

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:

Prepared on: February 1, 2005
Department Name: Planning & Development
Department No.: 053
Agenda Date: February 15, 2005
Placement: Departmental
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TO: Board of Supervisors

FROM: Val Alexeeff, Director
Planning and Development

STAFF CONTACT: Alice Daly, Planner (x2059)
Steve Goggia, Supervising Planner (x2067)

SUBJECT: Hearing on the Olsen Appeal of the Planning Commission Approval on October 22, 2004 of the Hacienda Vieja Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan and Coastal Development Permit under case numbers 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, [Appeal Case No. 04APL-00000-00030] located at 4865 Vieja Drive, Goleta Community Plan area, Second Supervisorial District

Recommendation(s):

That the Board of Supervisors deny the appeal of the Hacienda Vieja project by Valerie Olsen, and uphold the Planning Commission's October 22, 2004 approval of Hacienda Vieja.

The Board of Supervisors' action should include the following:

1. Adopt the required findings for the project specified in the Planning Commission Action Letter dated October 22, 2004 and included as Attachment A of this Board letter.
2. Deny the appeal, upholding the decision of the Planning Commission to approve 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, subject to the conditions set forth in the Action Letter dated October 22, 2004 and included as Attachment A of this Board letter.

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

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Background

On October 6, 2004, the Planning Commission approved by a 4-0 vote the Hacienda Vieja project, a proposal for four new single-family dwellings on 2.39 acres. The proposal as approved consists of a Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan and Coastal Development Permit (02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002 and 04CDP-00000-00087) as well as Planning Commission approval of a proposed final Negative Declaration (04NGD-00000-00011). Public comment letters received during the draft Negative Declaration comment period are included with the Negative Declaration in the attached Staff Report (see Attachment B). Additional comment letters submitted during Planning Commission hearing process are on file with P&D.

The approval of the Planning Commission is based on the findings and conditions set forth in the Planning Commission Action Letter dated October 22, 2004 (included as Attachment A), the requirements of Article II of Chapter 35 of the County Code, and the consistency of the project with the policies and development standards of the Local Coastal Plan and the Goleta Community Plan.

The Planning Commission approval was appealed on October 15, 2004 by Valerie Olsen for the More Mesa Preservation Coalition.

On October 26, 2004, County Counsel sponsored a facilitation meeting at which there was no consensus resolution of appeal issues. A letter to the Board regarding the facilitation meeting will be filed by County Counsel.

Appellant Issues

The subject of appellant concern is that two of the four proposed new single-family dwellings have two-story elements. The appellant contends that the proposed two-story homes would obstruct public views from More Mesa, and would be incompatible with the existing character of the Vieja Drive neighborhood, as described in the appeal request included as Attachment E. Many of the appellant's expressed concerns are focused on other developments in the vicinity that have very different specifications and greater public visibility than the Hacienda Vieja proposal.

Based upon review of the appeal, Staff offers the following discussions on the concerns raised by the appellant:

Impact on Public Views from More Mesa

Potential visual impacts from the project were analyzed in the Staff Report and proposed final ND dated June 25, 2004, and Planning Commission memos dated July 22, 2004 and September 24, 2004 (included here as Attachments B, C and D).

The proposed four new dwellings would be too low and too distant to obstruct public views of the mountains from More Mesa, as analyzed and discussed in the proposed final Negative Declaration. In addition, the proposed final Negative Declaration was revised to include discussion of potential impacts on private views (see Attachment C of this letter: PC memo dated July 22, 2004). As mitigated by project conditions of approval, impacts on private views would be less than significant. Overall visibility of the project from public areas would be minimal and less than significant due to:

- Distance of the proposed structures from the perimeter of More Mesa. The closest point of proposed structural development on Hacienda Vieja is approximately 220 feet away from the edge of More Mesa. By comparison, other projects in the vicinity that the appellant has expressed concerns about (Las Brisas and Gallego/ Mockingbird) are within 30-90 feet from the edge of More Mesa.
- Design Residential (DR) Site Design: The subject 2.39 acre parcel is Design Residential (DR) zoned, and the purpose and intent of DR zoning (Article II Sec. 35-74.1) is to provide areas for residential development in a wide range of densities, housing types, and design, and to create open space within new residential developments. DR zoning requires that at least 40% of the net area of a property shall be devoted to common open space. The approximately one-acre area of the project site to be left in perpetuity as open space is the portion of the site that borders More Mesa. The proposed four new single-family residences are clustered in the northern portion of the 2.39 acre parcel on four residential lots, and project conditions require that the approximately one-acre common area next to More Mesa shall be dedicated to the County of Santa Barbara and/or an applicable non-profit entity and shall remain as open space.
- Topographic elevation of the proposed structures. Due to the rolling terrain of the project neighborhood, the two-story elements of the Hacienda Vieja homes will sit lower on the horizon as seen from the More Mesa viewshed than one-story dwellings on the adjacent Las Brisas, Diamond Crest and Gallego/Mockingbird developments. Finished grade for the Hacienda Vieja homes would be at 76-foot elevations, compared to an approximate 100-foot elevation for Las Brisas, 92-foot elevation for Diamond Crest, and 115 feet for Gallego/ Mockingbird.
- Existing and proposed landscaping would offer substantial screening of the project from all public areas. There is significant existing screening of the project site, consisting of a variety of trees and other vegetation on the common open space lot that lies between More Mesa and the proposed homes, as well as a proposed landscape plan as approved by the Planning Commission that will include specimen-size trees and other screening

vegetation on all four residential lots. Any future tree removal would be subject to P&D review and approval.

- The second-story floor areas are less than half the areas of the first floors, and significantly stepped back from every vantage point. The maximum 21-foot heights of the homes on Lots 2 and 4 would not appear as long, unbroken massing from any vantage point.
- Required colors would substantially mitigate visual impacts. Project conditions would require all exterior materials on the four homes to be dark, natural-tone, non-reflective colors designed to blend with the colors or the surrounding terrain, and to be given final review and approval by the Board of Architectural Review. It is easily demonstrated by viewing existing development from More Mesa that dark, natural, blend-in colors make a very significant difference as to which structures are more prominent in the public viewshed.

Regarding cumulative visual impacts, the proposed project is consistent with the land use and zone designations considered in the Goleta Community Plan EIR (91-EIR-13) for future cumulative impacts to aesthetics and visual resources due to buildout of the More Mesa area. As discussed in the proposed final ND, with the incorporation of mitigation measures as identified in the GCP EIR, cumulative aesthetic impacts would be less than significant.

Compatibility with Vieja Drive Neighborhood Character

The question of neighborhood compatibility and size and scale received considerable attention throughout P&D review and the public hearing process.

The project as originally proposed consisted of four two-story dwellings of approximately 4,000-4,100 square feet (including garages). Existing development in the neighborhood consists of both one-story and two-story homes built in a variety of styles and ranging in size from approximately 2,100 square feet to 4,100 square feet. As originally proposed (even prior to revisions that downsized the project), the project was consistent with DR-2 zone height and density requirements and was recommended by P&D for approval.

In response to concerns expressed by the public (including the appellant) and by members of the Planning Commission during the hearing process, the applicant scaled back his project to its current configuration. The project as now proposed—two one-story homes and two two-story homes ranging from approximately 3,600 to 3,800 square feet (including garages)—is completely within the midrange of existing neighborhood development (for specific comparative statistics, please see page 4 of Attachment C of this letter).

More than a third of the dwellings within a quarter mile of the proposed project have two stories. Many of the existing two-story homes that can be seen from More Mesa and in the immediate neighborhood were approved in the 1980s and 1990s, and a variety of architectural styles (such

as Modern and Mediterranean) are represented in the neighborhood mix. None of the designated zone districts of parcels bordering More Mesa (including DR, R-1 and EX-1 zoned properties) contain specific prohibitions on two-story structures.

Mandates and Service Levels:

Section 35-182.3.1 of Article II (the Coastal Zoning Ordinance) of Chapter 35 of the County Code provides that the decisions of the Planning Commission may be appealed to the Board of Supervisors.

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation.

Pursuant to Government Code Section 65091, mailed notice required to property owners within 300 feet of the project, including the real property owners, project applicant and local agencies expected to provide essential services, shall be done at least 10 days prior to the hearing.

Fiscal and Facilities Impacts:

This project is located within the state-designated Appeals Jurisdiction of the Coastal Zone; therefore, the California Coastal Commission retains appeal authority over discretionary projects within this geographic area. The County does not charge a fee for appeals within the coastal zone per the Planning & Development Department fee schedule (Resolution No. 04-060, adopted by the Board of Supervisors on March 15, 2004). The cost of processing this appeal is budgeted in the Permitting and Compliance program of the Development Review South Division on page D-290.

Special Instructions:

Clerk of the Board shall forward a copy of the Minute Order to Planning and Development Hearing Support Section, Attention Cintia Mendoza.

Concurrence: County Counsel

Attachments:

- A: Planning Commission Action Letter dated October 22, 2004, including Findings and Project Conditions of Approval
- B: Staff Report dated June 25, 2004 including proposed Final Negative Declaration 04NGD-00000-00011
- C: Staff Memo to Planning Commission dated July 22, 2004
- D: Staff Memo to the Planning Commission dated September 24, 2004
- E: Appeal Request received October 15, 2004