



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 012-24 952 ALAMEDA PADRE SERRA MODIFICATIONS MARCH 6, 2024

952 ALAMEDA PADRE SERRA

Assessor's Parcel Number:	019-252-015
Zoning Designation:	RS-15 (Residential Single Unit)
Application Number:	PLN2022-00319
Applicant:	Ellen Bildsten, Bildsten Architecture
Owner:	Gail L. Fisher Revocable Trust Gail Fisher, Trustee

The 13,939-square-foot lot is located within the Foothill High Fire Zone and developed with a 1,389-square-foot, single-story residence and a 338-square-foot detached, one-car garage accessed off Alameda Padre Serra (APS). The project is a request to construct a 796-square-foot single-story Accessory Dwelling Unit (ADU) in the secondary front yard along Roble Lane with a new uncovered parking space in the front setback. A modification is requested for the new uncovered parking space, retaining wall/fence, stairs and landing from the parking, and the stairs leading to the roof deck in the secondary front setback on Roble Lane. An interior setback modification is also requested for the rear deck of the ADU because it is not considered an integral part of the ADU and therefore must comply with the 10-foot interior setback.

The discretionary applications under the jurisdiction of the Staff Hearing Officer at this hearing are:

- A. An Interior Setback Modification to allow the rear deck to encroach into the eastern interior setback (SBMC §Table 30.20.030.A and SBMC §30.250.020); and
- B. A Front Setback Modification to allow the proposed parking space and associated improvements to encroach into the front setback on Roble Lane (SBMC §Table 30.20.030.A and SBMC §30.250.020).

Staff has determined that the project qualifies for an exemption from further environmental review under Sections 15303 [New Construction or Conversion of Small Structures] and 15305 [Minor Alterations in Land Use Alterations] of the California Environmental Quality Act (CEQA) Guidelines. Section 15303 allows for construction and location of limited numbers of new, small facilities or structures, including a second dwelling unit in a residential zone and accessory (appurtenant) structures. Section 15305 allows for zoning modifications.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, two people appeared to speak, and the following exhibits were presented for the record:

1. Staff Report with Attachments, Wednesday, February 28, 2024.
2. Site Plans
3. Correspondence received:
 - a. Diane E. Ward

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application, making the following findings and determinations:

A. ENVIRONMENTAL REVIEW (CEQA GUIDELINES)

Staff has determined that the project qualifies for an exemption from further environmental review under Sections 15303 (New Construction or Conversion of Small Structures) and 15305 (Minor Alterations in Land Use Alterations) of the California Environmental Quality Act (CEQA) Guidelines. Section 15303 allows for construction and location of limited numbers of new, small facilities or structures, including a second dwelling unit in a residential zone and accessory (appurtenant) structures. Section 15305 allows for modifications to the Zoning Ordinance. Staff has reviewed the proposal and site conditions and has determined that the project complies with all conditions of this exemption.

Based on review of the project, there would be no significant project-specific or cumulative impact on the environment due to unusual circumstances, the project does not have the potential to damage scenic highways or historic resources, and the project site is not identified as a hazardous waste site. None of the exceptions to the exemption under CEQA Guidelines Section 15300.2 apply.

B. FRONT SETBACK MODIFICATION (SBMC §30.250.060)

The Staff Hearing Officer finds that the Front Setback Modification along Roble Lane is necessary to secure an appropriate improvement on a lot because the site is constrained by two 30-foot front setbacks and steep topography. As discussed in the staff report, the Modification can be found consistent with the general purposes of the Zoning Ordinance because it provides the required off street parking space in the High Fire Hazard area.

C. EASTERN INTERIOR SETBACK MODIFICATION (SBMC §30.250.060)

The Staff Hearing Officer finds that the Interior Setback Modification at the eastern property line is a supportable encroachment to secure an appropriate improvement on the lot. The parcel is heavily constrained by steep slopes, two 30-foot front setbacks and two front yards, narrowing of the property toward the Roble Lane street frontage in comparison to the Alameda Padre Serra street frontage, and by an additional easement on the west side of the parcel that prohibits building. The Accessory Dwelling Unit (ADU) was intentionally designed to conform to the secondary front setback and outside the westerly easement, although ADU's are allowed to reduce to a 4-foot setback regulation by right. The rear cantilevered deck of the ADU is south facing toward the center of the subject parcel and does not directly face adjacent parcels, thereby, preserving neighbor's privacy and mitigating potential noise and light nuisance across property lines. The

eastern property line in the location of the deck will have fencing for privacy and screening.

- II.** Said approval is subject to the condition that prior to Single Family Design Board Project Design Approval, the project must obtain review and approval from the City's Street Tree Advisory Committee and Parks and Recreation Commission for the proposed removal of the two Pepper trees located in the secondary front setback and secondary front yard along Roble Lane.

This motion was passed and adopted on the 6th day of March, 2024 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.


Kathleen Goo, Commission Secretary

March 7, 2024
Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the **MODIFICATION** request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action, your next administrative step should be to resubmit design review materials under your PLN case for approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire three (3) years from the date of the approval, per SBMC §30.205.120, unless:
 - a. A building permit for the construction authorized by the approval is issued within thirty-six (36) months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;

- b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.