

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for the Woolley Appeal

Hearing Date: May 7, 2014
Staff Report Date: April 18, 2014
Case Nos.: 14APL-00000-00001 & 13LUP-00000-00376

Environmental Document:
Notice of Exemption - CEQA Exemption §15270

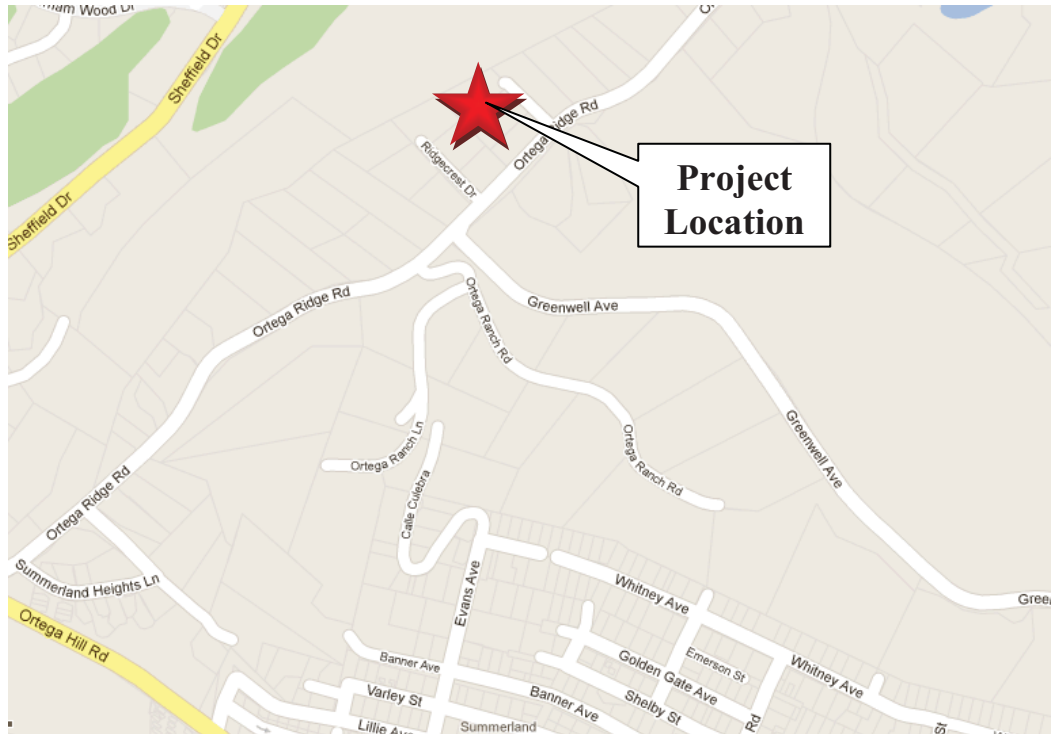
Deputy Director: Alice McCurdy
Division: Development Review
Supervising Planner: Anne Almy
Supervising Planner Phone #: 568-2053
Staff Contact: J. Ritterbeck
Planner's Phone #: 568-3509

OWNER/APPELLANT

Robert & Karina Woolley
355 Ortega Ridge Road
Summerland, CA 93108
(805) 969-1390

AGENT/ENGINEER

Everett Woody
122 E. Arrellaga Street
Santa Barbara, CA 93101
(805) 452-2999



The project site is identified as Assessor's Parcel No. 005-020-024, located at 355 Ortega Ridge Road in the 1-E-1 zone district, and within the urban area of the Summerland Community Plan, First Supervisorial District.

Land Use Permit application filed: September 30, 2013

Land Use Permit denial: March 10, 2014

Appeal filed: January 21, 2014¹

¹ The appeal date precedes the date of the Land Use Permit denial because the appeal was originally filed to address a staff determination regarding the FAR calculation.

1.0 REQUEST

Hearing on the request of Everett Woody, agent for Robert and Karina Woolley, property owners, to consider Case No. 14APL-00000-00001, [application filed on January 21, 2014] to appeal the Department of Planning and Development's denial of 13LUP-00000-00376, in compliance with Chapter 35.102 of the County Land Use and Development Code, on property located in the 1-E-1 zone district. The application involves AP No. 005-020-024, located at 355 Ortega Ridge Road in the inland, urban area of the Summerland Community Plan, First Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and deny the appeal, Case No. 14APL-00000-00001 and deny *de novo* Case No. 13LUP-00000-00376, based upon the inability to make the required findings for approval.

Your Commission's motion should include the following:

1. Make the required findings for denial of the project (13LUP-00000-00376), including CEQA findings in Attachment A;
2. Determine the denial of the project is exempt from CEQA, pursuant to CEQA Guidelines Section 15270, included as Attachment B;
3. Deny the appeal, Case No. 14APL-00000-00001; and
4. Deny *de novo*, the project, Case No. 13LUP-00000-00376.

Refer back to staff if the Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on Section 35.102.040.A of the County Land Use and Development Code (LUDC), which states that any decision of the Director to deny a Land Use Permit is appealable to the Commission.

4.0 BACKGROUND INFORMATION

On September 30, 2013, P&D received an application for a Land Use Permit to allow the construction of a 2,239 sq. ft. addition to the existing 4,435 sq. ft. single-family dwelling on the subject parcel. On September 3, 2013, the project received conceptual comments by the Summerland Citizens Association Board of Architectural Review, a local non-governmental body whose review and comments act only as a recommendation to the South County Board of Architectural Review (SBAR) (see Exhibit E of Attachment F). The project was taken to the SBAR on October 4, 2013 and October 18, 2013 where it was reviewed at the conceptual level (see Attachment D). Subsequent to the BAR hearings, P&D staff met with Everett Woody and Gil Garcia, agents for the property owners, to discuss the methodology for

calculating FAR within the Board of Architectural Review Guidelines for Summerland (Summerland Guidelines).

On January 13, 2014, P&D staff summarized the discussions from that meeting within a memo to the appellants. The memo formally states the County’s FAR calculation and is included in Attachment F as Exhibit A. On January 21, 2014, P&D received an appeal of staff’s determination of the FAR methodology. Following phone conversations with the appellant discussing the most effective appeal path, on March 10, 2014, P&D staff sent a formal denial letter for the project, case no. 13LUP-00000-00376 (see Attachment E). With the applicant’s concurrence, staff is processing an appeal of the Land Use Permit rather than the appeal of the FAR determination.

5.0 PROJECT INFORMATION

5.1 Site Information

Comprehensive Plan Designation	Urban, Inland, Summerland Community Plan, Single-Family Residential / 1-acre Minimum Lot Size
Ordinance, Zone	County Land Use & Development Code, 1-E-1
Site Size	1.0-acre [gross]
Present Use & Development	Currently developed with an existing 4,435 sq. ft. two-story single-family dwelling, an existing 778 sq. ft. cabaña and pool.
Surrounding Uses/Zone(s)	<i>North:</i> Residential / 1-E-1 Residential <i>South:</i> Residential / 1-E-1 Residential <i>East:</i> Residential / 1-E-1 Residential <i>West:</i> REC / Recreation: Golf Course
Access	Private access drive off of Ortega Ridge Road
Public Services	<i>Water Supply:</i> Montecito Water District <i>Sewage:</i> Private Septic System <i>Fire:</i> Carpinteria-Summerland Fire Department <i>Police:</i> Santa Barbara County Sheriff

5.2 Project Description

The project (Case No. 13LUP-00000-00376) is for the construction of a residential addition of approximately 2,239 square feet to the existing 4,435 square foot single-family dwelling, resulting in a 6,674 square foot residence. No tree removal will be required as a part of this project. The parcel will

continue to be served by the Montecito Water District, a private septic system, and the Carpinteria-Summerland Fire Department. Access will continue to be provided off of Ortega Ridge Road. The property is a 1.0-acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 005-020-024, located at 355 Ortega Ridge Road in the Summerland Area, First Supervisorial District.

5.3 Appeal Issues and Staff Response

The appellants, Gil Garcia and Everett Woody, agents for the property owners Robert and Karina Woolley, have submitted Exhibits along with their appeal application (included as Attachment F) that identify and explain the specific areas of "Dispute" within their appeal. Those issues have been summarized below and are followed by staff's response. The overarching argument of the appeal pertains to the calculation of FAR.

Issue #1: Summerland Guidelines. The appellant states in Dispute #1 that the Land Use Development Code (LUDC) should be used instead of the Summerland Guidelines to determine the applicable FAR for the subject parcel.

Staff Response: The Board of Architectural Review Guidelines for Summerland is the source document that defines and sets applicable FARs for lots and specifies the methodology for determining the maximum allowable floor area for projects in the Summerland Planning Area. These Guidelines were adopted by the Board of Supervisors in 1992. In 2011, the Board adopted the County LUDC, including the Appendices and Attachments. For information purposes, the provisions of the Summerland Guidelines are included in the LUDC as part of Attachment 1. Although the language and organization are somewhat different in Attachment 1 from the language in the Summerland Guidelines, the intent was to replicate the direction of the Summerland Guidelines for informational purposes within the LUDC. Although Attachment 1 of the LUDC is not a part of the Board-adopted development code, the discussions in the two documents do not yield different FAR results. However, using the Summerland Guidelines to calculate the project's maximum allowable floor area is the correct process.

Issue #2: Terminology. In Dispute #2, the appellants simply objects to the use of the term "bonus" when explaining how FAR is calculated because that term is not explicitly used in the Summerland Guidelines.

Staff Response: Section IV.C.2.d.2 of the Summerland Guidelines includes the following provision:

A proposed residential structure that does not qualify for a basement credit may add 5% to the FAR provided that no part of the lowest finished floor over the entire building footprint is more than 18" above grade.

While the term "bonus" does not appear in this statement, the term accurately describes the result of this provision. Since the project does not qualify for a basement credit and because no part of the lowest finished floor over the entire building footprint is more than 18" above grade, the additional 5% becomes a "bonus" added to the FAR. The "bonus" results from multiplying the percent "credit" with the floor area. In the case of the bonus/credit, the result is then added to the original floor area.

Issue #3: Understory vs. Basement. In Disputes #3 and #4, the appellants claim that staff erred in considering Understories and Basements synonymous terms. Additionally, the appellant believes that the proposed project is subject to a Basement credit and not an Understory adjustment.

Staff Response: An understory and a basement are not the same, nor has staff asserted or implied that they are. In Section IV.D.2 of the Summerland Guidelines, an “Understory” is defined as the portion of the structure between the exposed finished floor and the finished grade. Section IV.D.3 defines a “Basement” as any usable or unused under floor space where the finished floor directly above is not more than 4-feet above grade.

The proposed project would construct additions to both the first and second floors of the existing two-story single-family dwelling. The existing home is built on-grade. The finished floor directly above the ground floor level measures approximately 9-feet. Therefore, the existing two-story home does not have a basement since the entire first level is above ground. Furthermore, since there is no basement area, the project is not subject to the credit for “free” square footage as the appellant claims on line 8 of the FAR Worksheet, included as Exhibit D in Attachment F of this staff report. As designed, the home would be subject to an understory bonus/credit of 5% of the floor area, or an additional 234 sq. ft. (as demonstrated below in Issue #4).

Issue #4: Mathematical Calculations. In Disputes #3, #4 and #5, the appellants assert disagreements with how the maximum allowable FAR for this specific project was calculated.

Staff Response: Within the Summerland Guidelines, lots over 12,000 square feet in size do not have a listed FAR. For these lots, the maximum allowable floor area is calculated using the formula shown below and as demonstrated as an example in the FAR Worksheet (Attachment G). In the worksheet example, the lot is exactly 1-acre in [gross] area (43,560 square feet) and is considered a “large lot.” Additionally, the lot is assumed to have no easements, encroachments or abandoned right-of-ways so there are no “Minus adjustments” and net lot area is equal to the gross lot area.

$$2,500 \text{ sf} + (5\% \times 43,560) \text{ -or- } 2,500 \text{ sf} + 2,178 \text{ sf} = \underline{4,678 \text{ sf}} \text{ maximum allowable square footage.}$$

As discussed in Issue #2 and Issue #3 above, Section IV.D.2 of the Summerland Guidelines indicates that 1) because no part of the lowest finished floor over the entire building footprint is more than 18” above grade, and 2) the proposed residential structure does not qualify for a basement credit, then the proposed project is subject to the Understory “credit.” The correct means by which to calculate the Understory credit is shown on line 5 of the FAR Worksheet, and labeled “Understory adjustment.” The correct calculation on line 5 would read as follows:

$$\pm 5\% \times \underline{4,678 \text{ sf}} = 234 \text{ sf} \text{ -and- } 4,678 \text{ sf} + 234 \text{ sf} = \underline{4,912 \text{ sf}}, \text{ which is the new maximum allowable square footage for the sample 1-acre [net] lot with the “Understory adjustment” included.}$$

The appellant’s miscalculations on the FAR worksheet conclude with the incorrect designation of the entire first floor as a basement. Basements in the Summerland Guidelines are eligible to be counted as “free” square footage. The appellant’s first floor would not be considered a basement because no portion of the existing or proposed home is below ground. Therefore, the maximum adjusted floor area for a 1-acre [net] lot is 4,912 sq. ft. and not 6,983 sq. ft. as the appellants have calculated by claiming that the first floor, built at-grade, is a “basement” (see Exhibit D of Attachment F).

Lastly, within the new Summerland Community Plan, the methodology for calculating the maximum allowable floor area for the subject project does not differ. The only change that would occur in the instant case would be the means by which NET floor area is calculated. In the 1992 Summerland Plan, it was calculated by measuring to the exterior surface of the surrounding exterior walls and in the new Summerland Plan it is measured to the interior surface of the exterior walls.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

The *de novo* review of case number 13LUP-00000-00376 is exempt from environmental review based upon Section 15270 [Projects Which are Disapproved] of the California Environmental Quality Act (CEQA) Guidelines.

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<p>Policy VIS-S-5: Floor Area Ratios (FAR) shall be established for commercial and residential developments to ensure that new development is compatible with the community’s scale.</p> <p>Action VIS-S-5.1: The County shall amend the zoning ordinance to include Floor-to-Area Ratio requirements which must be adhered to for all development in Summerland.</p> <p>Action VIS-S-5.2: Establish clear and objective standards of review for both the applicant and the Board by developing a Floor Area Ratio (F.A.R.) in the Summerland BAR Guidelines. Limits on the maximum size of a structure allowed for residential and commercial lots shall be specified in the Floor Area Ratios section. The Floor Area Ratios shall be based on an assessment of existing structures in Summerland found to be compatible and consistent with the goals set forth in Objective LU-S. Based on the lot size range, include residential and commercial Floor Area Ratios with the minimum and maximum square footage allowed in the Summerland BAR Guidelines. In addition, specifications for limitations and exceptions to F.A.R. shall be included.</p>	<p>Inconsistent: As discussed above in Section 5.3, Issue #4, the proposed 2,239 sq. ft. addition to the existing 4,435 sq. ft. dwelling would result in a dwelling of 6,674 sq. ft. As such, the proposed project would exceed the 4,912 sq. ft. maximum allowable floor area permissible for a 1-acre lot using both the 1992 Summerland Guidelines as well as the new methodology within the 2014 Summerland Plan.</p> <p>The project would therefore be inconsistent with Policy VIS-S-5, Action VIS-S-5.1 and VIS-S-5.2. Finally, the proposed home would be incompatible with the scale of the Summerland community as set forth in the Summerland Guidelines due to its exceeding the maximum allowable floor area, whereas, almost all other homes in the Summerland Community built since 1992, including those in the subject neighborhood, have conformed to maximum allowable floor area as provided by these Guidelines.</p>

6.3 Zoning: Land Use and Development Code Compliance

The proposed project would not be consistent the County LUDC, Section 35.82.110.E.1.a(1), which states that a Land Use Permit application shall be approved or conditionally approved only if the Director first makes all of the finding that the proposed development conforms to the applicable provisions of the Comprehensive Plan including any applicable community or area plan. As discussed in Section 6.2 of this staff report, the project would not conform to Summerland Community Plan Policy VIS-S-5.

The proposed addition to the existing home on the site would result in a single-family dwelling that is 6,674 square feet in total floor area². A dwelling of this size would exceed the maximum allowable floor area of 4,912 square feet for a 1-acre lot by approximately 1,762 square feet. See Attachment G for correct FAR Worksheet calculations for a 1-acre lot (43,560 sq. ft) utilizing the understory adjustment and the 1992 Summerland Guidelines methodology and assuming no additional adjustments are needed.

7.0 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of said action. The appeal fee to the Board of Supervisors is \$643.

8.0 ATTACHMENTS

- A. Findings for Denial [Case No. 13LUP-00000-00376]
- B. Environmental Document: Notice of Exemption
- C. Reduced Plan Sheets
- D. SBAR Minutes, dated October 4, 2013 and October 18, 2013
- E. Denial Letter, dated March 10, 2014
- F. Appeal Application w/ Cover Letter & Exhibits A-E
- G. Summerland Guidelines: FAR Worksheet

² The total floor area of 6,674 square feet assumes that the applicant utilized the correct methodology of calculating NET floor area pursuant to the 1992 Summerland Guidelines. Utilizing the new 2014 Summerland Plan methodology to calculate NET floor area may yield a slightly smaller square footage, but would still significantly exceed the maximum allowable floor area.

ATTACHMENT A

- FINDINGS FOR DENIAL -

1.0 CEQA FINDINGS

Find that CEQA does not apply to the denial of the appeal pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved].

2.0 ADMINISTRATIVE FINDINGS

In order for a Land Use Permit for new development to be approved, the proposed development must comply with all applicable requirements of the County LUDC and policies of the County Comprehensive Plan. As proposed, the following required findings in County LUDC cannot be made. Only findings that cannot be made are discussed below:

- 2.1** Pursuant to Section 35.82.110.E of the County Land Use & Development Code, a Land Use Permit shall be approved only if all of the required findings can be made:

The proposed development conforms to the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.

As discussed in Sections 5.3 and 6.2 of the staff report dated April 18, 2014 and incorporated by reference herein, the proposed project is not consistent with the applicable policies of the Comprehensive Plan, including the Summerland Community Plan. The proposed project does not conform to the following policy and actions of the Summerland Community Plan: Policy VIS-S-5, Action VIS-S-5.1 and Action VIS-S-5.2. Therefore, this required finding cannot be made and the proposed development associated with Land Use Permit 13LUP-00000-00376 cannot be approved.

- 2.2** Attachment 1, Part 6 [Permit Requirements] Section B.1 [Required Findings] of the LUDC states that in addition to any findings that are otherwise required by the Development Code for the approval of a permit for development, project approval within the Summerland Community Plan overlay zone shall require that the review authority also first find that:

The project complies with all applicable requirements of the Summerland Community Plan, including the requirements of the Summerland Development Standards.

As discussed in Sections 5.3, 6.2, and 6.3 of the staff report dated April 18, 2014 and incorporated by reference herein, the proposed project is not consistent with the applicable policies of the Comprehensive Plan, including the Summerland Community Plan and the Summerland Development Standards. Specifically, the project does not conform to all applicable policies and actions of the Summerland Community Plan, including Policy VIS-S-5, Action VIS-S-5.1. Therefore, this required finding cannot be made.

ATTACHMENT B

**ENVIRONMENTAL DOCUMENT
- NOTICE OF EXEMPTION -**

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: J. Ritterbeck, Planner

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 005-020-024 **Case No.:** 13LUP-00000-00376 (Denial)

Location: 355 Ortega Ridge Road, Summerland Community Plan area, First Supervisorial District

Project Title: Woolley SFD Addition

Project Applicant: Robert & Karina Woolley

Project Description: Request of Everett Woody and Gil Garcia, agents for the applicants, Robert & Karina Woolley to consider Case No. 13LUP-00000-00376 [application filed on September 30, 2013] for a Land Use Permit in compliance with Section 35.82.110 of the County Land Use & Development Code, on property zoned 1-E-1 for the construction of a residential addition of approximately 2,239 square feet to the existing 4,435 square foot single-family dwelling, resulting in a 6,674 square foot residence.

Name of Public Agency DENYING the Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Robert & Karina Woolley

Exempt Status:

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15270 [Projects Which are Disapproved]

Reasons to support exemption findings: CEQA does not apply to projects that a public agency disapproves.

Lead Agency Contact Person: J. Ritterbeck Phone #: 805-568-3509

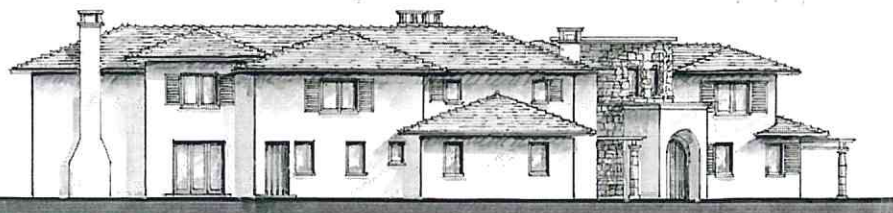
Department/Division Representative: _____ Date: ____/____/2014

Acceptance Date: _____

Distribution: Hearing Support Staff Date Filed by County Clerk: _____.

ROBERT AND KARINA WOOLLEY RESIDENCE SECOND STORY ADDITION

<p>VICINITY MAP</p>	<p>PROJECT TEAM</p> <p>ARCHITECT: GARCIA ARCHITECTS, INC. LOCATION: 122 E. ARRELLAGA STREET, SANTA BARBARA, CA 93101 PHONE: (805) 969-0941</p> <p>JOHN D. OELTMAN STRUCTURAL ENGINEERS 512 WINDSOR STREET, SANTA BARBARA, CA 93101 (805) 969-1818 FAX (805) 969-0941 www.jdoelتمان.com</p>	<p>PROJECT DATA</p> <p>OWNER: ROBERT AND KARINA WOOLLEY 1290 PEPPER LANE, MONTECITO, CA 93108, PHONE 805-969-1390</p> <p>APN: 005-020-024 ZONE: I-E-1 SITE AREA: 1 ACRE GROSS SPECIAL DISTRICTS: ENVIRONMENTALLY SENSITIVE BUFFER GENERAL PLAN DESIGNATION: MONTECITO COMMUNITY PLAN HIGH FIRE AREA: YES BUILDING AVERAGE HEIGHT: 22'-0"</p>	<p>SHEET INDEX</p> <p>A-1 COVER SHEET A-1 SITE PLAN A-3 FLOOR PLAN A-4 ELEVATIONS A-5 PHOTOGRAPHS</p>
<p>SYMBOLS</p> <p>DETAIL: (Circled number) DETAIL NUMBER, (Number) SHEET NUMBER, (Arrow) DIRECTION OF CUT</p> <p>SECTION: (Section symbol) DIRECTION OF SECTION CUT, (Number) SECTION NUMBER, (Number) SHEET NUMBER</p> <p>SHEET REFERENCE: (Circle with number) SHEET NUMBER</p> <p>DOOR DESIGNATION: (Circle with letter) DOOR LETTER</p> <p>WINDOW DESIGNATION: (Circle with letter) WINDOW LETTER</p> <p>ELEVATION (VIEW): (Circle with number) ELEVATION NUMBER</p> <p>ELEVATION (DATE): (Circle with number) ELEVATION NUMBER, (Date) DATE</p> <p>NUMBERED NOTE: (Square with number) NOTE NUMBER</p> <p>LEGEND: (Circle with number) EXISTING TO REMAIN, (Circle with number) TYPICAL, (Circle with number) SUPPLEMENTAL</p>	<p>FAR BUILDING DATA</p> <p>EXISTING RESIDENCE AREA = 4,435 SF CONVERTED GARAGE AREA = 741 SF GROUND FLOOR ADDITION = 93 SF SECOND FLOOR MASTER SUITE = 1,405 SF</p> <p>TOTAL PROPOSED NET BUILDING AREA = 6,674 SF</p>	<p>CODE INFORMATION</p> <p>BUILDING TYPE: R-3 CONSTRUCTION TYPE: TYPE V-NON ROOF TYPE: CLASS 'A' BUILDING HEIGHT: NOT TO EXCEED 22'-0" ABOVE EXISTING GRADE</p> <p>BUILDING SQUARE FOOTAGE: UNLIMITED THIS PROJECT WILL COMPLY WITH: CBC 200 CALIFORNIA RESIDENTIAL CODE CBC GREEN CODE CFC 2010 CFC 2010 CFC 2010 CFC 2010</p> <p>PROJECT IS SUBJECT TO HIGH FIRE HAZARD REQUIREMENTS IN ORDINANCE #4495. THE DRAWINGS ARE IN COMPLIANCE WITH CURRENT COUNTY ORDINANCE #4617.</p>	<p>SITE DATA</p> <p>SQUARE FOOTAGE OF EXISTING STRUCTURES: MAIN RESIDENCE: 4,435 SF NET EXISTING GARAGE: 741 SF NET EXISTING POOL CABANA: 778 SF NET TOTAL: 5,954 SF NET</p> <p>SQUARE FOOTAGE OF PROPOSED ADDITION: MAIN RESIDENCE: 2,239 SF NET ATTACHED 2-CAR GARAGE: 505 SF NET TOTAL: 2,744 SF NET</p> <p>GRAND TOTAL: 8,698 SF NET</p>
	<p>FAR CALCULATIONS</p> <p>SITE AREA = 43,560 ± 05 FAR = 2,178 SF 2,178 SF + 2,500 SF LARGE LOT CREDIT = 4,678 SF 5% BASEMENT CREDIT + 43,560 ± 2,178 SF 4,678 + 2,178 = 6,856</p> <p>MAXIMUM ALLOWED FLOOR AREA 8,000 SF</p> <p>FLOOR AREA ALLOWED 6,056 SF</p>	<p>FINISHES</p> <p>ALL DOOR AND WINDOW DETAILS AND COLORS TO MATCH EXISTING. ALL ROOF AND EAVE DETAILS, ROOFING MATERIAL ETC. TO MATCH EXISTING.</p>	<p>SCOPE OF WORK</p> <p>CONVERT 741 ± (3) CAR GARAGE TO LIVING SPACE. NEW 552± (2) CAR GARAGE. NEW 93± BEDROOM ADDITION. NEW 1,405± SECOND STORY MASTER SUITE NEW ELEVATOR. NEW 204± MASTER SUITE COVERED DECK</p>



SOUTH EAST ELEVATION
NOT TO SCALE



NORTH WEST ELEVATION
NOT TO SCALE

ANGELI DE COVOLO, INC.
 122 E. ARRELLAGA STREET
 SANTA BARBARA, CA 93101



DATE	
NO. REVISIONS	

385 ORTEGA RIDGE ROAD
 MONTECITO, CA 93101
WOOLLEY RESIDENCE REMODEL

SHEET CONTENTS
 COVER SHEET
 SHEET INDEX
 GENERAL NOTES

DATE	08/22/2013
PROJECT NO.	395
DATE	08/22/2013
PROJECT NO.	395
DATE	08/22/2013
PROJECT NO.	395

A-1

KEY NOTES

- 1. EXISTING 1,000 GAL. 2 COMPARTMENT SEPTIC SYSTEM W/ DRYWELL.
- 2. EXISTING 1,000 GAL. 2 COMPARTMENT SEPTIC SYSTEM W/ DRYWELL.

FAR BUILDING DATA

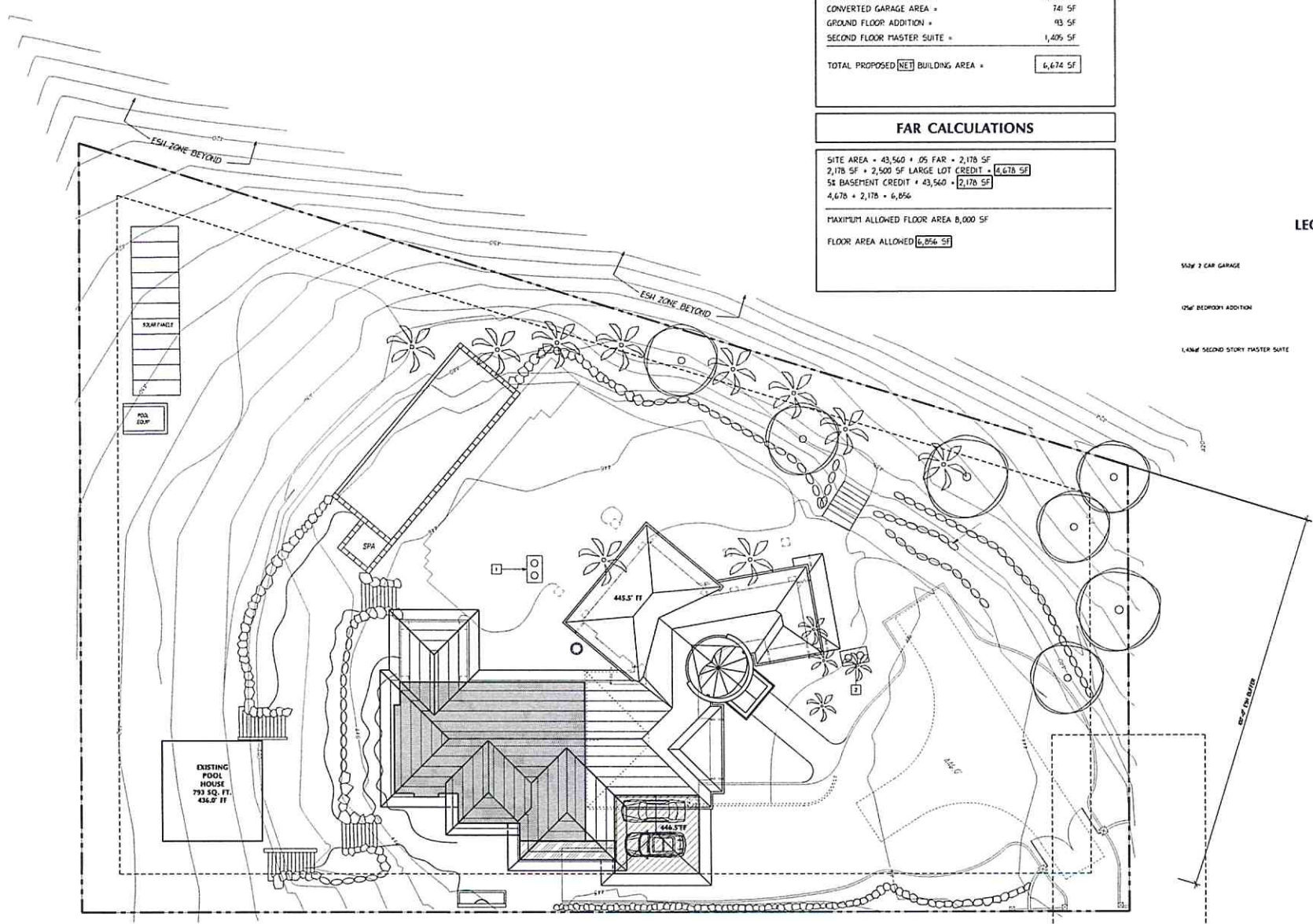
EXISTING RESIDENCE AREA +	4,435 SF
CONVERTED GARAGE AREA +	741 SF
GROUND FLOOR ADDITION +	93 SF
SECOND FLOOR MASTER SUITE +	1,409 SF
TOTAL PROPOSED [NET] BUILDING AREA +	6,674 SF

FAR CALCULATIONS

SITE AREA + 43,540 + .05 FAR + 2,178 SF
2,178 SF + 2,500 SF LARGE LOT CREDIT + 4,678 SF
5% BASEMENT CREDIT + 43,540 + 2,178 SF
4,678 + 2,178 + 6,856
MAXIMUM ALLOWED FLOOR AREA 8,000 SF
FLOOR AREA ALLOWED 6,856 SF

LEGEND

- 1500' 2 CAR GARAGE
- 1200' BEDROOM ADDITION
- 1,400' SECOND STORY MASTER SUITE



EXISTING POOL HOUSE
793 SQ. FT.
438.2' FT

SITE PLAN

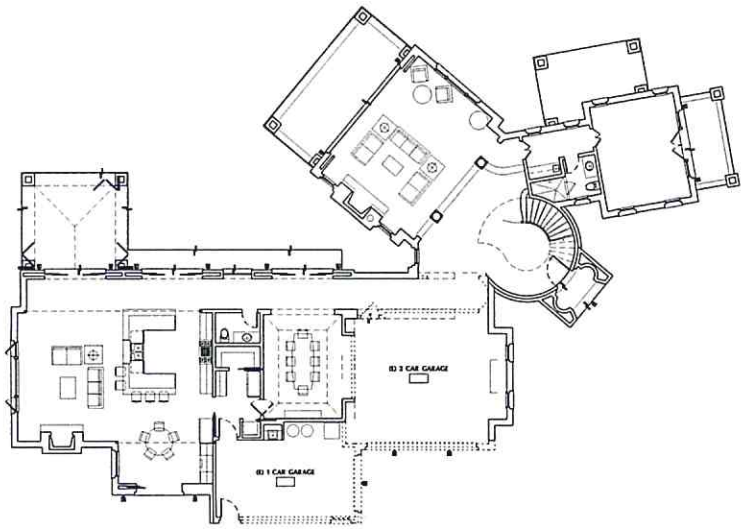
ANGELI DE COVOLO, INC.
122 E. ARRELLAGA STREET
SANTA BARBARA, CA. 93101

DATE	
REVISION	

355 ORTEGA PIQUE ROAD
POMONA, CA. 91768
WOOLLEY RESIDENCE REMODEL

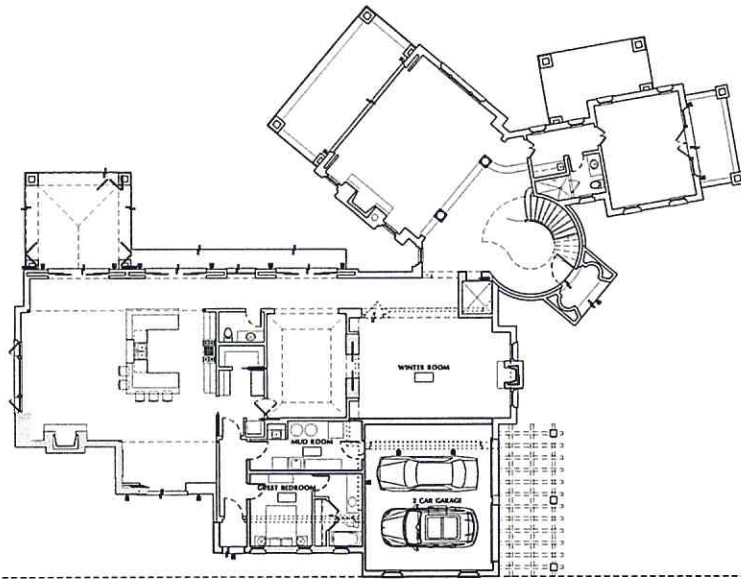
SHEET CONTAINS
SITE PLAN

DATE	08/27/2013
SCALE	AS SHOWN
PROJECT NO.	355
CLIENT	WOOLLEY
DATE PLOTTED	08/27/2013



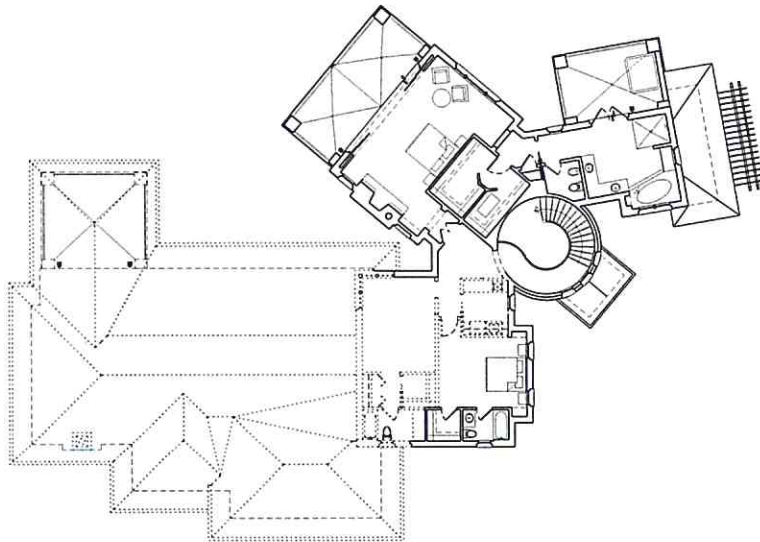
EXISTING FIRST FLOOR PLAN

1/4"=1'-0"



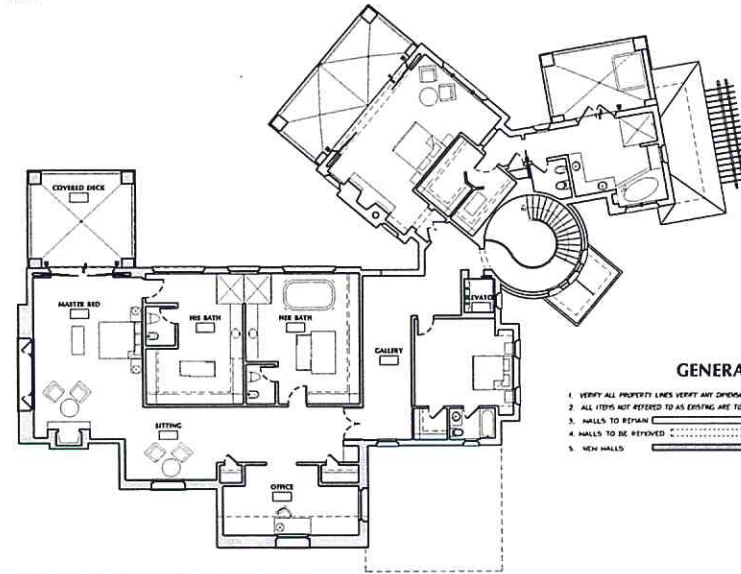
PROPOSED FIRST FLOOR PLAN

1/4"=1'-0"



EXISTING SECOND FLOOR PLAN

1/4"=1'-0"



PROPOSED SECOND FLOOR PLAN

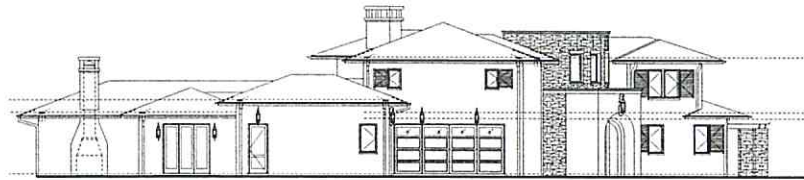
1/4"=1'-0"

GENERAL NOTES

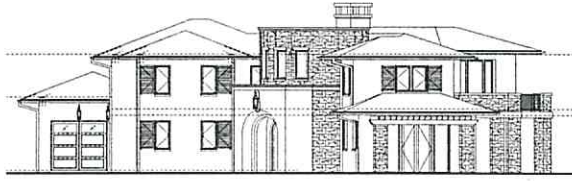
1. VERIFY ALL PROPERTY LINES VERIFY ANY DIMENSION CHANGES WITH THE ENGINEER PRIOR CONSTRUCTION
2. ALL ITEMS NOT REFERRED TO AS EXISTING ARE TO BE REFERRED TO AS NEW ITEMS
3. WALLS TO BE DEMED
4. WALLS TO BE RETAINED
5. NEW WALLS

DATE	
REVISION	

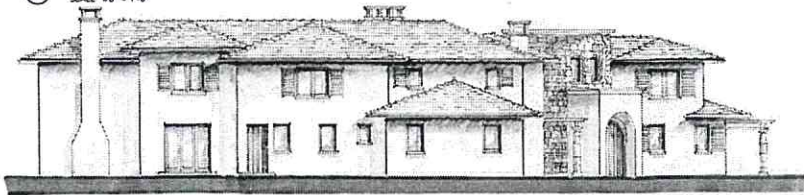
NO.	DATE
1	08/22/2013



2 EXISTING SOUTH ELEVATION
SCALE 1/8" = 1'-0"



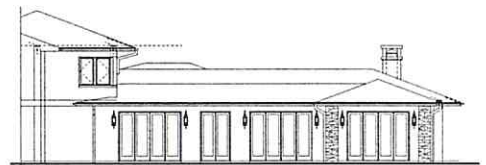
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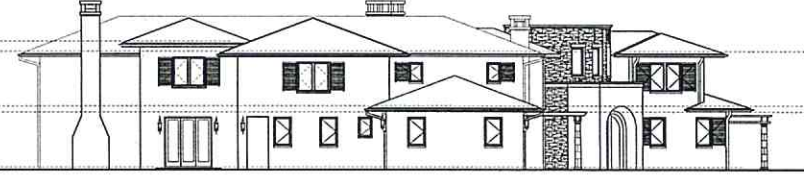
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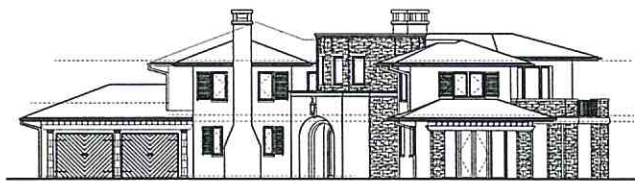
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SCALE 1/8" = 1'-0"



2 EXISTING NORTH ELEVATION CUT
SCALE 1/8" = 1'-0"



2 SOUTH ELEVATION
SCALE 1/8" = 1'-0"



2 EAST ELEVATION
SCALE 1/8" = 1'-0"



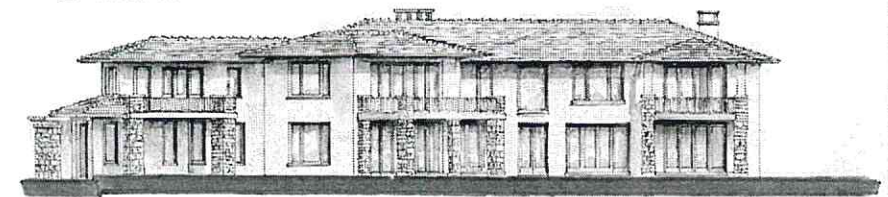
2 NORTH ELEVATION CUT
SCALE 1/8" = 1'-0"



2 WEST ELEVATION
SCALE 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE 1/8" = 1'-0"



ANGELI DE COVOLO, INC.
122 E. ARRELLAGA STREET
SANTA BARBARA, CA. 93101

DATE	
REVISION	
NO.	
DESCRIPTION	

355 ORTEGA RIDGE ROAD
POMONA, CA. 91768
WOOLLEY RESIDENCE REMODEL

SHEET CONTENTS
ELEVATIONS

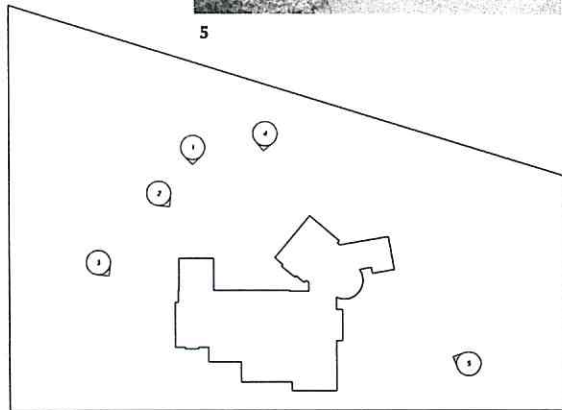
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DATE	06/22/2013



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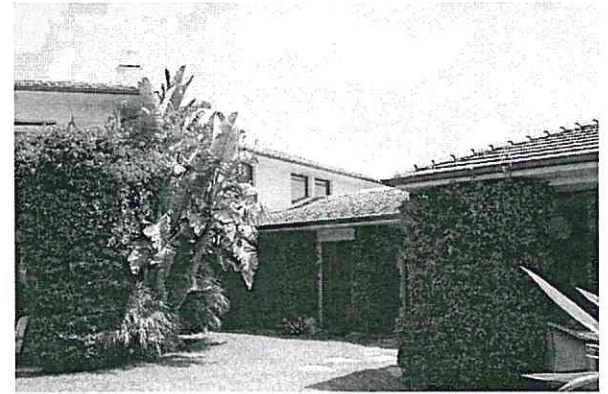
5



KEY PLAN



1



2



3

DATE	
BY	
REVISION	
NO.	
DATE	

NO.	
DATE	
BY	
REVISION	
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DATE	

proposed project will require 43 cubic yards of cut and 12 cubic yards of fill. The property is a 4.74 acre parcel zoned 10-E-1 and shown as Assessor's Parcel Number 155-250-020, located at 815 Cima Del Mundo Road in the Toro Canyon area, First Supervisorial District.

Public speaker: John Bishop

SBAR COMMENTS:

- Very nice building.
- View easement protected.

Project received conceptual review only, no action was taken. Applicant may return for preliminary and final approval on consent.

8. 13BAR-00000-00188 Woolley Residence First and Second Story Additions, Garage Conversion, New Garage and Deck Summerland
(No Assigned Planner) **Jurisdiction: Summerland**

Request of Everett Woody and Gil Garcia, agents for the owners, Robert and Karina Woolley, to consider Case No. 13BAR-00000-00188 for **conceptual review of a residence first floor addition of approximately 125 square feet, second floor addition of approximately 1,560 square feet, garage conversion of approximately 750 square feet, new garage of approximately 552 square feet, new covered deck of approximately 284 square feet and new elevator.** The following structures currently exist on the parcel: a residence of approximately 4,669 square feet, garage of approximately 750 square feet and cabana of approximately 784 square feet. The proposed project will not require grading. The property is a 1 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 055-020-024, located at **355 Ortega Ridge Road** in the Summerland area, First Supervisorial District.

COMMENTS:

- **Fairly large unbroken second story mass. Lots of building.**
- **Need a story poled site visit.**

Project received conceptual review only, no action was taken. Applicant was requested to return for further conceptual review and scheduled site visit.

9. 13BAR-00000-00189 Adizes Pool Cabana Carpinteria
13CDP-00000-00076 (Kimberley McCarthy, Planner) **Jurisdiction: Ridgeline-Rural/Coastal**

Request of Valerie Froscher, architect for the owner, Nvrit Adizes, to consider Case No. 13BAR-00000-00189 for **conceptual review of a pool cabana of approximately 800 square feet.** The following structures currently exist on the parcel: a residence of approximately 5,591 square feet with an attached garage of approximately 583 square feet. The proposed project will require 50 cubic yards of cut and fill. The property is a 5 acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 001-190-042, located at 1230 Mark Avenue in the Carpinteria area, First Supervisorial District.

ACTION: Pujio moved, seconded by Yardy and carried by a vote of 6 to 0 (Romano absent) to continue 13BAR-00000-00189 to the November 1, 2013 meeting. See Agenda Status Report.

10. 13BAR-00000-00134 Russell Residence Remodel Carpinteria
13CDH-00000-00022 (Errin Briggs, Planner) **Jurisdiction: Coastal**

Request of Sophie Calvin, agent for the owners, Mr. and Mrs. Angus Russell, to consider Case No. 13BAR-00000-00134 for **preliminary and final approval of an exterior demolition of exterior walls to a space of approximately 3 square feet and interior remodel.** The following structures currently exist on the parcel: a residence of approximately 2,500 square feet and garage of approximately 440 square feet. The proposed project will not require grading. The property is a .22 acre parcel zoned 8-R-1 and shown as Assessor's Parcel Number 005-390-016, located at 3271 Beach Club Road in the Carpinteria area, First Supervisorial District. (Continued from 7/26/13)

7. 13BAR-00000-00188 **Woolley Residence First and Second Story Additions,
Garage Conversion, New Garage and Deck** Summerland
13LUP-00000-00376 (J. Ritterbeck, Planner) **Jurisdiction: Summerland**
13CDP-00000-00083

Request of Everett Woody and Gil Garcia, agents for the owners, Robert and Karina Woolley, to consider Case No. 13BAR-00000-00188 for a **site visit of a residence first floor addition of approximately 125 square feet, second floor addition of approximately 1,560 square feet, garage conversion of approximately 750 square feet, new garage of approximately 552 square feet, new covered deck of approximately 284 square feet and new elevator.** The following structures currently exist on the parcel: a residence of approximately 4,669 square feet, garage of approximately 750 square feet and cabana of approximately 784 square feet. The proposed project will not require grading. The property is a 1 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 055-020-024, located at **355 Ortega Ridge Road** in the Summerland area, First Supervisorial District. (Continued from 10/04/13)

Project received a site visit at this time only, review of project scheduled later in the day.

8. 12BAR-00000-00227 **Roark Residence Addition** Santa Barbara
12LUP-00000-00434 (Tammy Weber, Planner) **Jurisdiction: Goleta**

Request of Ubaldo J. Diaz, agent for the owner, Jeremy Roark, to consider Case No. 12BAR-00000-00227 for **preliminary approval of a residence addition of approximately 242 square feet.** The following structure currently exists on the parcel: a two story residence of approximately 2,700 square feet. The proposed project will not require grading. The property is a 15,420 square foot parcel zoned 1-E-1 and shown as Assessor's Parcel Number 069-211-010, located at **1236 Camino Palomera** in the Goleta area, Second Supervisorial District. (Continued from 2/01/13, 2/15/13, 3/01/13, 8/23/13, 9/06/13, 9/20/13 & 10/04/13)

ACTION: Chappell moved, seconded by Yardy and carried by a vote of 4 to 0 (Pujo and Romano absent, Ettinger not present at this time) to continue 13BAR-00000-00227 to the November 1, 2013 SBAR meeting at the request of the applicant. *See Agenda Status Report.*

9. 13BAR-00000-00188 **Woolley Residence First and Second Story Additions,
Garage Conversion, New Garage and Deck** Summerland
13LUP-00000-00376 (J. Ritterbeck, Planner) **Jurisdiction: Summerland**
13CDP-00000-00083

Request of Everett Woody and Gil Garcia, agents for the owners, Robert and Karina Woolley, to consider Case No. 13BAR-00000-00188 for **further conceptual review of a residence first floor addition of approximately 125 square feet, second floor addition of approximately 1,560 square feet, garage conversion of approximately 750 square feet, new garage of approximately 552 square feet, new covered deck of approximately 284 square feet and new elevator.** The following structures currently exist on the parcel: a residence of approximately 4,669 square feet, garage of approximately 750 square feet and cabana of approximately 784 square feet. The proposed project will not require grading. The property is a 1 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 055-020-024, located at **355 Ortega Ridge Road** in the Summerland area, First Supervisorial District. (Continued from 10/04/13)

COMMENTS:

- **Planner testified that FAR was miscalculated and that the existing house achieves full buildout under Summerland FAR regulations.**
- **SBAR passed on design review.**

Project received conceptual review only, no action was taken. Applicant was requested to return for further conceptual review.



**County of Santa Barbara
Planning and Development**

**Glenn S. Russell, Ph.D., Director
Dianne Black, Assistant Director**

March 10, 2014

Everett Woody
122 E. Arrellaga Street
Santa Barbara, CA 93101

**RE: Denial Letter
Woolley SFD Addition
355 Ortega Ridge Road, Summerland, CA
Case No. 13LUP-00000-00376, APN: 005-020-024**

Dear Mr. Woody,

Thank you for the September 30, 2013 application submittal for a Land Use Permit to allow for a 2,239 sq. ft. addition to the existing 4,435 sq. ft. dwelling, which would result in a total dwelling size of 6,674 [net] sq. ft.

We have been talking about the County's Summerland FAR calculations and have known of our disagreement in that regard since late 2013. The purpose of this letter is to formally inform you that, per your stated desire to appeal our determination regarding the FAR, your application for 13LUP-00000-00376 has been denied, thereby giving you a path for an appeal. As we have been discussing over the past several months, this denial is based upon the proposed project's inconsistency with the Summerland Community Plan requirement that the project comply with the Summerland Design Guidelines. The proposed project would result in a home that exceeds the maximum allowable size of 4,912 square feet square for the subject 43,560 sq. ft. lot.

As we have discussed, we will treat your January 21, 2014 appeal of our FAR calculations as an appeal of this decision to deny your LUP.

The project will be brought before the County Planning Commission on May 7, 2014.

Sincerely,

Anne Almy, Supervising Planner
123 E. Anapamu Street
Santa Barbara, CA 93101

Cc: Alice McCurdy, Deputy Director
Dr. Glenn Russell, Planning Director
Dianne Black, Director of Planning Services
✓ J. Ritterbeck, Planner

355 Ortega Ridge Road

Appeal Cover Letter

January 17, 2014

Definitions:

1. FAR: Is the Floor Area divided by the Lot Area Net.
2. FAR: Establishes a relationship between a property and the amount of development permitted for that property, and is expressed as a percentage or a ratio.
3. Three basic elements are required to establish the maximum floor area for a development.
 - a. Lot area.
 - b. Maximum Allowed FAR. This is an established percentage set forth in the LUC.
 - c. Maximum Allowed Floor Area.
4. Ratios and Percents are the same: Ratios are expressed in word form (8 is half of 16) and Percents are expressed numerically (8 is 50% of 16).

Dispute:

1. Staff is not using the latest addition of the Land Use Code (LUC) when formulating their examples and explanations. They are using the Summerland Guidelines, not the ratified LUC 2013 update.
(See exhibits A and F)
2. Staff is creating words in their explanation that do not exist in the LUC. i.e. Bonus.
(See exhibits A and F)
3. Staff argument states that the FAR reduction is a reduction of the Maximum Allowed Floor Area. Staff is obviously confusing two separate terms, (FAR) and (Maximum Allowed Floor Area) are not the same. The LUC Understory section states that the FAR is reduced by a percentage. Although Understories have nothing to do with our project we felt compelled to explain the misinterpretation.
(See exhibits A and F)
4. The LUC allocates different definitions for Understories and Basements. Staff argument asserts that they are the same. An understory is defined as the portion of the structure between the exposed finished floor and the finished grade that is **more than (4) four feet in height**. A residential basement is described as usable or unused under-floor space where the finished floor directly above is **less than (4) four feet above grade**. Our entire building footprint is less than 8" above grade. Therefore qualifying our project to add five percent to our Maximum Allowed FAR.
(See exhibits A, B, C and F)
5. According to the Summerland section of the LUC we cannot find any examples of the mathematic equation that Staff is arguing, it simply does not exist.

Support:


1. Summerland Board of Architectural Review Agreed with our FAR interpretation of the LUC. **(See exhibits D and E)**
2. SBAR recommended story poles and site visit. Some members of the board after visiting the site with the story poles in place endorsed the design and the project. Some felt the second story addition provided a more architecturally balanced building.
3. The design and story poles were also presented to the neighbors without decent. In fact they overwhelmingly supported the project.
4. Staff initially agreed with our interpretation of the LUC and allowed the project to proceed and then withdrew the project after upper level staff intervention.

Justification:

1. The specific language in the LUC allows five percent to be added to the **Maximum Allowed FAR**. i.e. $.05 + .05 = .10$ or 10%. **(See exhibits B, C, And F)**
2. The addition balances the Mass, Bulk, and Scale of the residence.
3. The property is located 200 yards from the nearest public road.

COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Everett Woody and Gil Garcia
 FROM: Anne Almy, Supervising Planner 
 DATE: January 13, 2014
 RE: Woolley SFD Addition, 13LUP-00000-00376
 355 Ortega Ridge Road, Summerland, CA APN: 005-020-024

The proposed 2,239 sq. ft. addition to the existing 4,435 sq. ft. dwelling would result in a total dwelling size of 6,674 [net] sq. ft. As such, P&D has determined that the proposed project would exceed the maximum allowable square footage for the subject 43,560 sq. ft. lot¹ located within the Summerland Community Plan area. This determination was based upon the following standards of the Summerland Design Guidelines.

Board of Architectural Review Guidelines for Summerland

Section IV.C.2.a [Floor Area Ratios for Single Family Residential]

All new single family homes and remodels of and additions to existing single family homes in any zone district except Design Residential shall not exceed the following standards:

Lot Size Between	FAR	Max. Allowable ¹
Up to 2,500 s.f.	0.5	950 s.f.
2,501 and 3,600 s.f.	0.38	1,296 s.f.
3,601 and 4,700 s.f.	0.36	1,598 s.f.
4,701 and 5,800 s.f.	0.34	1,856 s.f.
5,801 and 6,900 s.f.	0.32	2,070 s.f.
6,901 and 8,100 s.f.	0.30	2,268 s.f.
8,101 and 9,400 s.f.	0.28	2,538 s.f.
9,401 and 10,800 s.f.	0.27	2,808 s.f.
10,801 and 12,000 s.f.	0.26	3,100 s.f.
12,000 + s.f. ²		

¹ The maximum square footage allowable is based on the minimum square footage of the next larger lot range category.
² The maximum allowable square footage (sf) for lots over 12,000 sf shall be established as a base of 2,500 sf plus 5% of the lot area net with a maximum allowable size of 8,000 sf.

Additionally, Section IV.C.2.d.2 [Understories] states the excessive understories shall reduce the FAR as follows:

Height of Understory	FAR Adjustment
Over 4 Feet	- 10%
Over 6 Feet	- 20%
8 Feet or Over	- 33%

Later in the same section it indicates that a proposed residential structure that does not qualify for a basement credit may add 5% to the FAR provided that no part of the lowest finished floor over the entire building footprint is more than 18" above grade. The 5% Understory FAR credit is calculated in the same way as the variable Understory FAR reduction. In these cases, both the credit and reduction is a percentage that is calculated by multiplying the qualifying floor area by the amount of the applicable adjustment.

¹ Subject parcel shown on Parcel Map No. 10,830 as Parcel "C", 1.0-acre

As a result, for the subject parcel and proposed project, the maximum allowable square footage for a single-family dwelling on the lot would be as follows:

$2,500 \text{ sq. ft.} + (5\% * 43,560 \text{ sq. ft.}) = 4,678 \text{ sq. ft.}$

The additional 5% bonus of 4,678 sq. ft. = 234 sq. ft.

Therefore, the Maximum Allowable Square Footage is: $4,678 \text{ sq. ft.} + 234 \text{ sq. ft.} = \underline{4,912 \text{ sq. ft.}}$

This determination of the Director may be appealed to the Planning Commission by the applicant or any interested person adversely affected by such decision within the 10 calendar days following the date of action by the Director.

An appeal, which shall be in writing, and accompanying fee of \$603.00 shall be filed with the Clerk of the Board of Supervisors located at 105 East Anapamu Street, Room 407, Santa Barbara, prior to expiration of the appeal period specified above.

Sincerely,

Anne Almy, Supervising Planner
123 E. Anapamu Street
Santa Barbara, CA 93101

Cc: Alice McCurdy, Deputy Director
Dr. Glenn Russell, Planning Director
Dianne Black, Director of Planning Services
J. Ritterbeck, Planner
County Council

Exhibit B

Staff Document

Maximum Allowed FAR Maximum Allowed Floor Area Land Use and Development Code, Part 6 (December 2011)

355 Ortega Hill Road, Summerland
APN 005-020-024

November 11, 2013

Maximum Allowed Floor Area

Formula: 2,500 SF + 5% of the Net Lot Area

Subject Lot:¹ Net Lot Area = 43,560 SF

$$2,500 \text{ SF} + (.05 \times 43,560 \text{ SF}) = 4,678 \text{ SF}$$

Maximum Allowed FAR

Formula: FAR = net floor area ÷ net lot area

Subject Lot: 4,678 SF ÷ 43,560 SF = 0.10739210284

~~5% Bonus, Based on Maximum Allowed Floor Area~~

~~$$4,678 + (.05 \times 4,678) = 4,912 \text{ SF}$$~~

~~5% Bonus, Based on Maximum Allowed FAR~~

~~$$0.10739210284 + (.05 \times 0.10739210284) = 0.11276170798$$~~

~~$$0.11276170798 \times 43,560 \text{ SF} = 4,912 \text{ SF}$$~~

(c) A proposed residential structure that does not qualify for a basement credit may add five percent to its maximum allowed FAR, provided that no part of the lowest finished floor over the entire building footprint is more than 18 inches above grade.

$$\text{Maximum Allowed FAR} = .10739210284 + .05 = .157392$$

$$43,560 \times .157392 = 6,856 \text{ Maximum allowed Square Footage}$$

¹ Gross lot area and net lot area are the same for this lot because no portion of the lot is lying within a public street which is defined as a permanently reserved right-of-way which has been dedicated to the County. See the definitions of Lot Area, Gross and Lot Area, Net in LUDC §35.110.020.

Exhibit C

Explanation:

The example below demonstrates a typical FAR calculation. Three elements are present to complete the Calculation. Lot Area, Maximum Allowed FAR, and Maximum Allowed Floor Area. The chart below demonstrates lot sizes from 2,500 to 12,000 square feet. For lots over 12,000 sq. ft. the chart foot note provides the three elements to complete the calculation plus a 2,500 additional Floor Area to add to the calculation.

Example #1: If a lot is 5,998 sq. ft. (lot range of 5,801 to 6,900 sq. ft.), the residence shall be a maximum of 1,919 sq.ft. (FAR of 0.32 x 5,998 = 1,919 sf)

Lot Area	Maximum Allowed FAR	Maximum Allowed Floor Area
2,500 sf or less	0.50	N.A.
2,501 sf to 3,600 sf	0.38	1,296 sf
3,601 sf to 4,700 sf	0.36	1,598 sf
4,701 sf to 5,800 sf	0.34	1,856 sf
5,801 sf to 6,900 sf	0.32	2,070 sf
6,901 sf to 8,100 sf	0.30	2,268 sf
8,101 sf to 9,400 sf	0.28	2,538 sf
9,401 sf to 10,800 sf	0.27	2,808 sf
10,801 sf to 12,000 sf	0.26	3,100 sf
More than 12,000 sf	See Note	

Note: The maximum allowable floor area column sets a cap on each category so that there is no overlap between the categories. Each lot may develop to the limits set by the FAR for its lot size, except that lots to the larger end of each category may not develop structures larger than the maximum allowable floor area set for each category. The maximum floor area for lots over 12,000 square feet shall be established as a base of 2,500 square feet plus five percent of the net lot area, with a maximum allowable floor area of 8,000 square feet.

- (c) A proposed residential structure that does not qualify for a basement credit may add five percent to its maximum allowed FAR, provided that no part of the lowest finished floor over the entire building footprint is more than 18 inches above grade.

Solution:

Lot Area = 43,560

Maximum Allowed FAR = .05

Maximum Allowed Floor Area = 8,000

Additional 2,500 Square Feet

Basement Credit added to Maximum Allowed FAR = .05

$2500 + (43560 \times .10) = 6,856$ Maximum Allowed Floor Area

Appendix B

Exhibit D

SUMMERLAND BOARD OF ARCHITECTURAL REVIEW

FAR WORKSHEET

5/12/92 Draft

Guidelines

Page

No.

1. Lot Size = $\frac{43,560}{\text{line 1}}$ ϕ

2. Minus adjustments (if any):

15 a. Easements = _____ ϕ

15 b. Encroachments = _____ ϕ

17 c. Abandoned ROW = _____ ϕ

adjustment total _____ ϕ
line 2

3. Lot Size net (line 1 minus line 2) = $\frac{43,560}{\text{line 3}}$ ϕ

16 4a. FAR : _____ ϕ *
(small lot) % FAR line 3 = _____ ϕ *
line 4a

OR

16 4b. FAR : $2500 \phi + \frac{2,178 \phi}{5\% \text{ of line 3}} = \frac{4,678 \phi}{\text{line 4b}}$ *

16 *Note: This number may not exceed the Max. Sq. Ft. Allowable of 8,000 ϕ

18 5. Understory adjustment: \pm _____ % x _____ ϕ = \pm _____ ϕ
Line 4a or 4b

line 4a or 4b \pm understory adjustment = $\frac{4,678}{\text{line 5}}$ ϕ

18 6a. Plate height adjustment: _____ % x _____ ϕ = _____ ϕ
(small lot) line 5 line 6a

OR

18 6b. Plate height adjustment (ϕ over 40% of floor area): = _____ ϕ
(large lot) line 6b

Subtract line 6a or 6b from line 5 = $\frac{4,678}{\text{line 6}}$ ϕ

17 7. Enter any ϕ over allowable garage area = $\frac{130}{\text{line 7}}$ ϕ

19 8. Enter any ϕ that qualifies for basement credit (free ϕ) = $\frac{2,178}{\text{line 8}}$ ϕ

Subtract line 7 from line 6 and then add line 8 for allowable residence size = _____ ϕ

Exhibit E

SUMMERLAND CITIZENS ASSOCIATION
BOARD OF ARCHITECTURAL REVIEW
P.O. Box 508
SUMMERLAND, CA 93067

To: Santa Barbara County Board of Architectural Review

At the meeting of 9.1.13, the Summerland Board of Architectural Review (a committee of the Summerland Citizens Association) considered plans for the following project:

Title: Woolley 2nd story Add. Represented by: Woody Everett

Address: 355 Ortega Ridge Rd. Owner: M/M Woolley

BAR Number: A.P.N. 55-020-024

BAR members present: O'Neil, Johnson, Davis

Conceptual comments
 Preliminary approval
 Final Approval

Recommendations and Comments:

✓ 6 ft. difference on plans

Revise break-up 2nd fl. bathroom windows

Colors/materials to match existing

YES NO ABSTAIN

NOTICE TO APPLICANT: Action by the Summerland Board of Architectural Review constitutes a recommendation to the County BAR. For projects requiring architectural review under relevant County ordinances, action by the County Board is required regardless of the findings of the Summerland Board. Recommendations for approval are not to be construed as approval of any possible violation of us, such as, but not limited to, setbacks, building heights, etc.

Section 35.82.070 (Design Review).

G. Summerland Community Plan area.

1. **Height limits.** The maximum allowable height of structures, per the approved height methodology, shall be 22 feet within the Urban Area and 16 feet within Rural Areas. For the purposes of this Section, "Urban Area" and "Rural Area" are as identified on the Summerland Community Plan Land Use Map. Compliance with the height limitations as identified in the Board of Architectural Review Guidelines for Summerland is required for all development. Exemptions from maximum allowable height are not allowed.
2. **Floor Area Ratio (FAR).** Proposed development shall not exceed the maximum floor area ratio (FAR) allowed by this Subsection.
 - a. **One-family dwellings.** A new one-family dwelling and remodels of and additions to existing one-family dwellings in any zone except Design Residential (DR) shall not exceed the following maximum FAR limitations, and the limitations provided in Subsection f. (Reduction in maximum FAR) below.

Lot Area	Maximum Allowed FAR	Maximum Allowed Floor Area
2,500 sf or less	0.50	N.A.
2,501 sf to 3,600 sf	0.38	1,296 sf
3,601 sf to 4,700 sf	0.36	1,598 sf
4,701 sf to 5,800 sf	0.34	1,856 sf
5,801 sf to 6,900 sf	0.32	2,070 sf
6,901 sf to 8,100 sf	0.30	2,268 sf
8,101 sf to 9,400 sf	0.28	2,538 sf
9,401 sf to 10,800 sf	0.27	2,808 sf
10,801 sf to 12,000 sf	0.26	3,100 sf
More than 12,000 sf	See Note	
<p>Note: The maximum allowable floor area column sets a cap on each category so that there is no overlap between the categories. Each lot may develop to the limits set by the FAR for its lot size, except that lots to the larger end of each category may not develop structures larger than the maximum allowable floor area set for each category. The maximum floor area for lots over 12,000 square feet shall be established as a base of 2,500 square feet plus five percent of the net lot area, with a maximum allowable floor area of 8,000 square feet.</p>		

- b. **Duplexes.** The maximum allowed FAR is 0.27, except where reduced in compliance with Subsection f (Reductions in maximum FAR) below. The maximum floor area shall be 3,600 square feet of total living area for both units of the duplex.
- c. **Commercial and mixed use projects.**
 - (1) The maximum allowed FAR is 0.29 if the entire project is commercial, and 0.35 if it is a mixed use development, except where reduced in compliance with Subsection f (Reductions in maximum FAR) below.
 - (2) If mixed use, all of the additional floor area allowed over the 0.29 FAR shall be devoted exclusively to residential use.
 - (3) Commercial projects shall be subject to other county planning and environmental constraints which may have a bearing on the size of the building.
- d. **Garage and right-of-way FAR limitations and exceptions.**
 - (1) **Residential garages.** For a residential lot, up to 500 square feet per dwelling unit may be allowed for a two-car garage and excluded from the maximum allowed FAR. For a one-family lot that is 12,000 square feet or larger, a three-car garage of up to 750 square feet may be excluded from the maximum allowed FAR. A garage exceeding these

limits may be allowed; however, additional floor area above these limits shall be counted toward the maximum allowed net floor area of the dwelling.

- (2) **Commercial and mixed use garages.** For a commercial or mixed use project, up to 500 square feet of garage floor area per 6,000 square feet of lot area may be excluded from the maximum allowed FAR (e.g., a commercial or mixed use project on a 12,000 square foot lot may exclude 1,000 square feet of garage space from the FAR calculations). On a pre-existing lot of less than 6,000 square feet, up to 500 square feet of garage space may be excluded.
 - (3) **Abandoned east/west rights-of-way.** For a lot with an abandoned east/west right-of-way, the abandoned area may only be credited 50 percent towards the total lot area used in the calculation of the FAR.
- e. **Existing structure that exceeds maximum FAR.** An existing structure that exceeds the maximum allowed FAR may be altered or reconstructed provided that:
- (1) The alterations or reconstruction shall not increase the FAR to an amount greater than was contained in the original structure; and
 - (2) The proposal complies with the Board of Architectural Review Guidelines for Summerland in all other respects.

f. **Reductions in maximum FAR.**

- (1) **Plate height.** The maximum allowed FAR shall be reduced based on the average plate height (the distance between the floor and where the wall intersects with the roof or the floor joists of the story above), to regulate the height and bulk of the building.
 - (a) **Lot less than one acre.** The maximum allowed FAR shall be reduced as follows based on the average plate height.

Average Plate Height	FAR Reduced By
Up to 9 ft	0%
9 ft. to 10 ft	10%
over 10 ft	20%

- (b) **Lot of one acre or larger.** A maximum of 40 percent of the floor area shall be allowed to exceed a plate height of nine feet. If more than 40 percent of the floor area exceeds a plate height of nine feet, the excess will be counted as two times the floor area.
- (2) **Understory.** An understory (defined as the portion of the structure between the exposed finished floor and the finished grade, as defined by the latest edition of the Building Code) exceeding four feet in height shall reduce the maximum FAR otherwise allowed as follows.

Height of Understory	FAR Reduced By
Over 4 ft	10%
Over 6 ft	20%
8 ft or more	33%

A dwelling permitted prior to May 19, 1992 in the Coastal Zone, and June 21, 1992 in the Inland area shall not be subject to the above understory standards as long as a proposed addition conforms with the original building footprint in profile.

- (3) **Residential basements.**
 - (a) A residential basement (usable or unused under-floor space where the finished floor directly above is no more than four feet above grade, as defined by the latest

edition of the Building Code) shall be counted toward the maximum allowed FAR of a dwelling as follows:

MAFA

First 250 sf. = 0 percent = 0 sf. counted, and 250 sf. does not count toward FAR

Next 250 sf. = 50 percent = 125 sf. counted and 125 sf. does not count toward
~~FAR~~ The Maximum Allowed Floor Area (MAFA)

MAFA

Next 300 sf. = 75 percent = 225 sf. counted and 75 sf. does not count toward FAR

Over 800 sf. = 100 percent = all sf. counted toward FAR

MAFA

- (b) The floor area that does not count toward the FAR per the above formula may be added to the allowable floor area of the structure; however, the increase in floor area resulting from this formula may be used only once per lot, including lots with multiple unit structures.
- (c) A proposed residential structure that does not qualify for a basement credit may add five percent to its maximum allowed FAR, provided that no part of the lowest finished floor over the entire building footprint is more than 18 inches above grade.
- (d) A basement shall be counted at 100 percent of its floor area unless there is no second floor on the structure or unless the second floor mass is set back from the downslope face of the first floor by a minimum of 10 feet at all locations.

H. Toro Canyon Plan area.

1. **Avoidance of prime soils.** Within the Coastal Zone, in areas with prime agricultural soils, structures, including greenhouses that do not rely on in-ground cultivation, shall be sited to avoid prime soils to the maximum extent feasible.
2. **Lot re-configuration.** Within the Coastal Zone Land Divisions, Lot Line Adjustments and Conditional Certificates of Compliance shall be permitted if each lot being established could be developed without adversely impacting resources, consistent with Toro Canyon Plan policies and other applicable provision.
3. **Development Standards.** All non-agricultural structures shall be in compliance with the following development standards:
 - a. Large understories and exposed retaining walls shall be minimized.
 - b. Building rake and ridgelines shall conform to or reflect the surrounding terrain.
 - c. Landscaping shall be used to integrate the structure into the site and its surroundings, and shall be compatible with the adjacent terrain.
 - d. The exterior surfaces of the structure, including water tanks, walls, and fences, use non-reflective building materials and colors shall be compatible with the surrounding terrain (including rock outcrops, soils, and vegetation). Where paints are used, they shall be non-reflective.
 - e. Retaining walls shall be colored and textured (e.g., with earth tone and split faces) to match adjacent soils or stone, and shall be visually softened with appropriate landscaping.
 - f. Outside lighting shall be minimized. Outside lighting shall be shielded, downward-directed low-level lighting consistent with Toro Canyon's rural and semi-rural character.
 - g. The total height of cut slopes and fill slopes, as measured from the natural toe of the lowest fill slope (See Figure 2-2) or the natural toe of the lowest cut slope (See Figure 2-3) to the top of the cut slope, shall be minimized. The total vertical height of any graded slopes for a project, including the visible portion of any retaining wall above finished grade, shall not exceed 16 vertical feet. A project may be exempt from this standard if the Board of



**PLANNING & DEVELOPMENT
APPEAL FORM**

SITE ADDRESS: 355 Ortega Ridge Road
 ASSESSOR PARCEL NUMBER: 005-020-024
 PARCEL SIZE (acres/sq.ft.): Gross 43,560 Net 43,560
 COMPREHENSIVE/COASTAL PLAN DESIGNATION: _____ ZONING: 1-E-1
 Are there previous permits/applications? no yes numbers: 13LUP-00000-00376
 (include permit# & lot # if tract)
 Are there previous environmental (CEQA) documents? no yes numbers: _____

1. **Appellant:** Gil Garcia or Everett Woody Phone: 805 452 2999 FAX: _____
 Mailing Address: 122 E. Arrellaga Street CA 93101 E-mail: ejw@adcarch.com
Street City State Zip

2. **Owner:** Robert and Karina Woolley Phone: 805 969 1390 FAX: _____
 Mailing Address: 355 Ortega Ridge Road E-mail: Karinawoolley@gmail.com
Street City State Zip

3. **Agent:** Gil Garcia or Everett Woody Phone: 805 452 2999 FAX: _____
 Mailing Address: 122 E. Arrellaga Street CA 93101 E-mail: ejw@adcarch.com
Street City State Zip

4. **Attorney:** _____ Phone: _____ FAX: _____
 Mailing Address: _____ E-mail: _____
Street City State Zip

14APL-00000-00001

COUNTY USE ONLY

Case No: _____
 Supervi: WOOLLEY FAR APPEAL
 Applica: 355 ORTEGA RIDGE RD
 Project: SANTA BARBARA
 Zoning Designation: _____

Companion Case Number: _____
 Submittal Date: _____
 Receipt Number: _____
 Accepted for Processing: _____
 Comp. Plan Designation: _____

COUNTY OF SANTA BARBARA APPEAL TO THE :

____ BOARD OF SUPERVISORS

YES PLANNING COMMISSION: SB COUNTY ____ MONTECITO

RE: Project Title Woolley Residence Second Story Addition

Case No. _____

Date of Action _____

I hereby appeal the ____ approval ____ approval w/conditions ____ denial of the:

____ Board of Architectural Review – Which Board? _____

____ Coastal Development Permit decision

____ Land Use Permit decision

____ Planning Commission decision – Which Commission? _____

Yes Planning & Development Director decision

____ Zoning Administrator decision

Is the appellant the applicant or an aggrieved party?

Yes Applicant

____ Aggrieved party – if you are not the applicant, provide an explanation of how you are and "aggrieved party" as defined on page two of this appeal form:

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

We Gil Garcia and Everett Woody agents for the owner believe that the:

Planning staff's interpretation of the Land Use Code regarding FAR calculations is not correct.

Their interpretations and calculations use the Summerland Guidelines not the Ratified Land Use Code.

Please see the attached explanation.

Specific conditions imposed which I wish to appeal are (if applicable):

a. Staff interpretation of the Summerland FAR Land Use Code.

b.

c.

d.

Please include any other information you feel is relevant to this application.

CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Print name and sign – Firm	Date
Print name and sign - Preparer of this form	Date
Print name and sign - Applicant Gil Garcia and Everett Woody	Date 01.17.2014
Print name and sign - Agent	Date
Print name and sign - Landowner	Date

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SUMMERLAND BOARD OF ARCHITECTURAL REVIEW

FAR WORKSHEET

5/12/92 Draft

Guidelines

Page

No.

1. Lot Size

$$= \frac{43560}{\text{line 1}}$$

2. Minus adjustments (if any):

15 a. Easements = $\frac{0}{\text{line 2}}$

15 b. Encroachments = $\frac{0}{\text{line 2}}$

17 c. Abandoned ROW = $\frac{0}{\text{line 2}}$

adjustment total

$$\frac{0}{\text{line 2}}$$

3. Lot Size net (line 1 minus line 2)

$$= \frac{43560}{\text{line 3}}$$

16 ~~4a. FAR:~~
(small lot)

$$\frac{\text{---}}{\% \text{ FAR}} \times \frac{\text{---}}{\text{line 3}} = \frac{N/A}{\text{line 4a}} *$$

OR

16 4b. FAR:
(large lot)

$$2500 + \frac{2178}{5\% \text{ of line 3}} = \frac{4678}{\text{line 4b}} *$$

16 *Note: This number may not exceed the Max. Sq. Ft. Allowable of 8000

18 5. Understory adjustment: $\pm \frac{5}{\text{Line 4a or 4b}} \% \times \frac{4678}{\text{Line 4a or 4b}} = \pm \frac{234}{\text{Line 4a or 4b}}$

$$\text{line 4a or 4b} \pm \text{understory adjustment} = \frac{4912}{\text{line 5}}$$

18 ~~6a. Plate height adjustment:~~
(small lot)

$$\frac{\text{---}}{\text{line 5}} \% \times \frac{\text{---}}{\text{line 5}} = \frac{N/A}{\text{line 6a}}$$

OR

18 6b. Plate height adjustment ($\frac{\text{---}}{\text{line 6b}}$ over 40% of floor area): = $\frac{0}{\text{line 6b}}$
(large lot)

$$\text{Subtract line 6a or 6b from line 5} = \frac{4912}{\text{line 6}}$$

17 7. Enter any $\frac{\text{---}}{\text{line 7}}$ over allowable garage area

$$= \frac{0}{\text{line 7}}$$

19 8. Enter any $\frac{\text{---}}{\text{line 8}}$ that qualifies for basement credit (free $\frac{\text{---}}{\text{line 8}}$)

$$= \frac{0}{\text{line 8}}$$

Subtract line 7 from line 6 and then add line 8 for allowable residence size

$$= \frac{4912}{\text{line 6}}$$