



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** November 10, 2009

**TO:** Mayor and Councilmembers

**FROM:** Planning Division, Community Development Department

**SUBJECT:** Appeal Of Planning Commission Decision For 415 Alan Road

### RECOMMENDATION:

That Council deny the appeal of Steven Amerikaner, agent for Mr. and Mrs. Andrew Seybold, and uphold the Planning Commission decision to deny the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment at 415 Alan Road.

### DISCUSSION:

#### Project Description

The proposed project consists of a subdivision of 415 Alan Road into two lots, a lot area modification to allow less than the required lot area for proposed Parcel A, a Zone Change, General Plan Amendment and Local Coastal Program Amendment for proposed Parcel B and a Coastal Development Permit. Initiation and approval of the Zone Change, General Plan Amendment and Local Coastal Program Amendment is required before action can be taken on the subdivision application. The Zoning designation for proposed parcel B would change from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) so that the new smaller lot would become conforming to lot area. The General Plan Amendment would result in a change from Residential, one unit per acre to five units per acre so that the new smaller lot would become conforming to density.

	<b>Existing</b>	<b>Proposed Parcel A</b>	<b>Proposed Parcel B</b>
Zone District	A-1/ SD-3	A-1/ SD-3	E-3/ SD-3 ( <i>Rezone</i> )
General Plan Designation	Residential, one unit per acre	Residential, one unit per acre	Residential, five units per acre (8,712 sq. ft. per unit) ( <i>General Plan Amendment</i> )
Slope	15.6%	14.40%	19.90%
Minimum Lot area required	65,340 sq. ft. (1.5 acres)	65,340 sq. ft. (1.5 acres)	11,250 sq. ft. (0.26 acres)
Lot area	59,657 sq. ft. (1.37 acres)	46,948 sq. ft. (1.08 acres)	12,709 sq. ft. (0.29 acres)
Zoning	<b>Nonconforming to Lot Area</b>	<b>Nonconforming to Lot Area</b>	<b>Conforming to Lot Area</b>
General Plan	<b>Conforming to Density</b>	<b>Conforming to Density</b>	<b>Conforming to Density</b>

### Project Location

The property at 415 Alan Road is located in the Campanil neighborhood of the City, which is bordered on the north and east by Arroyo Burro Creek, on the south by the ocean and on the west by Hope Ranch. Most of this area consists of large parcels, similar to the size of the project site or larger, containing single-family dwellings. An exception to this is the Braemar Tract, a small-lot development that was subdivided prior to annexation to the City. This tract of approximately 120 parcels, on relatively steep topography, is described in the City's General Plan Land Use Element as presenting "a vivid picture of improper subdivision techniques." The density in this portion of the neighborhood is approximately four times greater than the other areas. The Land Use Element further states that other areas in the City have been rezoned to lower densities in order to prevent this sort of development.

When the Braemar Tract was annexed to the City in 1956, it was given an E-3, One-Family Residence zone designation, which requires a 7,500 square foot minimum lot size (or more if average slope is 10% or more). Many parcels in the Braemar Tract are non-conforming (smaller) than the lot area requirement for the E-3 zone. The rest of the neighborhood has an A-1, One-Family Residence zone designation, which requires a one-acre minimum lot size (or more if average slope is 10% or more). A number of these parcels, although larger, are also non-conforming to the lot area requirement for the A-1 zone. The General Plan designation for the entire neighborhood is Residential, one dwelling unit per acre. The project site and the majority of the parcels in the neighborhood, with the exception of the Braemar Tract, conform to this designation.

### Background

As described in Attachment 2, the applicant submitted similar proposals in the past. Staff and the Planning Commission have consistently not supported proposals that involve the creation of a new lot in this neighborhood which is identified in the Land Use Element as already too dense, a Zone Change and General Plan Amendment for one lot to facilitate the creation of one new lot, or a lot split that results in a proposed lot becoming more nonconforming to lot area.

### Planning Commission Action

On June 11, 2009, the Planning Commission concurred with the Staff recommendation and voted 3-2-2 to deny the request to initiate the Zone Change, General Plan Amendment and Local Coastal Plan Amendment (3 in favor, 2 against, 2 absent). (See Attachment 3 – Planning Commission Minutes and Resolution.)

### Appeal

After the Planning Commission denial of the initiation requests, Steven Amerikaner, on behalf of the applicant, filed an appeal (see Attachment 1 – Appeal Letter). The appeal letter requests that the Council approve the initiation requests, as well as direct staff to investigate the possibility of initiating a General Plan Amendment for the entire Braemar Tract, for the following reasons: 1) The proposed amendments would facilitate better use of an odd-shaped lot and more efficient use of scarce vacant land in the City; 2) Santa Barbara needs housing and this proposal will create an additional modest-sized residential unit; 3) The proposal takes advantage of an infill housing opportunity while not changing the character of the neighborhood; 4) The proposed General Plan Amendment corrects a discrepancy between the land use designation and zoning for the Braemar Tract that has lingered for too long; and 5) The proposal is consistent with the principles of Plan Santa Barbara.

For the reasons presented previously, Staff is not in support of the proposal. The General Plan Land Use Element includes both discussion and land use designations. Although the applicant suggests that the map amendments to the designations are appropriate, staff believes if such changes were pursued, text changes would be necessary as well.

The area zoned E-3 does have smaller lot sizes and this designation allows appropriate improvements to the residences. The area zoned A-1, including this property, is characterized with larger lots, many with an acre or more, and do comply with the General Plan designation. No changes to this neighborhood are proposed with PlanSB. In addition, the policy direction for infill housing opportunities is intended for areas of the City where higher densities are allowed, not hillside areas of single-family homes.

### **RECOMMENDATION:**

Staff recommends that Council deny the appeal and uphold the Planning Commission decision to deny the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment proposed at 415 Alan Road.

**ATTACHMENTS:**

1. Appeal letter dated June 18, 2009
2. Planning Commission Staff Report, June 11, 2009
3. Planning Commission Minutes and Resolution, June 11, 2009

**PREPARED BY:** Kathleen Kennedy, Associate Planner

**SUBMITTED BY:** Paul Casey, Community Development Director

**APPROVED BY:** City Administrator's Office

June 18, 2009

**VIA HAND DELIVERY**

**Steven A. Amerikaner**

805.882.1407 tel  
805.965.4333 fax  
SAmerikaner@bhfs.com

Honorable Mayor Blum and Members of the City Council  
City of Santa Barbara  
735 Anacapa Street  
Santa Barbara, CA 93101

Attention: City Clerk

RE: 415 Alan Road (MST2009-00083)  
Appeal of Planning Commission Decision

Dear Mayor Blum and Members of the City Council:

This appeal letter is submitted on behalf of the applicants, Mr. and Mrs. Andrew Seybold, and requests the City Council reverse the Planning Commission's June 11, 2009 decision and grant initiation of a General Plan Amendment, Local Coastal Plan Amendment and zone change for 415 Alan Road.

The proposed amendments and zone change would allow for a lot split and construction of a new modest-sized single-family home in this nearly built-out neighborhood. The Seybolds plan to build a one-story, three to four bedroom home that is compatible with the character and scale of surrounding homes. This would be a "smart home," showcasing the most current home automation technologies and including solar power and many other energy efficient and sustainable features.

On June 11, 2009, the Planning Commission denied the request by a vote of 3-2. We respectfully request the City Council reverse this decision and direct staff to:

1. Initiate a General Plan Amendment changing the land use designation for a portion of 415 Alan Road (proposed Parcel B) from "Residential, One Dwelling per Acre" to "Residential, Five Dwellings per Acre."
2. Direct staff to investigate the desirability of initiating a General Plan Amendment for the so-called "Braemar Tract" which is immediately north of 415 Alan Road, changing the land use designation from "Residential, One Dwelling per Acre" to "Residential, Five Dwellings per Acre," so that the General Plan land use designation is consistent with the existing zoning and reflects the existing development pattern of the neighborhood. This General Plan Amendment could be undertaken as part of the general plan update process in which the City is currently engaged.
3. Initiate a Local Coastal Plan Amendment consistent with the General Plan land use designation change described above.
4. Initiate a zone change for the proposed Parcel B from A-1/S-D-3 to E-3/S-D-3, consistent with the proposed General Plan designation and the current zoning of the Braemar Tract.

Reasons to Support the Proposal

1. **The proposed amendments would facilitate better use of an odd-shaped lot and more efficient use of scarce vacant land in the City.** The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. The established infrastructure and lack of significant natural resources on the property make this an ideal location for infill development that fits with the existing scale and character of the neighborhood. The enclosed visual simulation shows a bird's eye view of the neighborhood as it exists today and as it would appear with the additional home.
2. **Santa Barbara needs housing and this proposal will create an additional modest-sized residential unit.** The City is suffering from a severe shortage of middle-class housing opportunities, which is one of the reasons for the high cost of housing. Infill sites, such as this one, offer the opportunity to fit new housing into the City without expanding its boundaries or converting dedicated open space.
3. **The proposal takes advantage of an infill housing opportunity while not changing the character of the neighborhood.** There are relatively few places in the City where additional housing can be provided without changing the character of the neighborhood, and this is one of those places. The proposed new 12,709 square foot parcel is similar in size to surrounding properties and conforms to slope density standards.
4. **The proposed General Plan Amendment corrects a discrepancy between the land use designation and zoning for the Braemar Tract that has lingered for too long.** California planning law requires general plans to be consistent with all other land use regulations, including the zoning ordinance (Government Code §65860). While Santa Barbara is exempt from this legal requirement because it is a charter city, general plan and zoning consistency is nonetheless good planning practice. The General Plan change would also reflect the actual density and development pattern of this fully built-out neighborhood. Only one parcel, 53 Vista Del Mar Drive, would have the potential to be further subdivided to create an additional developable lot. This property is currently developed with a single-family home.
5. **The proposal is consistent with the principles of Plan Santa Barbara.** The Plan SB "Policy Preference Report," issued in January 2009 puts forth the following sustainability principle:

"Living Within Our Resources" means effectively managing growth and in-fill development to conserve the community's natural, physical and historic resources for present and future generations. Challenges between future development and resource use must be met with creative solutions that meet the multiple objectives of preserving historic resources and community character, retaining a diverse population and culture, and allowing sufficient growth to propel a steady economy" (page 19).

Further, the report calls for incentives to encourage smaller, 'affordable-by-design' homes:

"Incentives for Affordable-by-Design Units. Prepare design standards and codify incentives for market rate developers to build smaller, 'affordable-by-design' residential units that better meet the needs of

our community. Incentives could include higher allowable densities, less required parking, etc." (Housing Policy H5, page 54).

This proposal affords the opportunity to put these stated goals into action. We respectfully suggest that the City should support this type of infill project, unless there are compelling reasons to say no.

Conclusion

Based on the foregoing, we respectfully request you overturn the Planning Commission's decision and grant initiation of a General Plan Amendment, Local Coastal Plan Amendment and zone change.

Thank you for your time and consideration.

Sincerely,



Steven A. Amerikaner

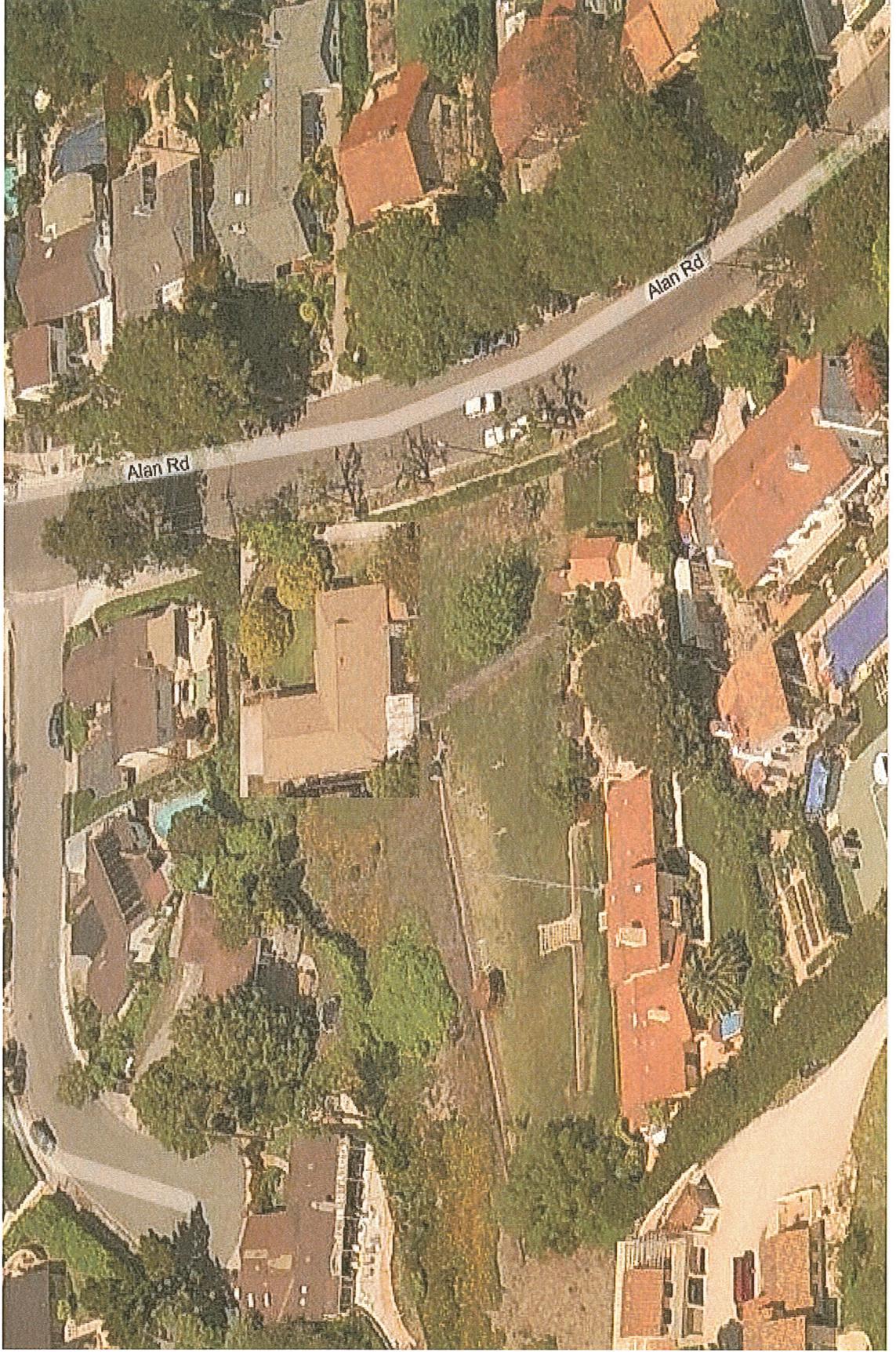
Enclosure

cc: Mr. and Mrs. Andrew Seybold (by email)  
Scott Vincent, Assistant City Attorney (by email)  
Paul Casey, Director (by email)  
Danny Kato, Senior Planner (by email)  
Kathy Kennedy, Associate Planner (by email)

# 415 Alan Road: Today



# 415 Alan Road: Proposed





# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** June 4, 2009  
**AGENDA DATE:** June 11, 2009  
**PROJECT ADDRESS:** 415 Alan Road (MST2009-00083)  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DJK*  
 Kathleen Kennedy, Associate Planner *KK*

### I. PROJECT DESCRIPTION

The proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

At this time, the Planning Commission is not being requested to take any action regarding approval of the proposed project nor make any determination regarding environmental review.

### II. REQUIRED APPLICATIONS

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

### III. RECOMMENDATION

Staff recommends that the Planning Commission deny the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment.

**IV. SITE INFORMATION**

**A. EXISTING**

Zone District	A-1/ SD-3
General Plan Designation	Residential, one unit per acre
Slope	15.6%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)
Lot area	59,657 sq. ft. (1.37 acres)
Zoning	<b>Nonconforming to Lot Area</b>
General Plan	<b>Conforming to Density</b>

**B. PROPOSED**

	<b>Proposed Parcel A</b>	<b>Proposed Parcel B</b>
Zone District	A-1/ SD-3	E-3/ SD-3
General Plan Designation	Residential, one unit per acre	Residential, five units per acre
Slope	14.40%	19.90%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)	11,250 sq. ft. (0.26 acres)
Lot area	46,948 sq. ft. (1.08 acres)	12,709 sq. ft. (0.29 acres)
Zoning	<b>Nonconforming to Lot Area</b>	<b>Conforming to Lot Area</b>
General Plan	<b>Conforming to Density</b>	<b>Conforming to Density</b>

**V. DISCUSSION**

**A. PROJECT LOCATION**

The property at 415 Alan Road is located in the Campanil neighborhood of the City, which is bordered on the north and east by Arroyo Burro Creek, on the south by the ocean and on the west by Hope Ranch. The General Plan designation for the neighborhood is one dwelling unit per acre. Most of this area consists of large parcels, similar to the size of the project site or larger, which are either vacant or contain single-family dwellings. An exception to this is the Braemar Tract, a single-family, small-lot development that was subdivided while under County jurisdiction. This tract of approximately 120 parcels, on relatively steep topography, is described in the City's General Plan Land Use Element as presenting "a vivid picture of improper subdivision techniques." The density in this portion of the neighborhood is approximately four times greater than the other areas.

When the Braemar Tract was annexed to the City in 1956, it was given an E-3, One-Family Residence zone designation, which requires a 7,500 square foot minimum lot size (or more if the average slope exceeds 10%). The rest of the neighborhood has an A-1, One-Family Residence zone designation, which requires a one-acre minimum lot size (or more if the average slope exceeds 10%).

## **B. BACKGROUND**

Similar proposals regarding the project site have been submitted for review in the past. In 2004, the Planning Commission conceptually reviewed a proposed project that involved a lot line adjustment between two parcels (415 Alan Road and 23 Wade Court) resulting in an increase of lot area for 23 Wade Court. The Planning Commission, during their review, discouraged any development on the land that would be added to 23 Wade Court.

In February of 2005, an application was submitted that consisted of a subdivision of 415 Alan Road into two lots, in addition to the lot line adjustment. Following the subdivision, the smaller lot would have been rezoned from A-1 to E-3 and the larger lot would have required a lot area modification. During project review, Staff stated that if the project were to proceed to the Planning Commission for initiation of the Zone Change and Local Coastal Program Amendment, Staff would recommend denial, in part because the original 415 Alan Road parcel, which is currently nonconforming to lot area, would have become more nonconforming as a result of the proposed subdivision. Furthermore, the creation of a new lot that would not conform to the General Plan density would not be appropriate for the neighborhood when the Land Use Element and Local Coastal Plan state that this neighborhood is already too dense.

The applicant did proceed with the project and on October 6, 2005, the Planning Commission denied the initiation requests. One of the main reasons for the denial was the inconsistency with the General Plan density.

The applicant filed an appeal of the Planning Commission action but subsequently withdrew the appeal and submitted a proposal to Staff that included a request to initiate a General Plan Amendment as well. With a General Plan Amendment (from one unit per acre to five units per acre) added to the proposal, all proposed lots would conform to the General Plan density. Due to the rezone, the 23 Wade Court parcel would become conforming to lot area as would the newly created smaller parcel; however, the larger parcel would become more nonconforming to lot area. This proposal was put on hold.

## **C. CURRENT PROPOSAL**

In early 2009, the applicant submitted a new proposal that no longer included 23 Wade Court. The proposed project consisted of the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment and a subdivision of 415 Alan Road under the proposed Zoning and General Plan designations. The proposed project also included five additional properties along the eastern side of Alan Road. In response to the application, Staff provided the applicant with the following comments:

1. The existing parcel at 415 Alan Road is nonconforming to lot area due to the slope density requirements of the A-1 zone. Staff is not in support of the subdivision of the parcel that results in 415 Alan Road (proposed parcel A) becoming more nonconforming to lot area. In addition, Staff is also not in support of the proposal to rezone a number of parcels and change the General Plan and Local Coastal Plan designations on those parcels in order to facilitate the creation of a new lot in the project area. As you know, the City's General

Plan Land Use Element considers the adjacent Braemar Tract an example of an improper subdivision because it is a dense development on steep topography. Staff is not in support of creating a new lot in a neighborhood identified in the Land Use Element as already too dense.

2. If the applicant chooses to proceed with the proposed project, Staff would be recommending denial of the Initiation of the Zone Change and General Plan and Local Coastal Program Amendments at the Planning Commission.
3. Staff, however, would be in support of the proposal if the newly created lot were to have an upper-middle income restricted single-family detached unit. The proposal would be subject to the requirements of the City's Density Bonus Program. If the applicant chooses to proceed in this manner, please see SBMC§28.87.400 and the City of Santa Barbara Affordable Housing Policies and Procedures Manual for more information.

The proposal being presented to the Planning Commission is the same as described above but it does not include the five additional properties along the eastern side of Alan Road. In regard to the affordable housing suggestion by Staff, the applicant has requested that a payment of an in-lieu fee be considered rather than a restriction on the new residence.

## VI. RECOMMENDATION

Staff's concerns remain the same as stated above. In addition, Staff would not be in support of a payment of an in-lieu fee because the purpose is to provide payment as an alternative to constructing an affordable unit. This would not be a proper application of this alternative.

For the reasons presented above, Staff recommends that the Planning Commission deny the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment for the proposed project.

*If the initiation is granted, it is not meant to imply any approval of, or formal position on the proposed project other than acknowledging that the proposed Zone Change, General Plan Amendment and Local Coastal Program Amendment can proceed for study and environmental review.*

### Exhibits:

- A. Applicant's letter, dated May 22, 2009
- B. Project Plans (Exhibits A, B-1, B-2, C & Tentative Map)

May 22, 2009

RECEIVED  
MAY 22 2009

Patsy Stadelman, AICP  
Land Use Planner  
805.882.1424 tel  
805.965.4333 fax  
PStadelman@bhfs.com

VIA HAND DELIVERY

Ms. Kathleen Kennedy  
City of Santa Barbara  
Community Development Department  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

CITY OF SANTA BARBARA  
PLANNING DIVISION

RE: Initiation of Seybold Lot Split, Rezone and General Plan Amendment  
415 Alan Road (APN 047-091-024)

Dear Ms. Kennedy:

Enclosed are the copies of the revised exhibits for Planning Commission initiation of the proposed rezone and General Plan amendment at 415 Alan Road.

Following our pre-application review meeting with you on March 23, 2009, Mr. Seybold decided to revise the proposed project to eliminate the request for a rezone and General Plan amendment of the properties on the east side of Alan Road. The revised exhibits reflect this change. This letter and accompanying enclosures describe the proposed project and the reasons we believe the proposal is consistent with City policies and regulations as well as the Subdivision Map Act.

#### Project Description

The proposed project includes (1) subdivision of the 415 Alan Road parcel (APN 047-091-024), resulting in one new developable lot; (2) a rezone of the newly created parcel from A-1/S-D-3, One-Family Residence and Coastal Overlay Zones, to E-3/S-D-3, One-Family Residence and Coastal Overlay Zones; (3) a General Plan Amendment, and consistent Local Coastal Plan Amendment, to change the land use designation of the rezoned parcel from 1 dwelling unit per acre to 5 dwelling units per acre; and (4) a lot area modification to reduce the minimum lot area of the already developed remainder lot from 1.5 acres to 1.08 acres (see enclosed exhibits). The proposed project would require a Tentative Parcel Map, Coastal Development Permit, Lot Area Modification, Rezone, and General Plan and Local Coastal Plan Amendments.

The 415 Alan Road parcel is 59,657 square feet (1.37 acres) and is currently developed with one single family home and associated accessory structures on the southern side of the property. The size of this parcel conforms to the minimum one acre parcel size standard of the A-1 zone district but is smaller than the 1.5 acres that would be required under the city's slope density ordinance if the lot were now being proposed for development. The proposed lot split would result in two parcels: Parcel A would contain the existing dwelling and be 46,948 square feet in size (1.08 acres) and Parcel B would be 12,709 square feet in size (see Exhibit B-1 and Tentative Map). With the proposed rezone and land use designation change to E-3/S-D-3 and 5 dwelling units per acre, respectively, Parcel B would conform with the minimum 7,500 parcel size standard of the E-3 zone district and would satisfy the

11,250 square foot slope density standard for a lot with an average slope between 10% and 20%. Parcel A would continue to be nonconforming to the minimum lot area under the slope density ordinance and therefore would require a lot area modification.

### **Project Benefits and Required Findings**

The Santa Barbara Municipal Code requires the City to make the following findings in order to approve the proposed project

**Findings for Tentative Map (SBMC §27.07.100):** The tentative map is (1) consistent with applicable General and specific plans; (2) the design or improvement proposed is consistent with applicable general and specific plans; (3) the site is physically suitable for the type of development; (4) the site is physically suitable for the proposed density of development; (5) the design of the development or the proposed improvements are not likely to cause substantial environmental damage or to substantially and avoidably injure fish or wildlife or their habitat; (6) the design of the development or the type of improvement is not likely to cause serious public health problems; and (7) the design of the development or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed development.

**Findings for a Change of Zone Boundaries (SBMC §28.92.015):** The change is justified by public necessity, convenience, general welfare or good zoning practice.

**Findings for Coastal Development Permit (SBMC §28.45.009):** The project is consistent with the policies of the California Coastal Act and the project is consistent with all applicable policies of the City's Coastal Plan, all implementing guidelines and all applicable provisions of the Municipal Code.

**Findings for a Local Coastal Program Amendment (SBMC §28.45.009):** The project is consistent with the policies of the California Coastal Act (commencing with Section 30200) including public access and public recreation because it would not affect public access or recreation opportunities. In addition, the project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provision of the Municipal Code.

**Findings for a Lot Area Modification (SBMC §28.92.110):** The modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to (i) secure an appropriate improvement on a lot, (ii) prevent unreasonable hardship, (iii) promote uniformity of improvement, or (iv) the modification is necessary to construct a housing development which is affordable to very low-, low-, moderate- or middle-income households.

We respectfully submit that these findings can be made for the following reasons. The property is an excellent location for infill development of a single family home. The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. Further, it is adjacent to and across Alan Road from lots of comparable size, all infrastructure is in place, slopes are relatively minimal, and development would not negatively impact traffic in the neighborhood.

A rezone and General Plan Amendment to allow a new lot would be consistent with the actual density of the existing neighborhood. While the area is currently designated for 1 unit per acre, this land use designation was applied after the neighborhood was developed. The actual density of the area along Alan Road between Cliff Drive and Wade Court is 1.8 units per acre. One infill unit would result in a minimal increase in density to 2 units per acre.

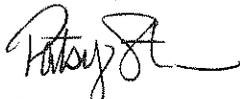
Ms. Kathleen Kennedy  
May 22, 2009  
Page 3

The proposed project is consistent with the Coastal Act because it does not affect public access or public recreation. The project would result in a new lot added to the City's tax rolls and would be compatible with the Alan Road neighborhood. The proposed new lot has ready access from Alan Road and would connect to the existing water and sewer infrastructure on Alan Road. Further, there are no significant natural resources on the property which could be adversely affected by future development.

In conclusion, the proposed project benefit the City by creating a new infill property compatible with the existing neighborhood, furthering the City's policy of providing housing opportunities through infill development and adding a new property to the City's tax rolls.

Thank you for your time and consideration of this proposal.

Sincerely,



Patsy Stadelman, AICP  
Land Use Planner

cc: Andrew Seybold  
Steven Amerikaner, Esq.

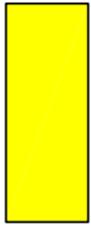
Enclosures: Tentative Parcel Map (10 copies)  
Exhibit A: Seybold Existing Conditions (10 copies)  
Exhibit B-1: Seybold Proposed Conditions, Subdivision and Rezone (10 copies)  
Exhibit B-2: Seybold Proposed Conditions, Subdivision and General Plan Amendment (10 copies)  
Exhibit C: Seybold Vicinity/Zoning Map (10 copies)

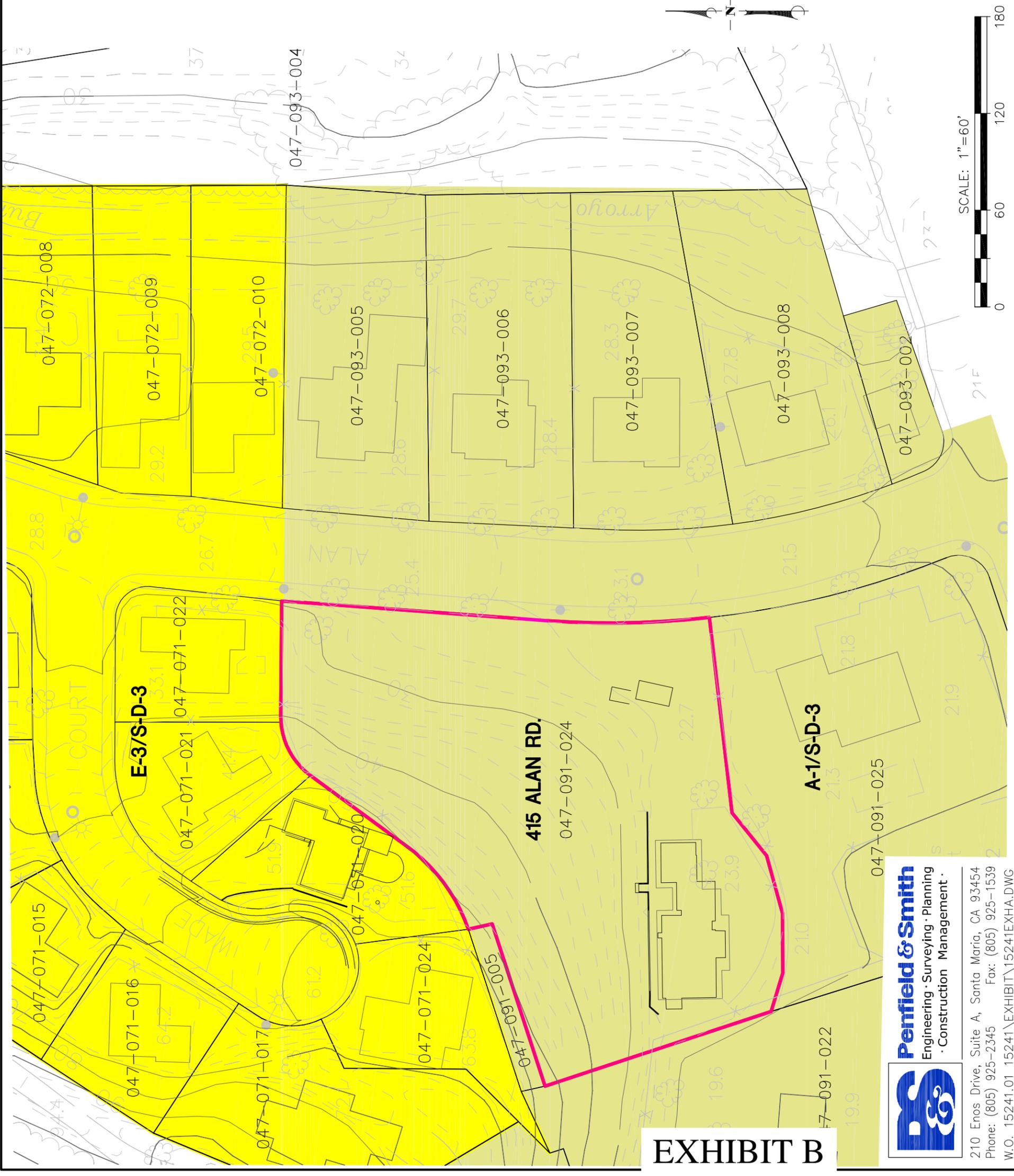
SB 505951 v1:012399.0001



EXISTING CONDITIONS 415 ALAN ROAD	
OWNER	ANDREW SEYBOLD
APN	047-091-024
GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)
ZONE DISTRICT	A-1/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 ACRE)
EXISTING LOT AREA	59,657 S.F. (1.37 AC.)

**LEGEND**

-  EXISTING PROPERTY LINE
-  A-1/S-D-3 ZONE
-  E-3/S-D-3 ZONE



**EXHIBIT B**



**Penfield & Smith**  
 Engineering · Surveying · Planning  
 · Construction Management ·

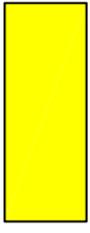
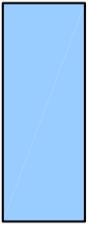
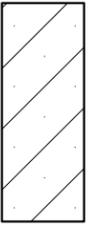
210 Enos Drive, Suite A, Santa Maria, CA 93454  
 Phone: (805) 925-2345 Fax: (805) 925-1539  
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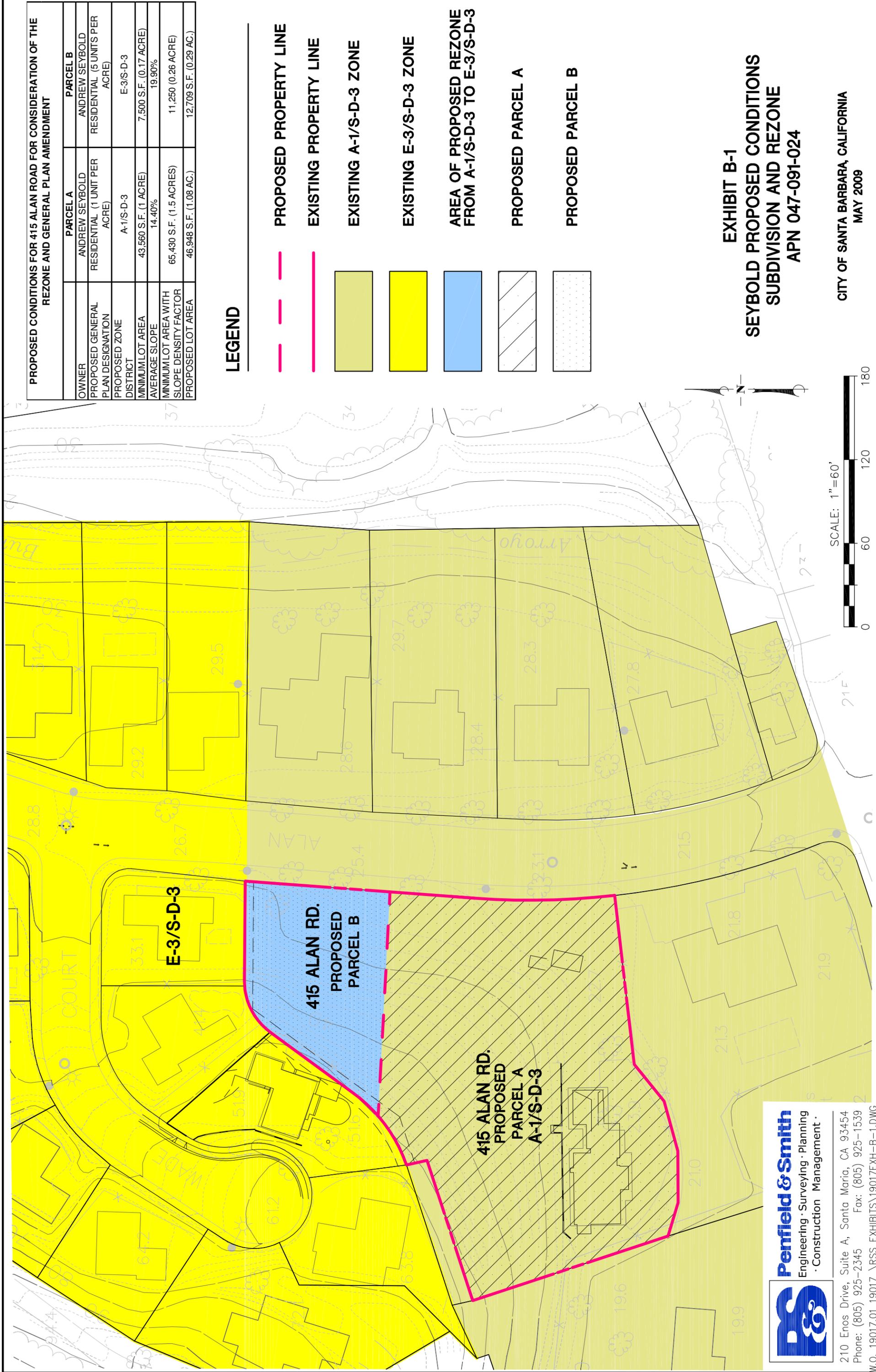
**EXHIBIT A**  
**SEYBOLD EXISTING CONDITIONS**  
**APN 047-091-024**

CITY OF SANTA BARBARA, CALIFORNIA  
 JANUARY 2009

PROPOSED CONDITIONS FOR 415 ALAN ROAD FOR CONSIDERATION OF THE REZONE AND GENERAL PLAN AMENDMENT	
PARCEL A	PARCEL B
OWNER ANDREW SEYBOLD	ANDREW SEYBOLD
PROPOSED GENERAL PLAN DESIGNATION RESIDENTIAL (1 UNIT PER ACRE)	RESIDENTIAL (5 UNITS PER ACRE)
PROPOSED ZONE A-1/S-D-3	E-3/S-D-3
MINIMUM LOT AREA 43,560 S.F. (1 ACRE)	7,500 S.F. (0.17 ACRE)
AVERAGE SLOPE 14.40%	19.90%
MINIMUM LOT AREA WITH SLOPE DENSITY FACTOR 65,430 S.F. (1.5 ACRES)	11,250 (0.26 ACRE)
PROPOSED LOT AREA 46,948 S.F. (1.08 AC.)	12,709 S.F. (0.29 AC.)

**LEGEND**

-  PROPOSED PROPERTY LINE
-  EXISTING PROPERTY LINE
-  EXISTING A-1/S-D-3 ZONE
-  EXISTING E-3/S-D-3 ZONE
-  AREA OF PROPOSED REZONE FROM A-1/S-D-3 TO E-3/S-D-3
-  PROPOSED PARCEL A
-  PROPOSED PARCEL B



**EXHIBIT B-1  
SEYBOLD PROPOSED CONDITIONS  
SUBDIVISION AND REZONE  
APN 047-091-024**



CITY OF SANTA BARBARA, CALIFORNIA  
MAY 2009

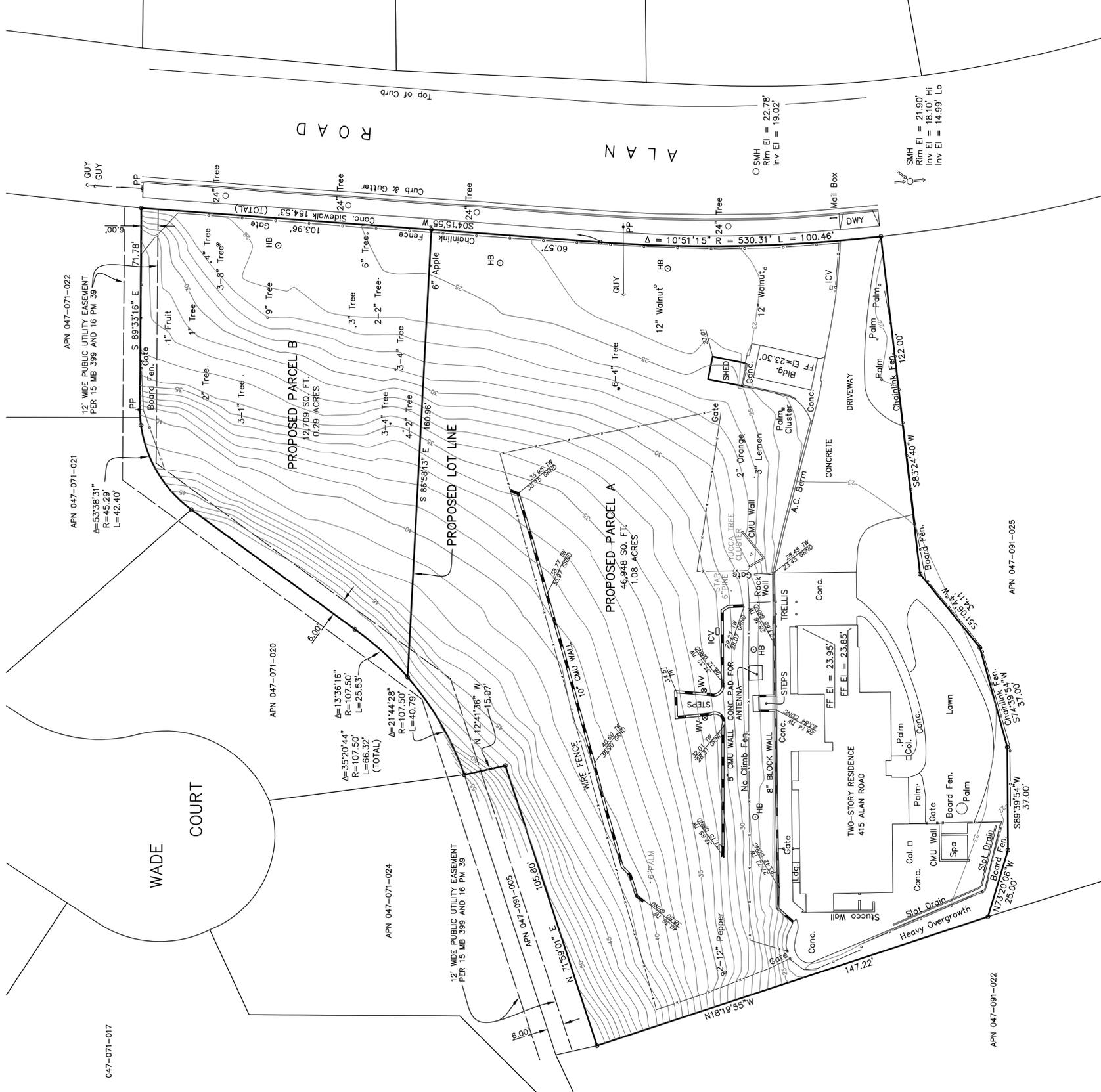


**Penfield & Smith**  
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· Construction Management ·

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W.O. 19017.01 19017 \RSS EXHIBITS\19017EXH-B-1.DWG







**LEGEND**

- PP = POWER POLE
- ⊕ = GUY ANCHOR
- HB = HOSE BIB
- = TOP OF WALL
- GRND = GROUND
- CONC = CONCRETE
- FF = FINISHED FLOOR
- SMH = SEWER MANHOLE
- WV = WATER VALVE
- ICV = IRRIGATION CONTROL VALVE

**NOTES**

1. ZONING: EXISTING PARCEL: A-1/SD-3  
PROPOSED PARCEL A: A-1/SD-3  
PROPOSED PARCEL B: PROPOSED REZONE TO E-3/SD-3  
(SEE SEPARATE EXHIBIT FOR REZONING PROPOSAL)
2. WATER: SANTA BARBARA CITY
3. SEWER: SANTA BARBARA CITY
4. GAS: SOUTHERN CALIFORNIA GAS
5. ELECTRIC: SOUTHERN CALIFORNIA EDISON
6. THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON THE NATIONAL GEODETIC SURVEY OF 1983 AND IS DATED OCTOBER 04, 2002 AND SUPPLEMENTED BY A FIELD SURVEY UNDERTAKEN BY PENFIELD AND SMITH, JANUARY 04, 2005.
7. THE BASIS OF BEARINGS FOR THIS SURVEY IS CCS 83, ZONE 18N. THE CONTROL NETWORK IS SHOWN ON THE MAP FILED IN BOOK 147, PAGES 70 THROUGH 74, OF RECORD OF SURVEYS. DISTANCES HAVE BEEN SCALED FROM GRID TO GROUND BY A COMBINED FACTOR OF 1.0005553 COMPUTED AT CONTROL POINT 109547 FROM THE 1983 TOPOGRAPHIC INFORMATION. THE BEARINGS AND DISTANCES SHOWN ON THIS MAP FOR TRACT 20,191, BOOK 95, PAGES 48 AND 49, OF MAPS.
8. VERTICAL DATUM IS NAVD 83, BASED UPON SEON STATION 0029. LOCAL BENCHMARK IS A FOUND LEAD AND TAG, PT. NO. 100. MARKING IS 23.877 U.S. SURVEY FEET.
9. THIS TENTATIVE MAP WAS PREPARED IN CONJUNCTION WITH A PRELIMINARY TITLE REPORT ISSUED BY FIDELITY NATIONAL TITLE COMPANY, JANUARY 20, 2005, AS PART OF THE PROJECT. THE PROJECT, HAVING AN ELEVATION OF 23.877 U.S. SURVEY FEET.

**OWNER'S STATEMENT:**

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE AN INTEREST IN THE LAND AND INCLUDED THEREIN. WE HAVE SHOWN WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINES.

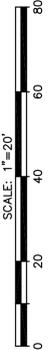
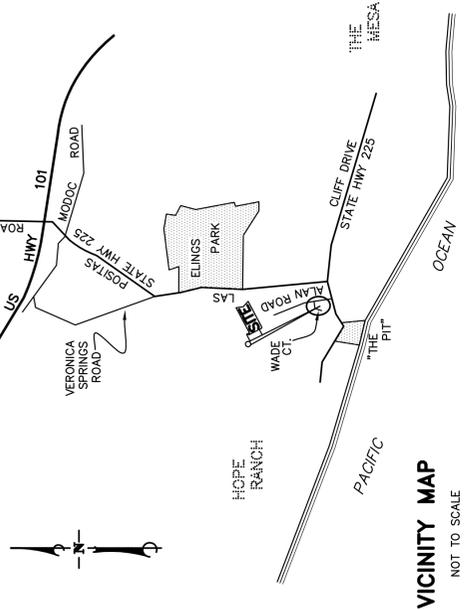
BY: ANDREW M. SEYBOLD \_\_\_\_\_  
 BY: LINDA M. SEYBOLD \_\_\_\_\_  
 415 ALAN ROAD \_\_\_\_\_  
 STREET \_\_\_\_\_  
 DATE \_\_\_\_\_ PHONE \_\_\_\_\_  
 SANTA BARBARA CA STATE \_\_\_\_\_  
 CITY \_\_\_\_\_ ZIP \_\_\_\_\_

**AREAS:**

**EXISTING LOT 1, TRACT 20,191**  
 TOTAL AREA: 1.37 ACRES (GROSS AND NET)  
 AVERAGE SLOPE: 15.6%

**PROPOSED PARCEL A**  
 TOTAL AREA: 1.08 ACRES (GROSS AND NET)  
 AVERAGE SLOPE: 14.4%

**PROPOSED PARCEL B**  
 TOTAL AREA: 0.29 ACRES (GROSS AND NET)  
 AVERAGE SLOPE: 19.9%



**TENTATIVE PARCEL MAP NO. 20,XXX**  
 BEING A DIVISION OF LOT 1 OF TRACT 20,191  
 IN THE CITY OF SANTA BARBARA, STATE OF CALIFORNIA,  
 RECORDED IN BOOK 95, PAGES 48 AND 49 OF MAPS  
 SCALE: 1"= 20'  
 MAY 2009

PREPARED UNDER THE DIRECTION OF:

KENNETH S. HUGHES PLS 6170  
 LICENSE EXPIRATION  
 DATE: 3/31/10



II. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.  
None.
- B. Announcements and appeals.  
None.
- C. Comments from members of the public pertaining to items not on this agenda.  
Chair Larson opened the public hearing at 1:07 P.M. and, with no one wishing to speak, closed the hearing.

III. NEW ITEMS:

ACTUAL TIME: 1:07 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 proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

Case Planner: Kathleen Kennedy, Associate Planner  
Email: [KKennedy@SantaBarbaraCA.gov](mailto:KKennedy@SantaBarbaraCA.gov)

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Steve Amerikaner, Attorney, gave the applicant presentation joined by Andrew Seybold, Property Owner.

Chair Larson opened the public hearing at 1:29 P.M. and acknowledged the correspondence received.

Gill Barry, neighbor, spoke in opposition to the project on behalf of neighbor Dr. Timothy Rodgers, who could not be present at the meeting. He cited concerns over the lot split and increased density and stated that a previous condition of approval prohibited any further subdivision of the parcel.

With no one else wishing to speak, the public hearing was closed at 1:33 P.M.

Scott Vincent, Assistant City Attorney, answered Planning Commission questions about how the slope density provisions of the City's Ordinance apply to the project. Mr. Vincent also stated that the City cannot place a condition on a property that would not allow an owner to request further division of the property.

The Commission made the following comments:

1. Commissioner Lodge was not in support because it would become denser.
2. Commissioner White concurs but may be in support of a secondary unit in the future.
3. Commissioner Bartlett was in support because the new lot would conform and the applicant is willing to pay in-lieu fees and construct a green building. Need to fix the rules.
4. Commissioner Bartlett suggested that the General Plan and Zoning inconsistencies in this area be addressed in the future.
5. Commissioner Thompson suggested that the in-lieu fee option be explored.

**MOTION: Lodge/White**

**Assigned Resolution No. 025-09**

Denied the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment for the proposed project as recommended in the Staff Report.

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Bartlett/Thompson) Abstain: 0 Absent: 2 (Jacobs/Jostes)

Chair Larson announced the ten calendar day appeal period.



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 025-09

415 ALAN ROAD

ZONE CHANGE, GENERAL PLAN AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT

JUNE 11, 2009

**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 proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

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

**WHEREAS**, no one appeared to speak in favor of the application, and 1 person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 4 2009.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Steven Amerikaner
  - b. Steve H. Dougherty, via email
  - c. Richard B. Tanner, Santa Barbara, CA

4. Correspondence received in opposition to the project:
- b. Judy Orias, Allied Neighborhood Association, via email
  - c. Herbert L. Gravitz and Julie Borden, via email
  - d. Timothy Rodgers, M. D., via email
  - e. Paula Westbury, Santa Barbara, CA

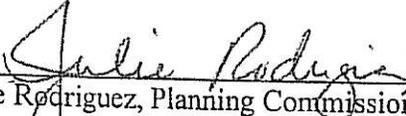
**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission:

Denied the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment.

This motion was passed and adopted on the 11th day of June, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 3 NOES: 2 (Bartlett, Thompson) ABSTAIN: 0 ABSENT: 2 (Jacobs, Jostes)

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.