

849 Cheltenham Road

Urbany and Pinkham Appeal

Appeal Issues

- Project Inconsistency with Mission Canyon Residential Design Guidelines
- Drainage Plan

Mission Canyon Residential Design Guidelines

Prepared by:
County of Santa Barbara
Planning and Development
Long Range Planning Division
Adopted April 1, 2014



Mission Canyon Residential Design Guidelines

- Adopted as part of MCCP in 2014
- Relied on to avoid impacts of oversize houses and excessive development on community character, views, and privacy
- Include
 - Size, Bulk and Scale
 - Second Story Development

City of Santa Barbara

The City of Santa Barbara presently provides sewer service to portions of Mission Canyon under a Joint Powers Agreement. The City also provides water to all Mission Canyon residents and responds to police and fire emergencies. The City has a “sphere of influence” over the Mission Canyon Plan Area amounting to “a plan for the probable physical boundaries and service area of a local agency.”⁴

Within the City of Santa Barbara, all property within 1,000 feet of the El Pueblo Viejo Landmark District (Part II, around Mission Santa Barbara) is identified as the Mission Area Special Design District, and applications for building permits to construct, alter, or add to the exterior of a single family residential unit or a related accessory structure are referred for design review to the City’s Single Family Design Board.⁵ Design review for projects within the adjacent Mission Canyon Scenic Corridor Overlay Zone considers the context of the historic setting, including the Mission Area Special Design District.

Applicability and Use of the Guidelines

These guidelines apply to all new residential structures, including additions, with a few exceptions as listed in the LUDC.⁶ While these guidelines apply to all new structures, in certain instances unusual project characteristics such as lot shape or neighborhood character make strict adherence to these guidelines unworkable. The BAR may then suggest alternative design solutions that more fully integrate the project into the neighborhood.

Organization of the Guidelines

Introductory paragraphs describe the topic, while numbered guidelines in boxes and sketches or photographs provide concise direction for project design. To clarify meaning, some sketches and photographs highlight both good and bad examples of design. The BAR and staff will reference numbered guidelines in their findings and recommendations. Supplemental Section 9 provides firewise plant lists and a glossary.

Good Neighbor Practices (page 9) provide suggestions for project applicants, designers, and Mission Canyon residents for maintaining good neighbor relations. The BAR looks for general compliance with Good Neighbor Practices when reviewing a project.

⁴ California Government Code Section 56076.

⁵ City of Santa Barbara Zoning Ordinance Section 22.68.060 and 22.69.020.

⁶ LUDC Section 35.82.070 (C).

MCCP Relies on Guidelines

- **GOAL LU-MC-2:** Protect the semi-rural quality of life by encouraging excellence in architectural and landscape design. Promote area-wide and neighborhood compatibility and protect residential privacy and public views.
- **DevStd LU-MC-2.1:** The Mission Canyon Residential Design Guidelines shall be used to guide development subject to review and approval by the Board of Architectural Review.

MCCP EIR Relied on Guidelines as Mitigation

- MCCP EIR, p. 4-7: Guidelines required

“to mitigate the potential aesthetic impacts from buildout”

Design Review Findings

- *The proposed development is consistent with any additional design standards as expressly adopted by the Board for a specific local area, community, or zone in compliance with Subsection G (local design standards) below*

Neighborhood Scale

Neighborhood scale refers to the appearance of a dwelling in relation to other buildings in the vicinity. Building setback and height limitations in the LUDC place some scale restraints on new construction. However, a house built to maximum legal height and within setbacks may still result in a dwelling that is not compatible with the neighborhood. For example, a dwelling may appear massive or bulky if the shape and/or façade is overly simplistic (Figure 25). Dwellings of different size can still be in scale with one another if they share architectural characteristics, such as building shape, form, style, or detail.

If existing dwellings do not conform with these Design Guidelines—if they have little articulation and appear out of proportion, boxy, or massive—project designers should not repeat these mistakes and should make an effort to produce a design in scale with the rest of the neighborhood.

Figure 25

Example of a structure with a simple form that appears massive in comparison to the neighboring dwelling.



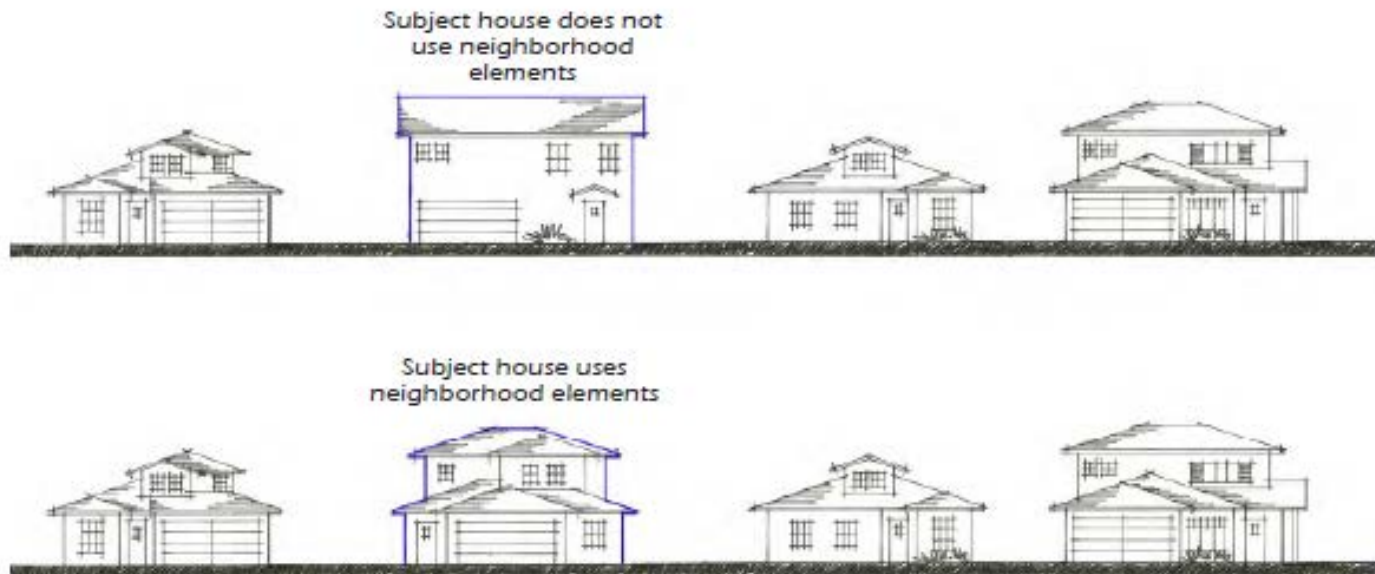
Neighborhood Scale Guidelines

- 4.15 Design new and remodeled dwellings to appear proportional and complementary to nearby dwellings.
- 4.16 Minimize size, bulk, and scale through the use of appropriate roof style and pitch, form and materials, varied setbacks, window treatment and location, and door size and type. Break up mass to create interplay between various building elements.
- 4.17 Design the entry in proportion to the scale of the dwelling. Avoid the use of columns, towers, and other entry features that are out of scale or style with the dwelling and/or neighborhood.
- 4.18 Structures that significantly differ from adjacent dwellings in size, bulk, scale, height, or architectural style may be allowed if the new or remodeled dwelling is consistent with the Design Guidelines. However, such structures should be held to an exceptionally high standard of design because they will be highly visible and distinguishable as examples for the design of surrounding future dwellings.

Neighborhood Scale Guideline 4.15:

- *Design new and remodeled dwellings to appear proportional and complementary to nearby dwellings*

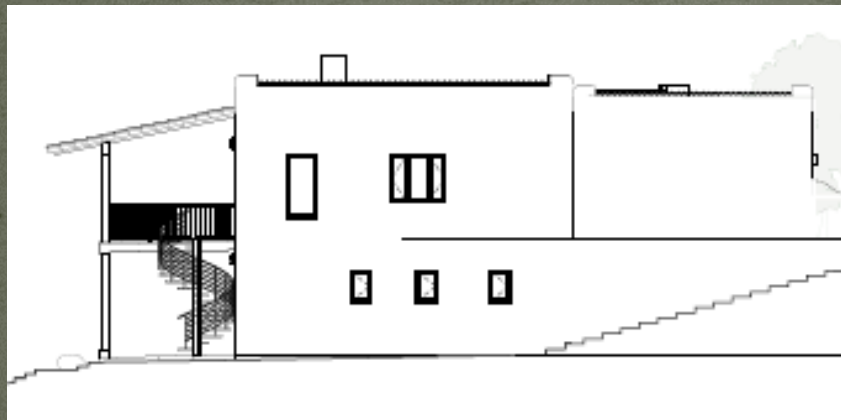
Figure 21



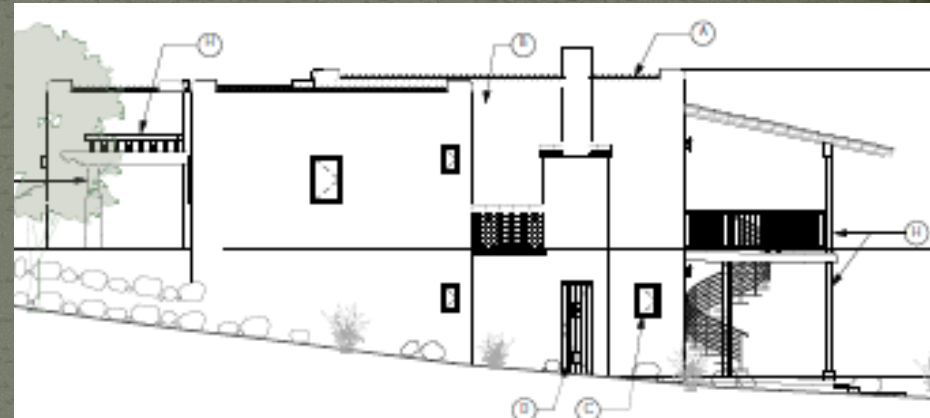
Top example is out of context with the neighboring structures because of its simpler form.

849 Cheltenham – Second Story Elevation Views

East

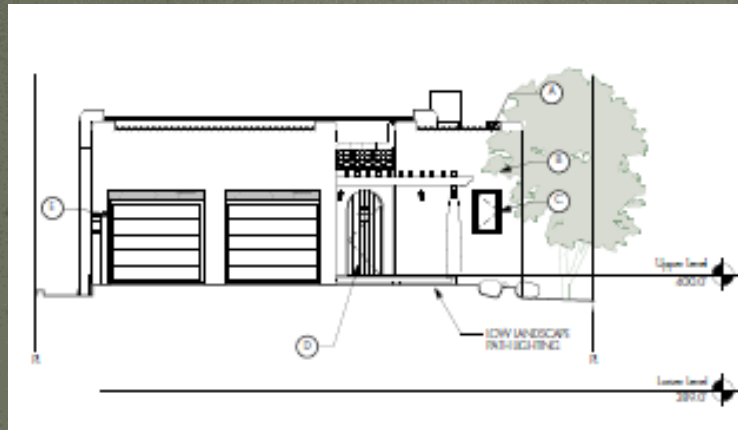


West



849 Cheltenham – Second Story Elevation Views

North



South

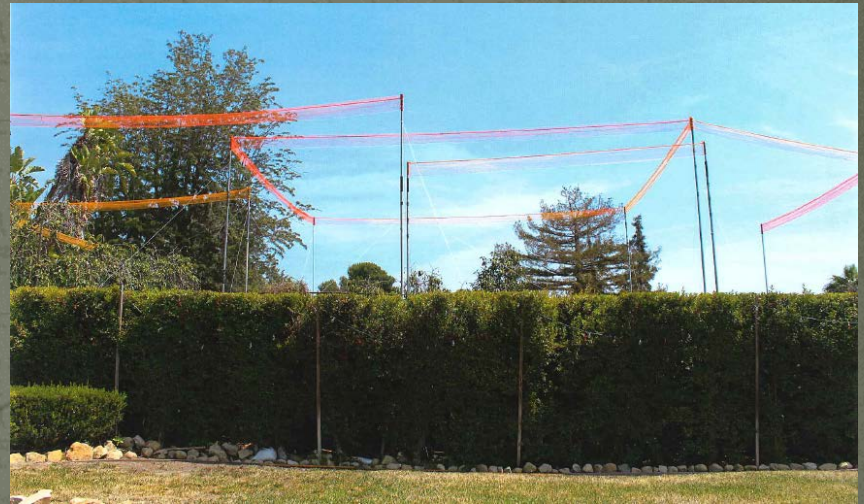


New Buildings should be “proportional and complementary” to nearby buildings

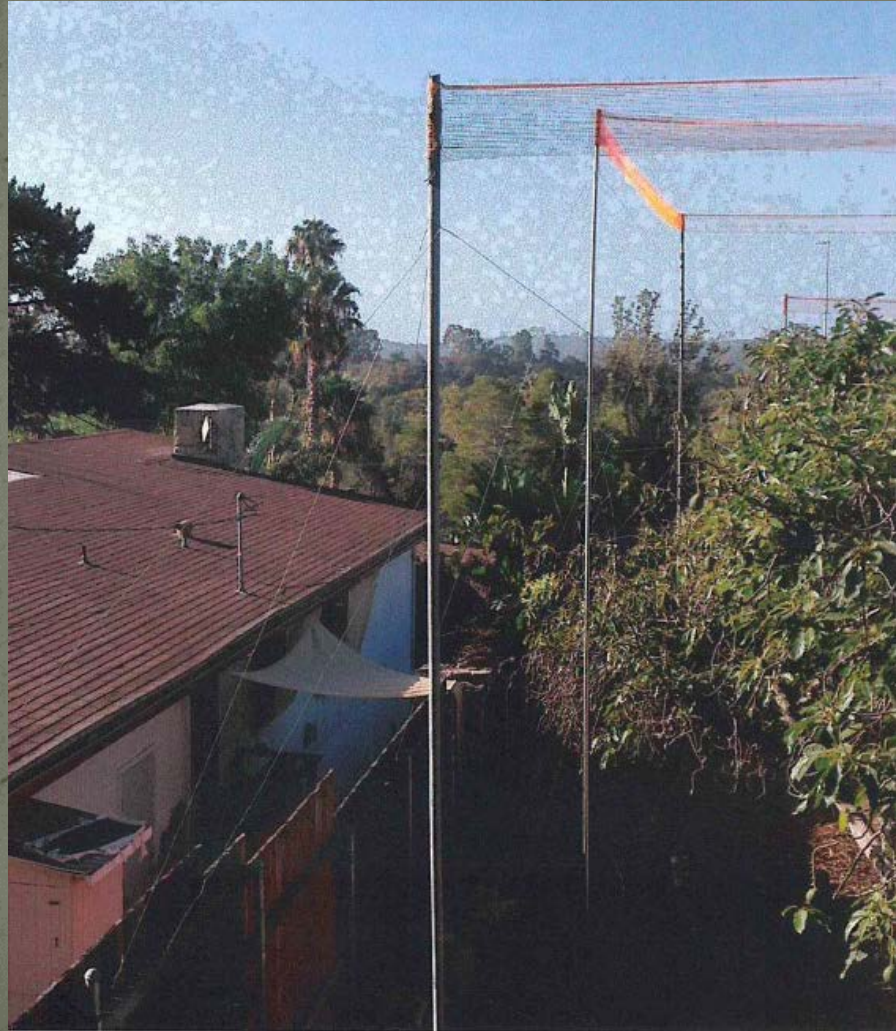
Viewed from East



Viewed from West



Viewed with Adjacent House



Surrounding Home Comparison Should Exclude Defined "Hillside Homes"



NEIGHBORHOOD COMPATIBILITY MAP LEGEND

Bonillo proposed subject site



2 story homes



Surrounding properties around subject site



"Hillside homes" and nestled into the hillside



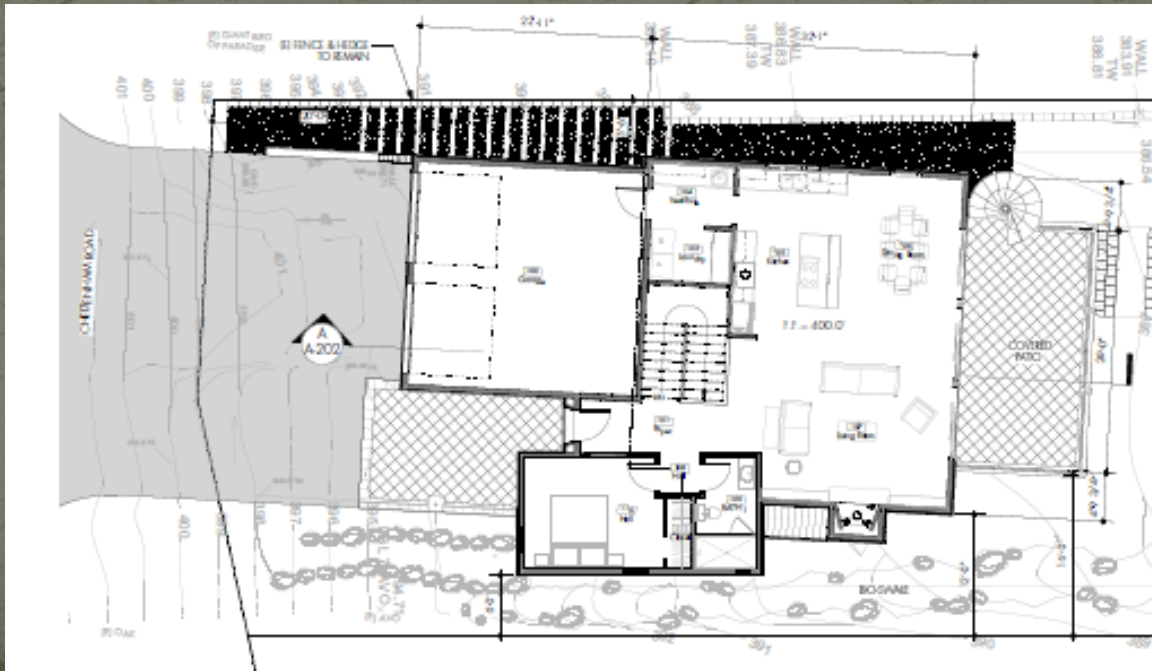
1 story homes and/or 2 story homes that appear to be 1 story from Cheltenham Road



Neighborhood Scale Guideline 4.16

Size Bulk and Scale

- Guideline 4.16 – Minimize size bulk and scale
- Large house on small lot
 - 3,446 square feet of development on 7,840 square foot lot
 - Excessive FAR – Too big for City of SB
 - Built to edges of setbacks
 - Built tall to achieve continuous floor from garage to second story
 - Bulky Bedroom Box



Neighborhood Scale Guideline 4.18

4.18 Structures that significantly differ from adjacent dwellings in size, bulk, scale, height, or architectural style may be allowed if the new or remodeled dwelling is consistent with the Design Guidelines. However, such structures should be held to an exceptionally high standard of design because they will be highly visible and distinguishable as examples for the design of surrounding future dwellings.

Neighborhood Scale Guideline 4.18 – Differs Significantly

- Allowable if different design
 - A) Is “Consistent with the Design Guidelines” and
 - B) Is an example of “exceptionally high standard of design”
- Not Allowable Here Because:
 - A) No Demonstrated Consistency with Guidelines
 - B) Fails to meet standard of “exceptionally high standard of design” necessary to serve as a highly visible and distinguishable example of design for surrounding area

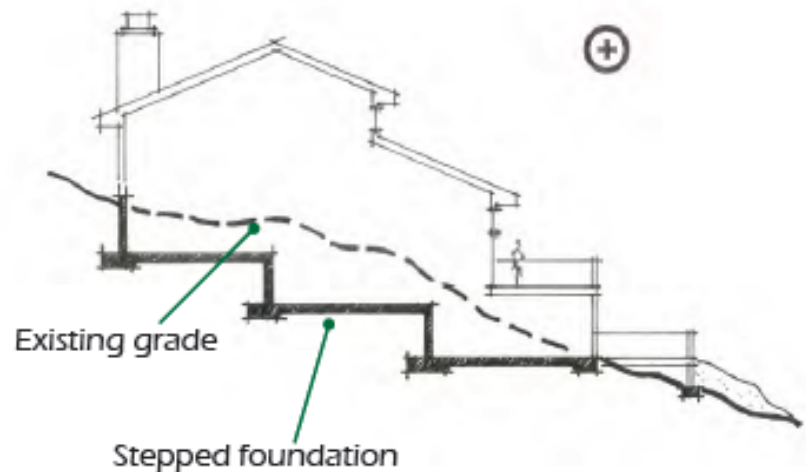
Drop design into slope – Hillside House Heights

Hillside Housing Height and Proportion Guidelines

Building height should be in proportion to the lot area and compatible with the neighborhood.

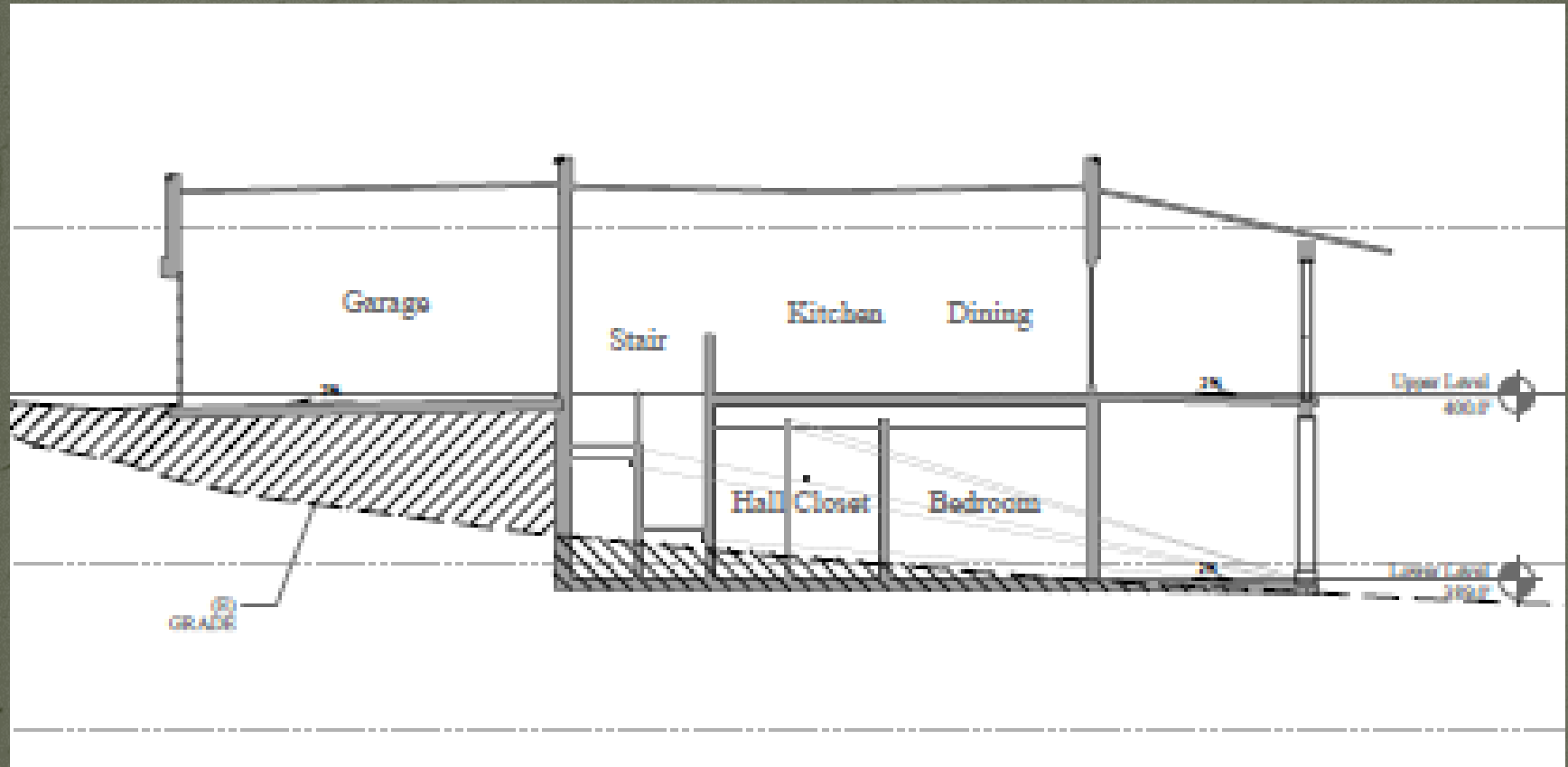
- 6.06 Design dwellings with a modest “apparent height” (lowest point of contact with finished grade to highest point of building dimension).
- 6.07 Locate tallest elements towards the center uphill portion of the structure to reduce apparent height and massing.

Figure 37



Section View - Building foundation cut into slope

House is not cut into slope, but elevated by fill



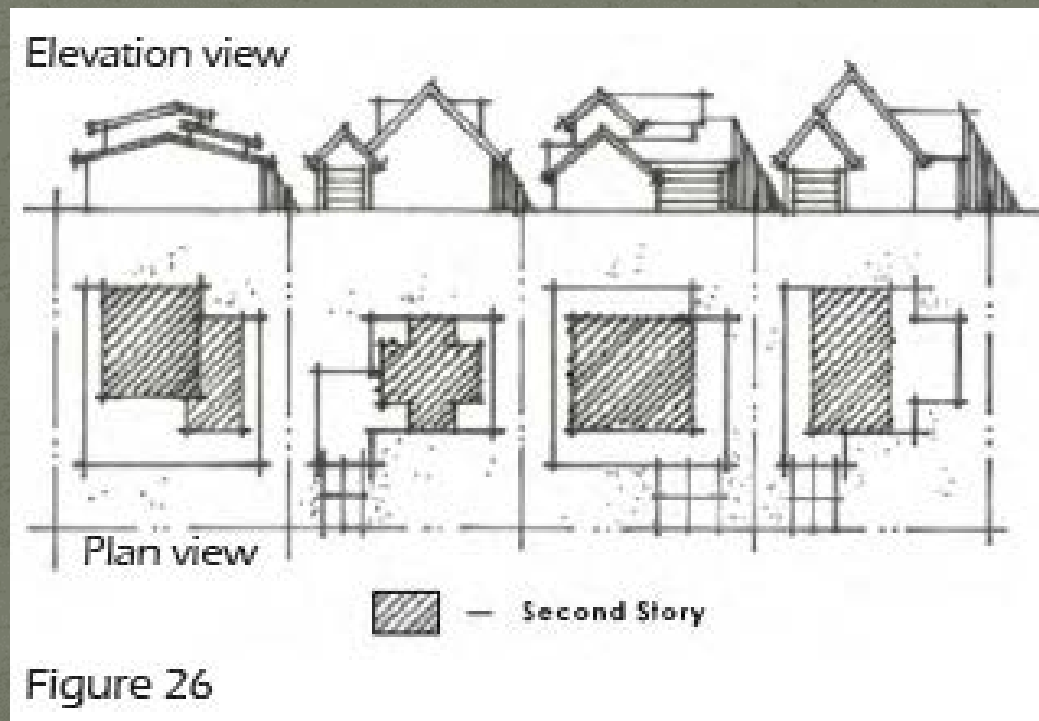
Second Story *Design and Location*

Guideline 4.19

- *Set the second story back and to the center of the first story (Figure 26). In general, the second story should not be located within the side yard encroachment plane, which is defined as a 30 degree angle measured from the vertical at a point 6 feet above existing grade on the interior side property line (Figure 27). Increase the second story setback when a two-story dwelling is proposed adjacent to a one-story dwelling.*

Guideline 4.19 – Site Second Story Elements in Center of Structure

- “Set the second story back and to the center of the first story (Figure 26).”



849 Cheltenham – Overhead View - Full Second Story – not set back

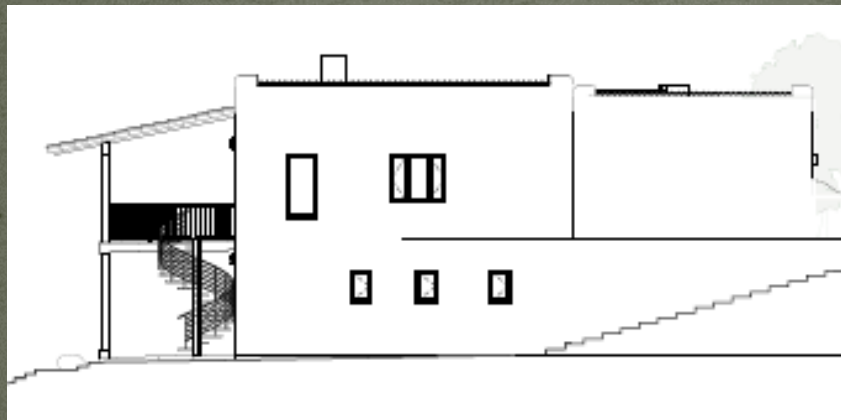


849 Cheltenham – South Elevation View - Full Second Story – not set back



849 Cheltenham –Second Story Elevation Views - not set back

East



West



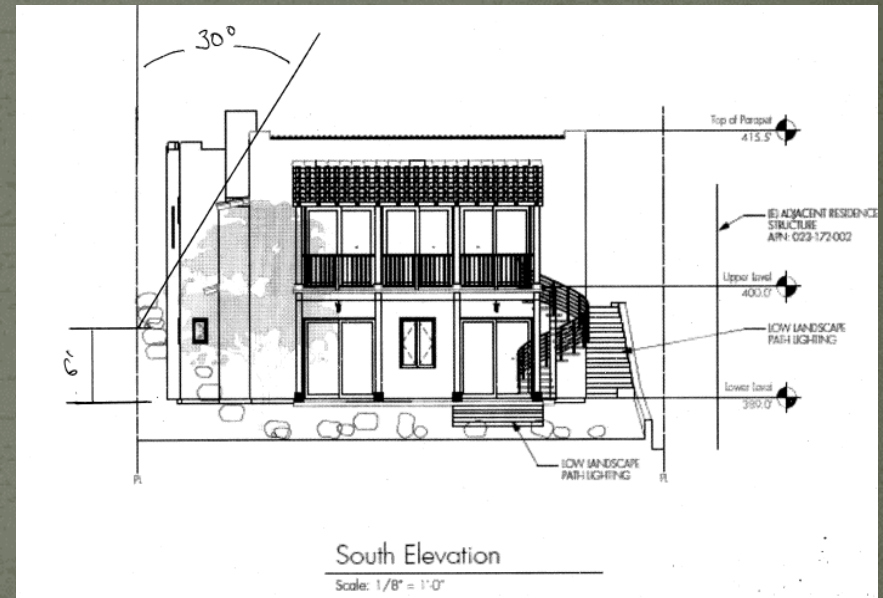
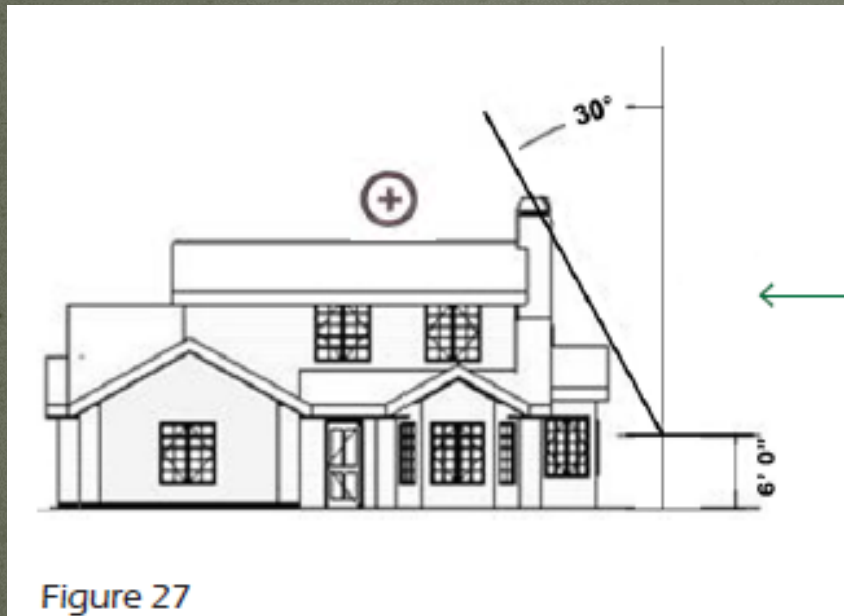
MCRDG 4.19 – Second Story – Encroachment Plane

- In general, the second story should not be located within the side yard encroachment plane, which is defined as a 30 degree angle measured from the vertical at a point 6 feet above existing grade on the interior side property line (Figure 27). Increase the second story setback when a two-story dwelling is proposed.

Side Yard Encroachment Plane

MCRDG Requirement

849 Cheltenham





Design Doesn't Comply with Objective Encroachment Plane Standards

- Clear example of specific non-conformity with objective MCRDG
 - **Must be consistent for:**
 - Design Review Findings
 - Development Standard MC-LU-2.1
 - MCRDG 4.18
 - Implementation of MCCP mitigation under CEQA
 - No evidence of Consistency when it is Demonstrably Inconsistent

Design Review Findings Can't Be Made

- *Mission Canyon Community Plan Design Review Finding 2.2.a: Plans for new or altered structures subject to the provisions of Section 38.28.080 (Design Control Overlay) are in compliance with the Mission Canyon Residential Design Guidelines as applicable.*

Drainage

- Planning Commission Approved Drainage Plan is Acceptable
 - Reflects Historic Drainage flows
 - Accommodates Either Solution prescribed by PWD for the culvert under Cheltenham
 - Allows for storm flows to exit 849 as it has for decades
 - Preserves historical flow location downstream in driveway shared by Pinkham
- Any change to historical flow patterns dictated by County creates County liability for damages
 - To Urbany – PDD suggests flows should go into Urbany house
 - To Pinkham – for flows into house

Culvert Issue

PWD Complaint

PWD's Proposed Solution

COUNTY OF SANTA BARBARA
DEPARTMENT OF PUBLIC WORKS
Road Division Permit Office
4417 Cathedral Oaks Road
Santa Barbara, California 93110



(805) 681-4990
FAX 681-4991

January 7, 2016

Lara Urbany
851 Cheltenham Road
Santa Barbara, CA. 93105

RE: Unpermitted County Storm Pipe Extension at 851 Cheltenham Road
APN #023-164-004

After field investigations our department has determined that a 12" culvert pipe extension has been illegally placed within Santa Barbara County's Road Right-of-Way at the above referenced address in violation of the County Code, Chapter 28, and Ordinance 1491. Within ten (10) days of receipt of this letter, you are directed to remove the entire length of the 12" dia. pipe that has been added to the existing County 18" dia. culvert pipe that redirects the historical flow onto the neighboring property at 849 Cheltenham Road. The County Road Department needs access within the right of way to ensure clear passage of rain water from the roadway, this extension constricts the original water flow.

Failure to comply with the directives of this letter is a violation of the County Code, Chapter 28, and Ordinance 1491. You will be held responsible for all personal injuries and property damage that may occur as a result of this unpermitted encroachment into the County Road Right-of-Way. In addition, the County may hire a private contractor to remove the 12" pipe and fencing for access. Be advised that the costs associated with the removal plus penalties accumulated since this encroachment was initially identified may be charged back to you pursuant to Sections 1481-1482 of the Streets and Highways Code, which in part reads:

"If the encroachment is not removed, or it's removal not commenced and diligently prosecuted prior to the expiration of the ten days, the person causing, owning, or controlling the encroachment forfeits ten dollars (\$10.00) for each day the encroachment continues un-removed and the Road Commissioner may recover from the person causing the above encroachments, in an action brought in the name of the County for that purpose, the court costs of the Road Commissioner, the expense of such removal and other damages caused by the encroachment."

If you have any questions regarding this letter please contact this office at 805-681-4990.

Sincerely, 

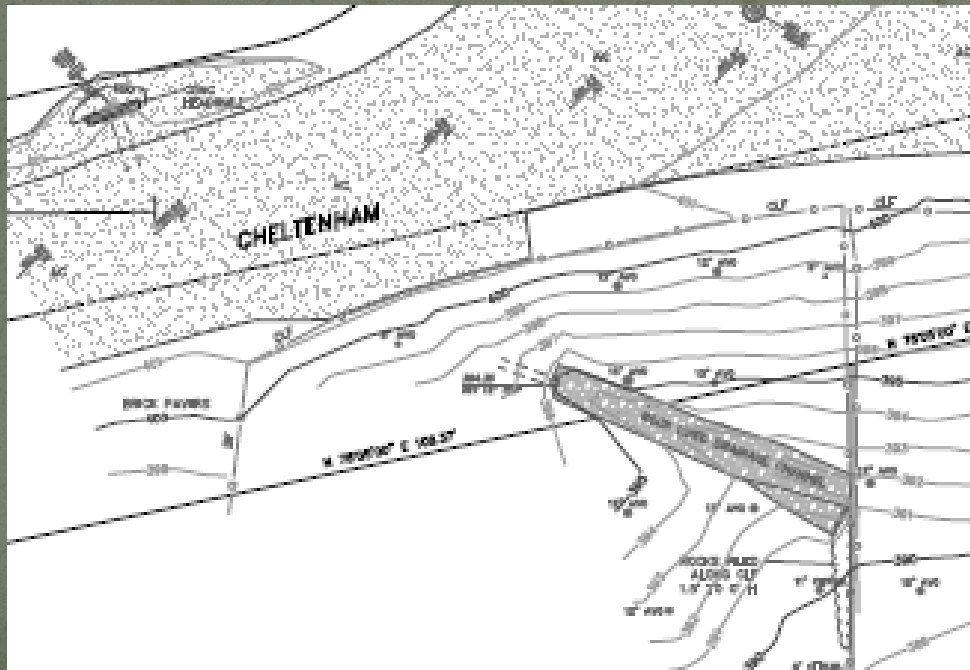
Packie Villa / Roads Encroachment Permit Inspector

CC: Eric Pearson, Section Manager/Jenami Irabon, Permits Supervisor/File

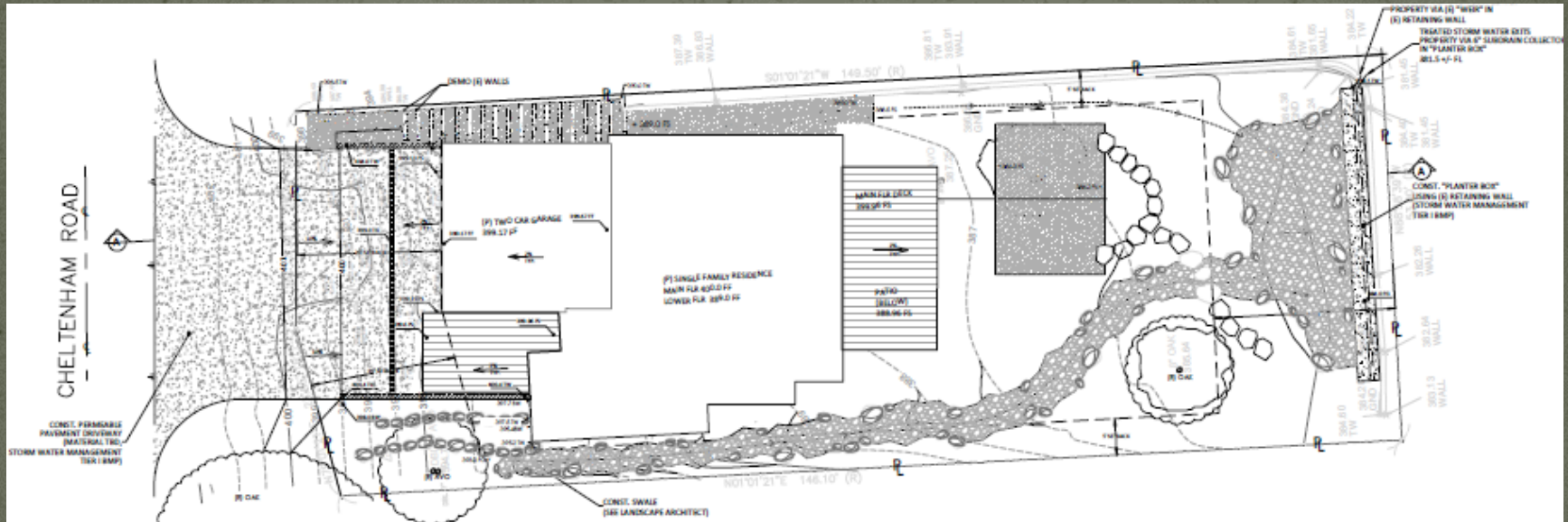
- , the County of Santa Barbara Permits Department is asking for the unpermitted 12' culvert pipe extension be removed from the end of the existing 18" County culvert pipe on the outlet side of the storm drain. We have no objections if an 18" pipe extension is put in to replace the 12". We prefer to have a clean out junction box at the connection of the extension to allow the County Road Department access to remove any debris. Please understand that this request is only for the section of pipe in the County Road Right of Way.

Any resolution of culvert leaves flow where it has been for 60 years

- Exits 851 concrete pipe, conveyed in drainage ditch, across property line to 849, along 849 to southeast corner, and down shared driveway to Foothill road drains



PC-Approved Preliminary Grading Plan





Historic Drainage Path

From Applicant's Presentation.

Note view into Urbany yard and home from the "Bedroom Box"



APN: 023-172003

APN: 023-172028

APRICE LOCATION OF
REASONS FOR
BASED ON Aerial Imagery 2011

BLIND WALL
TO REMAIN
SEE UNDESIGNED
PLAN

STORMWATER
TO REMAIN

11.1 - 800.0

COVERED
PORCH

38.764
8' CONCRETE

A
A201

500.00

APN: 023-164003

APN: 023-164004

APN: 023-172028

