

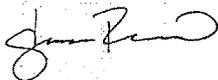
Grading will be required for provision of access to the building envelope and for creation of a suitable building area since the alternative access options explored were not feasible. The goal behind the grading plan was to provide suitable access while minimizing the visual impact of the grading. The access as proposed will mostly be screened from view. From public vantage points the driveway would not be visible because it would be screened by a combination of the natural topography and vegetation. The majority of the driveway runs from north to south and the public view sheds are directly to the south. Where the driveway can be seen from the east looking west, existing and potentially new vegetation would screen the driveway from view. The ABR review of the residence will ensure that the new residence is sensitive to the hillside condition and avoids unnecessary alteration of the topography.

Scarring of the hillside is avoided by utilizing an existing bench in the topography for the driveway access. This has the effect of minimizing the amount of earthwork needed to create the driveway. With the exception of the required emergency turnaround for fire vehicle access, the majority of the grading within the building envelope will take place under the building footprint. By stepping the house up the hillside, the project achieves consistency with the required hillside residential development standards.

The project is in compliance with the policy direction of the General Plan because the proposed lots provide substantially more lot area than required by ordinance or than other neighboring developments, only one net new residential unit is proposed, approximately 75%-80% of the 8.01 acre site will remain in a natural state, and the project avoids the need to extend public infrastructure for vehicular access, sewer or water because the project is essentially a neighborhood infill proposal.

Sincerely,

SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.



Isaac Romero
Associate Planner

C. Comments from members of the public pertaining to items not on this agenda.

Chair Jostes opened the public hearing at 3:30 P.M. With no one wishing to speak, the public hearing was closed at 3:30 P.M.

II. CONCEPT REVIEW:

ACTUAL TIME: 3:30 P.M.

APPLICATION OF ISAAC ROMERO, SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, AGENT FOR THOMAS SWIGGUM, 1318 & 1320 ONTARE ROAD, 055-160-027 & 055-160-046, A-1 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 1 UNIT PER ACRE (MST2003-00296)

The project consists of the conceptual review of a two-lot subdivision of an 8-acre lot in the A-1 zone and Hillside Design District. The resulting lots would have a net area of 4.23 (parcel 1) and 3.77 acres (parcel 2), with average slopes of 32.53% and 36.16%, respectively. A 14,728 square foot building envelope is proposed on the new parcel to accommodate the development of a new residence accessed by a driveway approximately 340 feet in length. The grading for the driveway access would involve 2,700 cubic yards of grading of which 1,300 cubic yards results from cut and fill, and 1,400 cubic yards of soil would be exported from the site. No native trees are proposed for removal. A trail easement is offered for dedication in favor of the City of Santa Barbara across the property between the Ontare Hills Lane property to the west and the County owned property to the east.

The purpose of the concept review is to allow the Planning Commission an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project. Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

1. Tentative Subdivision Map (SBMC § 27.07); and
2. Neighborhood Preservation Ordinance (SBMC § 22.68.060, § 22.68.070.A.3)

Case Planner: Steve Foley, Project Planner
Email: sfoley@santabarbaraca.gov

Steve Foley, Project Planner, gave the Staff presentation.

Isaac Romero, Suzanne Elledge Planning and Permitting Services, gave the applicant presentation.

Commissioners' questions and comments:

1. Asked what is the minimum slope density required for the site.
2. Asked why this is a single parcel with two parcel numbers associated with the lot.

Chair Jostes opened the public hearing at 3:53 P.M.

With no one wishing to speak, the public hearing was closed at 3:53 P.M.

Commissioner's comments:

1. Asked for the Fire Department's view on the proposed conceptual design of the house.
2. Lot split is not an issue; concerns are with slope and grading for the driveway and house.
3. Commented on soil problems associated with grading and retaining walls.
4. The City policy is that grading over 30% is not permitted; this proposed lot is 33% on highly erosive soil. The needed grading and large retaining wall for the driveway are issues in this project.
5. Consensus of Commissioners cannot support home site number one.
6. Site number two along the low ridge southeast of the existing house is conceptually a possibility for this project.
7. Supports trail dedication; beneficial to the public. Would like to see size, bulk, and scale impacts addressed from an additional as a part of the package moving forward.
8. Asked about applicant's perception of ridge line objections in site number two. Does not consider lot two to have a ridge line. According to the Neighborhood Preservation Ordinance, a ridge line is when a house is seen against the sky.
9. Concerned with driveway and grading. Asked about land use policy; looks at the slope density requirement as a performance standard as entry into the development process.
10. Suggest adherence to the first 3-4 suggestions in the Hillside Housing Technique.
11. Proposed driveway is marginal.
12. Some Commissioners support lot split but it is up to the applicant to prove to the commission that a suitable building site exists.
13. Suggested a linear house with the rooms descending along the slope.
14. Suggested looking at how much grading and retaining wall would be required for the driveway.
15. Suggested looking at unusual parcel shape and perhaps using the small triangle space for part of the trail.

Ms. Hubbell replied that there is a three acre minimum required for the slope density.

Mr. Foley replied that while there are two parcel numbers, this is one legal lot. There may be many reasons, including tax purposes for the two numbers. Mr. Foley stated that the Fire Department has been consulted and that the project meets the Fire Departments access requirements.

Ms. Hubbell stated that there is a ridge line in site number two, but that it is low Ms. Hubbell clarified the policy on grading over 30%.

Mr. Romero added that the proposed driveway does not require retaining walls. A technique is used to create the flat area called a geo grid and avoids a down slope retaining wall. The site would need to be secured to prevent the gradual erosion of the building pad. Asked the Commission for direction on viable alternatives. He asked if the goal is to have the home nestled into the hill or a traditional flat lot design on a single plane. Mr. Romero also asked if it would be fair to minimize trade-offs and grading for access.

Ms. Hubbell referenced another near subdivision and its trail development. No signs would be needed because it is a continuation of an existing trail. Ms. Hubbell added that the relocation of the building site could result in a different lot line configuration which may result in the need for a public street waiver.

III. NEW ITEM:

ACTUAL TIME: 4: 23 P.M.

APPLICATION OF CHRISTOPHER DENTZEL, ARCHITECT FOR THOMAS J. AND SYLVIA J. HOFFMAN, 2 SANTA CRUZ BOULEVARD, APN 045-185-009, E-3/SD-3, ONE FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, FIVE UNITS/ACRE, (MST2004-00232)

The proposal consists of a 761 square foot, second floor addition and a 30 square foot, first floor addition to an existing 1,660 square foot, single-family residence on a 10,871 square foot lot in the Coastal Zone. The existing 391 square foot garage would be replaced with a 500 square foot garage and 95 square feet of accessory space attached to the garage. The existing vegetation would be removed from the public right of way and a new sidewalk and parkway would be installed.

The discretionary applications required for this project are:

1. A Modification to allow a hedge and fence to be five feet high, instead of the maximum allowable height of three and one half feet, along the front property line (SBMC§28.87.170); and
2. A Coastal Development Permit to allow the proposed development in the Appealable jurisdiction of the Coastal Zone (SBMC§28.45.009).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (Existing Facilities).

Case Planner: Kathy Kennedy, Associate Planner
Email: kkennedy@santabarbaraca.gov

Kathy Kennedy, Associate Planner, gave the Staff report.

Chris Dentzel, Architect, representing the applicant, made himself available to answer questions.