



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 016-09

1642 AND 1654 CALLE CAÑÓN / 2418 CALLE MONTILLA MODIFICATIONS, TENTATIVE SUBDIVISION MAP, PUBLIC STREET WAIVERS MAY 14, 2009

APPLICATION OF PETER EHLEN, ARCHITECT FOR CAROLYN & JOSEPH MCGUIRE PROPERTY OWNERS, 1642 & 1654 CALLE CAÑÓN / 2418 CALLE MONTILLA, APNs 041- 140-006, 008, 009, A-2 & E-1 ZONES, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST99-00606)

The project consists of a subdivision of two lots of 225,285 sf and 99,333 sf into six lots. The project location is within the Alta Mesa General Plan neighborhood and in an area designated as High Fire and Major Hillside. Due to slope density requirements, each of the six proposed lots is required to provide more than the minimum lot area for the zone. The larger existing lot is zoned A-2 and currently developed with two residences accessed from a common driveway on Calle Cañón. The smaller existing lot is split-zoned A-2 and E-1 and currently developed with a single-family residence fronting Calle Montilla. The three existing single-family residences are proposed to remain. Multiple retaining walls up to approximately 20 ft in height would be necessary to construct the proposed driveways. New curb, gutter, sidewalk, and parkway are proposed along the Calle Cañón frontage.

The discretionary applications required for this project are:

1. Lot Area Modification to allow the creation of a 10,188 square foot lot (Lot 6) where a 22,500 square foot lot is required with slope density in the E-1 Zone (SBMC §28.15.080 and §28.92.110.A);
2. Street Frontage Modification to allow Lot 2 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
3. Street Frontage Modification to allow Lot 3 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
4. Street Frontage Modification to allow Lot 4 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
5. Wall Height Modification to allow retaining walls to exceed 3.5 feet in height within ten feet of the front lot line on Calle Calle Cañón and on either side of the driveway for Lots 1-4 within 20 feet of the front lot line (SBMC§28.87.170.B and 28.92.110.A);
6. Tentative Subdivision Map to allow the division of two lots into six lots (SBMC 27.07);
7. Public Street Waiver to allow the creation of Lot 2 without frontage on a public street (SBMC §22.60.300);
8. Public Street Waiver to allow the creation of Lot 3 without frontage on a public street (SBMC §22.60.300); and

9. Public Street Waiver to allow the creation of Lot 4 without frontage on a public street (SBMC §22.60.300).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15270 (Projects which are disapproved).

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, 1 person appeared to speak in favor of the application, and 4 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 7 2009
2. Site Plans
3. Correspondence received in support of the denial:
 - a. Paula Westbury, Santa Barbara

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Denied the subject application making the following findings and determinations:

The Tentative Map (SBMC §27.07.100)

B. Consistency with General and Specific Plans. Approval shall be denied to any map which is not consistent with the General Plan or a specific plan adopted thereunder or which depicts a land division or land use which is not compatible with the objectives, policies, general land uses and programs specified in the General Plan.

As discussed in Section V.B of the staff report, the project is not consistent with General Plan guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, map approval is denied.

C. Denial on Specific Findings; Exceptions.

1. Approval or recommendation thereof shall be denied to any map by the Advisory Agency and, in the event of an appeal, by the Appeal Board, if said body finds:

- a. The proposed map is not consistent with applicable General and specific plans.

As discussed in Section V.B of the staff report, the map is not consistent with General Plan guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, approval is denied.

- b. The design or improvement of the proposed development is not consistent with applicable general and specific plans.

As discussed in Section V.B of the staff report, the construction of the proposed driveways and buildout of the lots would not be consistent with General Plan

guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, approval is denied.

c. The site is not physically suitable for the type of development.

As discussed in the Staff Report, the project site is not physically suitable for the type of development due to steep unstable slopes. Therefore, approval is denied.

This motion was passed and adopted on the 14th day of May, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 3 (Larson, Jostes, Jacobs)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.