

Planning Commission Minutes  
 May 14, 2009  
 Page 12

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Jacobs recused herself from hearing this item due to the applicant's attorney working at the same firm as her husband.

This hearing was for Planning Commission consideration of project denial prior to initiation of environmental review. The project could not be approved at this hearing, only denied or continued.

APPLICATION OF PETER EHLEN, ARCHITECT FOR CAROLYN & JOSEPH MCGUIRE PROPERTY OWNERS, 1642 & 1654 CALLE CAÑON / 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 Cañon. 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 Cañon 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 Cañon 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 determined that the project was exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15270 (Projects which are disapproved).

Case Planner: Daniel Gullett, Associate Planner  
Email: DGullett@SantaBarbaraCA.gov

Daniel Gullett, Associate Planner, gave the Staff presentation.

Staff assured the Planning Commission that the driveway design had been reviewed by the Fire Department.

Pete Ehlen, Architect, gave the applicant presentation, joined by Justin Van Mullen.

Chair Thompson opened the public hearing at 5:17 P.M.

The following people supported denial of the project:

1. Laura Brooks supported denial of the project citing the existing density of the area and the impact of any further development. Major concern is safety.
2. Tina Ryder supported denial and asked that the rural character be maintained if any other proposed development is reviewed.
3. Jim Garland supports denial and is concerned about public safety and increase in traffic.
4. Pamela Juliet Garland expressed concern that the proposed driveway would be directly in front of her home and elaborated in a submitted letter.

Stephen Zoldos expressed support for the applicant's efforts and asked the Commission not to deny the project.

With no one else wishing to speak, the public hearing was closed at 5:34 P.M.

The Commissioners made the following comments:

1. Commissioner White feels that any intensification that is to occur should be developed in a cluster and that this configuration is overdeveloped.
2. Commissioner Lodge cannot support Staff continuing to work on this proposal; would consider a project where the other houses are clustered down below where there is less of a steep slope, or a one story house on the existing lot 5 and returning lot 6 to its original configuration.
3. Commissioner Bartlett empathized with the applicant and thinks that one-story homes nestled into the two upper lots might buffer the skyline view of the tract

- homes above. Agrees with Commissioner White on seeing more clustering. Turnaround wall at the access road entry would be the most obvious visual impact. Concerned with access road and would want it to look more natural.
4. Commissioner Thompson sees the potential benefits but sees the proposed development as too aggressive for the site. Clustering may have some potential.

Mr. Van Mullen asked for clarification of 'clustering' and was directed to work with Staff.

Staff responded to the Commissions question about the potential for a Planned Unit Development (PUD) and explained a Planned Residential Development (PRD) and the clustering differences in each.

Mr. Ehlen commented that clustering options had been studied but did not fit with the rural character of the site.

**MOTION: Lodge/White**

**Assigned Resolution No. 016-09**

Deny the application due to inconsistency with the General Plan making the findings as outlined in the Staff Report

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Larson, Jostes, Jacobs)

Chair Thompson announced the ten calendar day appeal period.

**VI. DISCUSSION ITEM:**

**ACTUAL TIME: 5:55 P.M.**

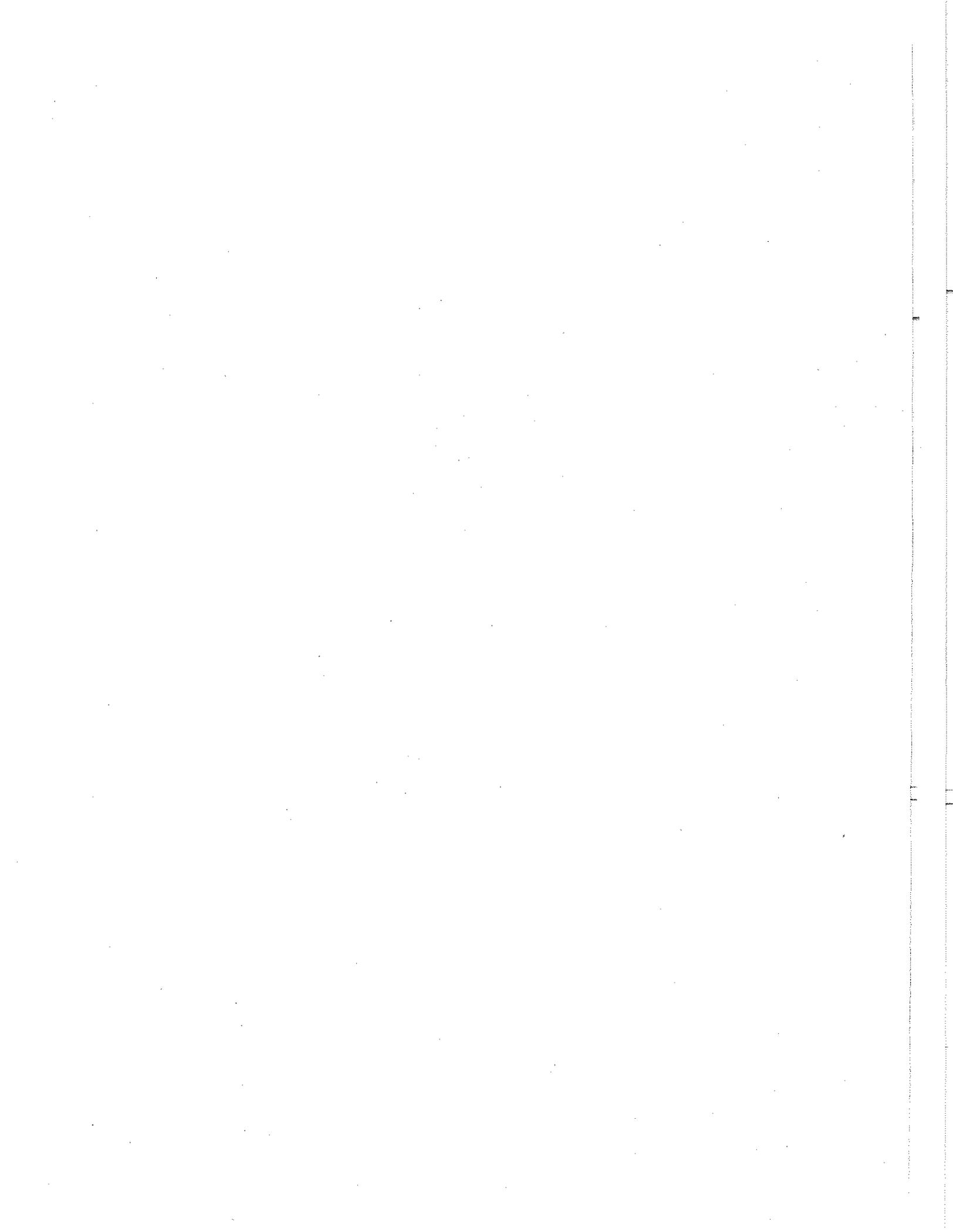
**PROPOSED FINANCIAL PLAN AND OPERATING BUDGET FOR FISCAL YEAR 2010.**

City Staff Presenter: Bettie Weiss, City Planner  
Email: BWeiss@SantaBarbaraCA.gov

Bettie Weiss, City Planner, gave the Staff presentation.

Staff answered additional Planning Commission questions about Public Works using Planning Division Staff for work that would have been contracted out; the proposed work furlough; defining building height definition if the Save El Pueblo Viejo initiative passes; and the potential source of revenue from TOT (short term rental of individual properties in residential zones). Ms. Weiss also explained the 30-50% cost recovery of services.

The Commissioners made the following comments:





# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 016-09

1642 AND 1654 CALLE CAÑON / 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 CAÑON / 2418 CALLE MONTILLA, APNs 041-  
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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.*

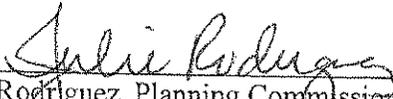
c. The site is not physically suitable for the type of development.

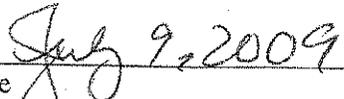
*As discussed in the Staff Report, the project site is not physically suitable for the type of development due to steep unstable slopes. Therefore, approval is denied.*

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.

