



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

March 3, 2011

**ACTUAL TIME: 1:32 P.M.**

A. **APPLICATION OF PATSY STADELMAN, BROWNSTEIN HYATT FARBER SCHRECK, LLP, AGENT FOR ANDREW M. SEYBOLD, 415 ALAN ROAD, APN 041-091-024, A-1/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (MST2009-00083)**

The project consists of a lot split of a 1.37 acre parcel that is currently developed with a single family residence with a garage. The lot split would result in the creation of one 45,056 square foot lot (Proposed Parcel A), with the existing single-family residence remaining on this lot, and one 14,601 square foot lot (Proposed Parcel B), which would be vacant. A development restriction of a single story, 2,000 square foot (s.f.) maximum size residence with a 500 s.f. garage, which would be constructed on slopes of less than 20% is proposed for Parcel B. Access to each of the proposed lots would be from Alan Road.

A General Plan/Local Coastal Plan Amendment and a Rezone for the proposed northern lot (Proposed Parcel B) were initiated by City Council on November 10, 2009.

The discretionary applications required for this project are the following:

**Actions requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council and/or Coastal Commission:**

1. General Plan Amendment to change the land use designation of the newly created vacant lot (Proposed Parcel B) from Residential, one unit per acre to Residential, three units per acre, (14,520 sq. ft. per unit) (SBMC §28.07); and
2. Local Coastal Plan Amendment to change the land use designation of the newly created vacant lot (Proposed Parcel B) from Residential, one unit per acre to Residential, three units per acre, (14,520 sq. ft. per unit) (SBMC §28.07) and to change the zoning map designation as described below; and
3. Zoning Map Amendment to rezone proposed Parcel B from A-1/ SD-3 (Single Family Residential), to E-3/ SD-3 (Single Family Residential) (SBMC, §28.92.020).

Actions by the Planning Commission, contingent upon recommendation of the actions listed above:

4. A Lot Area Modification to allow proposed Parcel A to be less than the required lot size of 1.5 acres necessary to be consistent with the slope density (SBMC §28.92.026.A); and
5. A Tentative Subdivision Map to allow the division of one (1) lot into two (2) parcels (SBMC 27.07).
6. A Coastal Development Permit for the development within the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15061(b)(3).

Case Planner: Peter Lawson, Associate Planner

Email: PLaweson@SantaBarbaraCA.gov Phone: 805-564-5470, ext. 4565

Peter Lawson, Associate Planner, gave the Staff presentation.

Steve Amerikaner, Counsel for the Applicant, gave the applicant presentation, joined by Andrew Seybold, Applicant, and Patsy Stadelman, AICP, Land Use Planner, Brownstein Hyatt Farber Schreck, LLP.

Chair Jostes opened the public hearing at 2:01 P.M.

Julie Bowden, neighbor, spoke to the Commission with concerns and asked that if the Planning Commission approves the development, that the building structure be moved downward toward Hendry's Beach, and build back into the hillside to allow for more natural view preservation.

With no one else wishing to speak, the public hearing was closed at 2:03 P.M.

In response to Commissioner Jordan's inquiry regarding future development on Parcel B, Mr. Amerikaner stated that the Applicant is prepared to include a deed restriction on Parcel B that would limit the size of the future development.

Some Commissioners expressed support for the project, with elimination of Condition D.4., the inclusionary fee, and one Commissioner supported recording a deed restricting the amount of development on Parcel B offered by the Applicant. Three of the Commissioners were concerned with the request for a Lot Area Modification for Parcel A and could not make the findings for a positive recommendation to City Council for the General Plan and Local Coastal Plan Amendment.

Because the Commission was divided on the project, Scott Vincent recommended that the Planning Commission first determine their recommendation to Council on the General Plan Amendment, the Zoning Map Amendment, and the Local Coastal Map Amendment; then determine a decision on the permit requests for the project.

**STRAW POLL:**

Support for the General Plan Amendment, Local Coastal Plan Amendment and Zoning Map Amendment.

Ayes: 2 (Barlett, Jordan)      Noes: 3 (Larson, Lodge, Jostes)      Abstain: 0  
Absent: 2 (Jacobs, Schwartz)

**STRAW POLL:**

Presuming that a General Plan Amendment were approved by City Council, could the Commission make findings for the Lot Area Modification to accommodate the project to be consistent with zoning and the General Plan as changed.

Ayes: 2 (Barlett, Jordan)      Noes: 3 (Larson, Lodge, Jostes)      Abstain: 0  
Absent: 2 (Jacobs, Schwartz)

**MOTION: Lodge/Larson**

**Assigned Resolution No. 004-11**

Recommendation that City Council not adopt the General Plan Amendment, Zoning Map Amendment and Local Coastal Plan Amendment

This motion carried by the following vote:

Ayes: 3      Noes: 2 (Bartlett, Jordan)      Abstain: 0      Absent: 2 (Jacobs, Schwartz)

**MOTION: Lodge/Larson**

**Assigned Resolution No. 004-11**

Deny the Lot Area Modification, the Tentative Subdivision Map, and the Coastal Development Permit because the Planning Commission could not make the findings for a positive recommendation to City Council.

This motion carried by the following vote:

Ayes: 3      Noes: 2 (Barlett, Jordan)      Abstain: 0      Absent: 2 (Jacobs, Schwartz)

Chair Jostes announced the ten calendar day appeal period.