



**City of Santa Barbara**  
Planning Division

**Memorandum**

**DATE:** July 14, 2005

**TO:** Planning Commission

**FROM:** Jan Hubbell, AICP, Senior Planner  
Kathleen Kennedy, Assistant Planner

**SUBJECT:** 1575 N. Ontare Road (MST2004-00150)  
July 21, 2005 Planning Commission Hearing

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**I. SUBJECT**

On April 19, 2005, the applicant submitted an application to the City for a project located at 1575 N. Ontare Road. The project site is split between City and County jurisdictions. The City portion of the project consists of grading (800 c.y. fill) for an equestrian arena and fencing. The equestrian arena, by straddling the City/County line, would be partially in the City and partially in the County. The County portion of the project also includes the construction of three horse barns and has been approved by the Santa Barbara County Planning & Development Department. Vehicular access to the project site is from North Ontare Road which is a City street that ends at a cul-de-sac and then becomes a private road. A number of other parcels use this private road as a primary access road as well. (See Exhibit A).

The discretionary application required for the City portion of the project is Neighborhood Preservation Ordinance (NPO) approval for grading over 500 cubic yards in the Hillside Design District.

After review of the application by the Development Application Review Team (DART), the application was determined to be incomplete. As allowed by the Government Code, the applicant has appealed that determination to the Planning Commission. The issue before the Planning Commission today is the appeal of the completeness determination.

**II. BACKGROUND**

Upon submittal of the application (See Exhibit B), the project was reviewed by the DART and it was determined to be incomplete. The reasons for the incompleteness determination are outlined in the DART letter dated May 19, 2005. (See Exhibit C). A meeting was held with the applicant and agent on May 26, 2005 to discuss the DART letter. At the meeting, the agent submitted a response to the DART letter (See Exhibit D). Subsequently, the applicant filed an appeal of the incompleteness determination as provided for in the DART letter. (See Exhibit E). Because additional information was submitted by the applicant, a second DART letter was prepared (See Exhibit F), after the appeal was filed. A second meeting was held with the applicant and

applicant's agents on July 6, 2005. Based on this meeting and a further review of the submitted materials by staff, a third letter was sent from the City Attorney's Office further specifying the City's position with respect to the completeness of the application. (See Exhibit G.)

Government Code section 65943 requires an appeal hearing on an incompleteness determination be held within 60 days of receipt of the appeal. The appeal was received May 26, 2005; therefore, the hearing is required to be held by July 25. At the hearing, the Planning Commission can either uphold the incompleteness determination made by staff or determine that the application is complete. This determination is not appealable to the City Council.

As explained in the appeal letter, the applicant contends that the City has no authority to demand improvements to the existing private access road and for requiring information that they contend is outside the City's scope of review.

### **III. DISCUSSION**

Below is a summary of the information that Staff has determined to be necessary in order to have a complete application upon which to evaluate conformance with applicable City regulations, policies, and guidelines:

- The existing private road portion of North Ontare Road located within the City limits does not meet Fire Department standards. Because the project is proposing a new facility and use within the City, the applicant must provide a fire access road in compliance with the current City standard. Due to the project site being located in the City's designated Extreme Foothill High Fire Hazard Zone, and the project site being located within the Santa Barbara City Fire Department's first-response area, the existing road is required to be brought up to City standards. The City standard requires that the road be a minimum of 20 feet in width and constructed of all weather concrete or asphalt pavement capable of supporting 40,000 pounds.
- The Fire Department still requests the information on the number and size of outlets and flow data for the fire hydrant in order to determine if there is sufficient capacity to meet flow requirements for fire-fighting purposes. However, if this information is not available to the applicant, the City may obtain this information from the County Fire Department.
- The City requests that the applicant provide calculations showing the pre-grading drainage and post-grading drainage across the parcel within the City limits. In addition, the City requests that the applicant provide calculations showing the amount of post-grading drainage that will be collected into the proposed corrugated metal pipe within the City limits. This information is necessary to determine whether drainage facilities are adequately sized to handle changes in flow resulting from the development. It is also necessary to determine consistency with the City's National Pollutant Discharge Elimination System (NPDES) General Permit.
- The City still requests that the applicant submit plans showing any existing trail easement on the parcel within the City limits or on any immediately adjacent parcel that intersects the parcel within the City limits. This information will help assure the City that proposed development does not cross or otherwise impede any trail easement.

- The plans submitted by the applicant adequately show the access to the project. However, the City still requests information regarding the access easements within the City limits. Again, this information is intended to assure that proposed development does not cross or otherwise impede access. This information is also necessary to ensure that the applicant has the necessary entitlements to construct and maintain the required fire access road.
- The City still requests that the applicant submit project plans that show all existing easements located on the parcel within the City limits or any easements on immediately adjacent parcels that intersect the parcel within the City limits. The City is looking for assurances that these easements will not be affected by the proposed development, and to ensure that the applicant has the necessary entitlements to construct and maintain the required fire access road and to determine whether any alternative access routes exist.

## **II. RECOMMENDATION**

Staff has determined that the information requested by the DART team is necessary in order to properly review the project. Staff recommends that the Planning Commission uphold the “incompleteness determination” made by Staff.

Exhibits:

- A. Site Plan
- B. Applicant letter dated April 18, 2005
- C. DART letter dated May 19, 2005
- D. DART response letter from applicant dated May 26, 2005
- E. Appeal letter from applicant dated May 26, 2005
- F. DART letter dated June 30, 2005
- G. Letter to Richard Monk, Esq. dated July 12, 2005
- H. County Land Use Permit with Co. Fire Dept. Letter