



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** October 20, 2016  
**AGENDA DATE:** October 26, 2016  
**PROJECT ADDRESS:** 1217 Punta Gorda Street (MST2015-00031)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DJK*  
 Betsy Teeter, Planning Technician II *BT*

### I. PROJECT DESCRIPTION

The proposed project is to construct a new, 798 square foot two story dwelling unit at the rear of an existing 916 square foot one story dwelling unit, and to demolish an existing 370 square foot carport. A 655 square foot 4-car carport will comprise the ground floor of the new unit and will be attached to the existing front unit. Also proposed on this approximately 5,000 square foot parcel is approval of an Administrative Height Exception to legalize an as-built 4'-6" tall CMU wall topped with a wrought iron railing and to construct a new 5'-0" tall fence around the designated front personal outdoor living space.

The discretionary application required for this project is an Interior Setback Modification to allow a conforming three-story addition that will change the basic exterior characteristics of the existing residence that is nonconforming to the required six-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: August 1, 2016

Date Action Required: October 30, 2016

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Patricio Nava	Property Owner:	Raul Gutierrez
Parcel Number:	017-293-014	Lot Area:	4942 sq ft
General Plan:	Medium High Density Residential (15-27 du/acre)	Zoning:	R-3
Existing Use:	Single Family Residence	Topography:	2% slope

Adjacent Land Uses:

North - Residential	East – Residential
South – Residential	West – Residential

#### B. PROJECT STATISTICS

	<b>Existing</b>	<b>Proposed</b>
Living Area	875 sq. ft.	+ 798 sq. ft.
Garage	340 sq. ft.	+ 655 sq. ft.
Accessory Space	None	None

#### C. PROPOSED LOT AREA COVERAGE

Building: 1,783 sf 35%      Hardscape: 1,554 sf 32%      Landscape: 1,663 sf 33%

### IV. DISCUSSION

1. The proposed project involves the demolition of a two vehicle carport and the addition of a two-story unit over a new four vehicle carport. The new carport and unit will be attached to the front unit which is non-conforming to the required six foot interior setback. The addition results in a change to the basic exterior characteristic of a non-conforming building and therefore requires a Modification approval (SBMC §28.87.030.D.1.a.). The proposed additions conform to all required setbacks. Staff supports the Modification request because the proposal will retain the existing residence, provide an additional dwelling unit and will not increase the amount of encroachment of living area within the required setbacks. However, the carport is proposed to be located three feet from the property line. The Zoning Ordinance allows the required interior setback for garages and carports to be reduced to three feet if the design review body grants approval for the reduced setback. As part of project approval, a condition has been added to require that the applicant request Architectural Board of Review (ABR) approval for the reduced setback.

The project was reviewed by the Architectural Board of Review on March 28, 2016 and was forwarded to the Staff Hearing Officer (SHO) with generally positive comments. There are some design issues that will need to be resolved prior to ABR approval of the project. The ABR requested that the applicant study removing the second floor balcony roof projection on the west elevation, and provide wood trim surround detailing or other architectural element alternatives

that would protrude less than the proposed design. A Condition of Approval has also been added that an Administrative Height Exception be obtained for the overheight fence/wall combination at the property line and the new 5 foot tall fence surrounding the designated outdoor living area for the front unit.

#### Environmental Review

The project site is located within an area mapped as the American Period (1870-1900) and the Early 20<sup>th</sup> Century Archaeological (1900-1925) sensitivity areas. An Archaeological Letter report prepared by A. Jaqua Consulting (Allison Jaqua, M.A) dated July 26, 2016, concluded that it is unlikely that artifacts will be encountered during the proposed construction but recommends that the standard unanticipated archaeological discovery condition be included. Therefore, staff has included a condition that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

The scope of work of the project is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. The project is consistent with the development density designated and analyzed by the Program EIR, and potential project-specific environmental effects are addressed with existing development standards and regulations. Based on City Staff analysis, no further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183-Projects Consistent with the General Plan). City Council environmental findings adopted for the 2011 General Plan remains applicable for this project. A decision-maker finding that the project qualifies for the §15183 CEQA determination is required.

## **V. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds the following:

1. The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and the CEQA certificate of determination on file for this project.
2. The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot because the proposed project complies with all zoning standards for the R-3 zone which allows for the addition of a second unit, and is not anticipated to adversely impact the adjacent neighbors.

Said approval is subject to the following conditions:

1. An Administrative Height Exception shall be obtained for the over height fence/wall combination at the property line and the new 5 foot tall fence surrounding the designated outdoor living area for the front unit.
2. The following language shall be added to the plans submitted for building permit:  
“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering

unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which, may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

3. The applicant shall request ABR approval to allow the setback for the carport to be reduced to three (3) feet. If such approval is not granted, either the project must be redesigned to conform to the required setbacks, or a Modification must be obtained to allow the new carport in its proposed location.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated June 9, 2016
- C. ABR Minutes dated March 28, 2016

Contact/Case Planner: Betsy Teeter, Planning Technician II  
(bteeter@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x4563



# City of Santa Barbara California

## \*\*\* SEPARATELY DISTRIBUTED SITE PLAN \*\*\*

Exhibit A: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday.

Please check the City Calendar at [www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov) to verify closure dates.

**EXHIBIT A**

Windy Design Consultant.

420. E Arrellaga St.  
SANTA BARBARA, CA 93101  
805 636-2956

**RECEIVED**

**JUN 30 2016**

CITY OF SANTA BARBARA  
PLANNING DIVISION

Date: 6/9/2016

Staff Hearing Officer

City of Santa Barbara

P.O. Box 1990

Santa Barbara, Ca. 93101-1990

**Re: Modification Request For 1217 Punta Gorda St. (017-293-014) R3**

There is an existing house (916 S.F.) and a detached two car carport which will be removed. The existing one story house is legal not conforming to the interior east setback because there is a 4 inches encroachment.

The modification being requested is to change the basic exterior characteristic of the existing building by adding an attached conforming building in the rear of the existing house. The proposed addition will be a conforming 3 story. The ground level will be a 4 car carport and on top a new (861 S.F.) Unit.

The mayor benefits of having the new attached unit and carport are to provide a small relief to the need of housing in Santa Barbara being the lot an R3, and to generate an extra income for the owner who has a small landscape management business that due to the drought has lost some clients.

**EXHIBIT B**

2. 1217 PUNTA GORDA ST

R-3 Zone

(3:45)

Assessor's Parcel Number: 017-293-014  
Application Number: MST2015-00031  
Owner: Gutierrez Family Trust  
Applicant: Windy Design Consultant

(Proposal to construct a new, 798 square foot 3-story dwelling unit at the rear of an existing 916 square foot 1-story dwelling unit, and to demolish an existing 370 square foot carport. A 655 square foot 4-car carport will comprise the ground floor of the new unit and will be attached to the existing unit. Also proposed on this approximately 5,000 square foot parcel is to legalize an as-built 4'-6" tall CMU wall topped with wrought iron railings, and to construct a new 5'-0" tall fence. There will be 1,468 square feet of permeable paving for the new driveway. An Administrative Exception is requested to allow an as-built over-height wall at the front property line. Staff Hearing Officer review is required for a zoning modification to change the basic exterior characteristics of the existing one-story structure in the required interior setback.)

**(Third Concept Review. Comments only; requires Environmental Assessment and Staff Hearing Officer review. Project was last reviewed on February 29, 2016.)**

Actual time: 3:40 p.m.

Present: Patricio Nada, Applicant.

Public comment opened at 3:49 p.m. As no one wished to speak, public comment was closed.

Straw vote: How many Board members could support granting (eventual) Project Design Approval to the proposed project as presented? 4/0 (unanimous).

**Motion: Project Design Approval and continued indefinitely to Staff Hearing Officer for return to Consent Review with comments.**

**Substitute**

**Motion: Continued indefinitely to Staff Hearing Officer for return to Consent Review with the Board's stated comments and findings:**

- 1) Provide details and a color board.
- 2) Study removing the second floor balcony roof projection on the west elevation, and provide wood trim surround detailing or other architectural element alternatives that would not protrude as much.
- 3) Vice-Chair Hopkins read the following finding into the record: "The ABR finds that the project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and CEQA Certificate of Determination on file for this project."

Action: Hopkins/Tripp, 4/0/0. Motion carried. (Gradin/Miller/Wittausch absent).

**Motion: To reopen Item #2, 1217 Punta Gorda Street and correct the motion**

**with a substitute motion.**

Action: Hopkins/Tripp, 4/0/0. Motion carried. (Gradin/Miller/Wittausch absent).