



City of Santa Barbara
PLANNING COMMISSION
MINUTES
JANUARY 11, 2018

1:00 P.M.
City Hall, Council Chambers
735 Anacapa Street
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Lesley Wiscomb, *Chair*
Sheila Lodge, *Vice Chair*
John P. Campanella
Jay D. Higgins
Mike Jordan
Deborah L. Schwartz
Addison Thompson

STAFF:

N. Scott Vincent, Assistant City Attorney
Allison DeBusk, Project Planner
Kathleen Goo, Commission Secretary

CALL TO ORDER

Commissioner Higgins called the meeting to order at 1:05 p.m.

I. ROLL CALL

Commissioners John P. Campanella, Jay D. Higgins, Mike Jordan, Sheila Lodge, Deborah L. Schwartz, Addison Thompson, and Lesley Wiscomb

Absent: None

STAFF PRESENT

N. Scott Vincent, Assistant City Attorney
Susan Reardon, Senior Planner
Jessica W. Grant, Acting Senior Planner
Allison De Busk, Project Planner
Kathleen Goo, Commission Secretary

II. PRELIMINARY MATTERS

A. Nominations and election of Chair and Vice Chair:

MOTION: Jordan/Campanella

Nomination of Wiscomb as Chair and Lodge as Vice Chair for 2018.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Incoming Chair Wiscomb stated she was honored to accept the position as Chair, and thanked Commissioner Higgins for his guidance and inspiration as Chair.

B. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items:

Ms. De Busk announced that Item IV, the ADU Ordinance discussion, has been rescheduled to the January 25, 2018 Special PC meeting.

C. Announcements and appeals:

Ms. De Busk announced that the appeal of the Coastal Development Permit for the project at 1909 El Camino De La Luz has been scheduled for City Council consideration on February 27, 2018.

D. Review, consideration, and action on the following draft Planning Commission minutes and resolutions:

1. December 7, 2017 Minutes

MOTION: Lodge/Schwartz

Approve the minutes as presented.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 2 (Higgins/Campanella) Absent: 0

2. PC Resolution No. 001-18
1298 Coast Village Road

MOTION: Lodge/Schwartz

Approve the resolution as presented.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 2 (Higgins/Campanella) Absent: 0

E. Comments from members of the public pertaining to items not on this agenda:

No public comment.

ACTUAL TIME: 1:10 P.M.

III. STAFF HEARING OFFICER APPEAL

APPLICATION OF WADE DAVIS DESIGN, AGENT FOR VINCENT AND KATHY TUCKER, OWNERS, 1540 FRANCESCHI ROAD, APN 019-102-038, RS-25 RESIDENTIAL SINGLE UNIT ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (2 DWELLING UNITS/ACRE) (MST2017-00355)

The purpose of this hearing is for the Planning Commission to consider an appeal filed by the applicant of the Staff Hearing Officer (SHO)'s denial of a requested setback modification on October 11, 2017. The applicant is specifically appealing the SHO's denial of a 4-foot southern deck extension in the required secondary front setback. The proposed deck extension would encroach an additional four feet into the secondary front setback, with a total depth of 14 feet into the required 25-foot setback.

Three other modifications were approved by the SHO to allow improvements in the front setback, in the secondary front setback, and to allow the open yard to be located within the secondary front setback. Those approvals are not being appealed.

The proposal is to construct various improvements for the existing dwelling, including a new interior stairway, conversion of residential square footage to habitable space, window changes along the northern side of the dwelling, and second-story deck extensions on the western and southern façades. SHO review and approval was required because the additions and alterations to the dwelling along the north façade, as well as the western deck extension, are all proposed in the primary front setback, while the proposed southern deck extension is in the secondary front setback.

The SHO-approved project would allow for a 3,470 square foot residence, 79% of the guideline maximum floor-to-lot-area ratio (FAR).

The discretionary applications required for this project are:

- A. A Primary Front Setback Modification to allow additions and alterations on the north side of the dwelling and a deck extension on the west side of the dwelling to encroach within the required 25-foot primary front setback (SBMC § 30.20.030.A and SBMC § 30.250.020.B);
- B. An Open Yard Modification to allow the open yard area to be located within the secondary front yard (SBMC 30.140.140.E); and
- C. A Secondary Front Setback Modification to allow a deck extension on the south side of the dwelling to encroach within the required 25-foot secondary front setback.
(Please note: Only the secondary front setback modification is under Planning Commission review.)

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

Contact: Stephanie Swanson, Assistant Planner

Email: SSwanson@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4569

Jessica W. Grant, Acting Senior Planner, gave the Staff presentation. Susan Reardon, Senior Planner/Staff Hearing Officer, was available to answer questions, and clarified actions made at the October 11, 2017 Staff Hearing Officer hearing.

Jim Davis, Architect, gave the Applicant presentation, and was joined by Vincent Tucker, Owner.

Public comment opened at 1:50 p.m., and as no one wished to speak, it closed.

Public correspondence from John Coie, Richard Marcellin, and Dianne & Phil Channing in support of the secondary front setback deck extension modification was reported as received.

Commissioner comments:

Commissioner Lodge stated that the Staff Hearing Officer was generous to allow the two-foot extension, and as the deck already intrudes into the public space, an additional four feet would only add to that intrusion and therefore she could not support the appeal.

Commissioner Jordan and Chair Wiscomb respectfully concurred with the Staff Hearing Officer and Commissioner Lodge that even with the lot constraints and the need for outdoor living space, the existing deck and approved extension is already non-conforming and pushes that non-conformance even further into the public space, is not an appropriate improvement on the lot, and sets an unacceptable precedent in the neighborhood; therefore, they could not support the appeal.

Commissioners Thompson, Schwartz, Higgins and Campanella expressed that although they respect the Staff Hearing Officer's evaluation, consideration, and compromise on her partial approval of the proposed project, after their visit to the site they did not see a negative impact to the community or the neighborhood from the proposed deck extension and concurred with the Single Family Design Board majority vote (4/3) that the deck extension was acceptable and compatible with the neighborhood and community. Given the configuration and constraints of the lot with two front setbacks and a very steep downslope hillside, the site has very little opportunity for enjoyment of an outdoor living space. Therefore, the requested modest deck extension modification request is necessary to secure an appropriate improvement on the lot to allow for outdoor living opportunities, and they could support the appeal and the findings in the Staff Report to uphold the appeal.

MOTION: Thompson/Higgins**Assigned Resolution No. 002-18**

Uphold the applicant's appeal and approve the project as proposed to allow a 4-foot deck extension to the south in the secondary front setback, making the findings that the Secondary Front Setback Modification to allow the proposed second-story deck extension is consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot, limiting the secondary front setback encroachment to no more than 17'-0" into the reduced 25'-0" secondary front setback. This encroachment would provide outdoor living space for the lot and would be minimally visually impactful to the neighborhood due to existing landscaping acting as screening.

This motion carried by the following vote:

Ayes: 4 Noes: 3 (Lodge/Jordan/Wiscomb) Abstain: 0 Absent: 0

The ten calendar day appeal period was announced.

IV. RECOMMENDATION TO AMEND MUNICIPAL CODE
ITEM CONTINUED TO THE JANUARY 25, 2018 HEARING

Planning Commission review of proposed amendments to the Municipal Code to establish development regulations for Accessory Dwelling Units (ADUs). Effective January 1, 2017, state legislation superseded sections of the City's regulations for secondary dwelling units and accessory dwelling units that were inconsistent with Government Code Section 65852.2. Until the City adopts its own ADU Ordinance, it is required to ministerially approve ADUs if the unit complies with state standards including certain parking requirements, the maximum allowable size of an ADU, and setback requirements.

Staff recommends that the Planning Commission review proposed amendments to the Zoning Ordinance to adopt an Accessory Dwelling Unit Ordinance and forward a recommendation to the City Council for adoption.

Contact: Rosie Dyste, Project Planner
Email: RDyste@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4599

V. **ADMINISTRATIVE AGENDA**

ACTUAL TIME: 2:10 P.M.

A. Committee and Liaison Reports:

1. Staff Hearing Officer Liaison Report

No report.

2. Other Committee and Liaison Reports

- a. Commissioner Jordan reported on the December 21, 2017 Water Commission meeting and drought conditions.
- b. Commissioner Schwartz reported on the Local Coastal Plan Update, and noted that on Friday, May 18, 2018, the Coastal Housing Coalition will host their Annual Housing Conference, and Senator Wiener, author of Senate Bill 35 regarding affordable housing, would be the keynote speaker.
- c. Vice Chair Lodge reported on the January 10, 2018 Historic Landmarks Commission meeting.
- c. Commissioner Campanella reported that the Housing Task Force meeting of January 17, 2018 was cancelled, and items from that agenda will be summarized and presented to City Council on February 13, 2018.

VI. **ADJOURNMENT**

Chair Wiscomb adjourned the meeting at 2:22 p.m.

Submitted by,

Kathleen Goo, Commission Secretary



City of Santa Barbara California

II C 2

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 002-18 1540 FRANCESCHI ROAD MODIFICATION JANUARY 11, 2018

APPLICATION OF WADE DAVIS DESIGN, AGENT FOR VINCENT AND KATHY TUCKER, OWNERS, 1540 FRANCESCHI ROAD, APN 019-102-038, RS-25 RESIDENTIAL SINGLE UNIT ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (2 DWELLING UNITS/ACRE) (MST2017-00355)

The purpose of this hearing is for the Planning Commission to consider an appeal filed by the applicant of the Staff Hearing Officer (SHO)'s denial of a requested setback modification on October 11, 2017. The applicant is specifically appealing the SHO's denial of a 4-foot southern deck extension in the required secondary front setback. The proposed deck extension would encroach an additional four feet into the secondary front setback, with a total depth of 14 feet into the required 25-foot setback.

Three other modifications were approved by the SHO to allow improvements in the front setback, in the secondary front setback, and to allow the open yard to be located within the secondary front setback. Those approvals are not being appealed.

The proposal is to construct various improvements for the existing dwelling, including a new interior stairway, conversion of residential square footage to habitable space, window changes along the northern side of the dwelling, and second-story deck extensions on the western and southern façades. SHO review and approval was required because the additions and alterations to the dwelling along the north façade, as well as the western deck extension, are all proposed in the primary front setback, while the proposed southern deck extension is in the secondary front setback.

The SHO-approved project would allow for a 3,470 square foot residence, 79% of the guideline maximum floor-to-lot-area ratio (FAR).

The discretionary applications required for this project are:

- A. A Primary Front Setback Modification to allow additions and alterations on the north side of the dwelling and a deck extension on the west side of the dwelling to encroach within the required 25-foot primary front setback (SBMC § 30.20.030.A and SBMC § 30.250.020.B);
- B. An Open Yard Modification to allow the open yard area to be located within the secondary front yard (SBMC 30.140.140.E); and
- C. A Secondary Front Setback Modification to allow a deck extension on the south side of the dwelling to encroach within the required 25-foot secondary front setback.
(Please note: Only the secondary front setback modification is under Planning Commission review.)

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Sections 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 13, 2017.
2. Site Plans
3. Correspondence received in support of the project:
 - a. John Coie, Santa Barbara, CA.
 - b. Richard Marcellin, Santa Barbara, CA.
 - c. Dianne and Phil Channing, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission upheld the applicant's appeal and approved the project as proposed to allow a 4-foot deck extension to the south in the secondary front setback, making the findings that the Secondary Front Setback Modification to allow the proposed second-story deck extension is consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot, limiting the secondary front setback encroachment to no more than 17'-0" into the reduced 25'-0" secondary front setback. This encroachment would provide outdoor living space for the lot and would be minimally visually impactful to the neighborhood due to existing landscaping acting as screening.

This motion was passed and adopted on the 11th day of January, 2018 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 3 (Lodge/Jordan/Wiscomb) ABSTAIN: 0 ABSENT: 0

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

Kathleen Goo, Commission Secretary

Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.