



City of Santa Barbara

STAFF HEARING OFFICER AGENDA FEBRUARY 28, 2018

9:00 A.M.
David Gebhard Public Meeting Room
630 Garden Street
SantaBarbaraCA.gov

STAFF:
Susan Reardon, Staff Hearing Officer/Senior Planner
Kathleen Goo, Commission Secretary

PUBLIC HEARING PROCEDURE: This agenda is subject to change. Applicants and interested parties should plan to arrive at 9:00 a.m.

The order of presentation after the Staff Hearing Officer introduces an item is as follows: 1. Staff Presentation (3 minutes)*; 2. Applicant Presentation (5 minutes)*; 3. Public Hearing*; 4. Additional response by Applicant/Staff (5 minutes)*; 5. Staff Hearing Officer questions and comments; 6. Staff Hearing Officer consideration of Findings and Conditions of Approval; and 7. Action taken by the Staff Hearing Officer. **Time may be extended or limited by the Staff Hearing Officer.*

PUBLIC COMMENT: The public is invited to comment on any item on the agenda. The Staff Hearing Officer will announce when public testimony can be given for each item. Speaker slips are available by the door and should be handed to staff before the agenda item begins. Due to time constraints, individual comments are typically limited to two minutes. Written comments are also welcome. Mail to SHO Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990 or email to SHOSecretary@SantaBarbaraCA.gov. Please note that the Staff Hearing Officer may not have time to consider written comments received after 4:30 p.m. on the Monday before the meeting.

AGENDAS, MINUTES, & REPORTS: Documents relating to agenda items are available for review in the Community Development Department at 630 Garden Street, and agendas, minutes, and reports are also posted online at SantaBarbaraCA.gov/SHO. Please note that online Staff Reports may not include some exhibits. Materials related to an item on this agenda submitted to the Staff Hearing Officer after distribution of the agenda packet are available for public inspection in the Community Development Department at 630 Garden Street during normal business hours.

PLANS & ADDITIONAL INFORMATION: The scope of a project may be modified as it proceeds through the planning process. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for an item, contact the Case Planner as listed in the project description. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Thursday, and every other Friday (see SantaBarbaraCA.gov/Calendar for closure dates).

AMERICANS WITH DISABILITIES ACT: If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, contact the SHO Secretary at (805) 564-5470, ext. 3308. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

TELEVISION COVERAGE: Staff Hearing Officer meetings are broadcast live on City TV-Channel 18 and online at SantaBarbaraCA.gov/CityTV. See SantaBarbaraCA.gov/CityTVProgramGuide for a rebroadcast schedule. An archived video of this meeting will be available at SantaBarbaraCA.gov/SHOVideos.

APPEALS & SUSPENSIONS: Most items before the Staff Hearing Officer may be appealed to the Planning Commission. In addition, the Planning Commission may take action to suspend any decision of the Staff Hearing Officer and schedule a public hearing before the Planning Commission to review said decision. Any appeal or suspension must be filed with the Community Development Department within 10 calendar days of the date of the Staff Hearing Officer decision.

I. PRELIMINARY MATTERS

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
- B. Announcements and appeals.
- C. Comments from members of the public pertaining to items not on this agenda. Due to time constraints, each person is limited to two minutes.

II. CONSENT ITEMS

- A. **APPLICATION OF RAYMOND APPLETON, APPLICANT FOR DOUGLAS CASSELMAN, PROPERTY OWNER AT 1032 DEL SOL AVENUE, APN 045-071-008, R-2/SD-3 TWO FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2017-00860 AND CDP2018-00001)**

The project would convert the existing 272 square foot detached accessory building to an accessory dwelling unit pursuant to Government Code 65852.2. No exterior alterations are proposed. Interior alterations to add permanent cooking and bathing facilities are proposed. The existing 1,768 square foot single-unit residence and detached two car garage on the 5,836 square foot lot in the Non-Appealable Jurisdiction of the Coastal Zone and R-2 zone would remain unaltered. Additional parking is not required or proposed.

The project is located within the Non-Appealable Jurisdiction of the City's Coastal Zone and because the new ADU is detached from the main residence, a Coastal Development Permit is required.

Pursuant to SBMC 28.44.110, when a proposed development only involves the addition of a secondary dwelling unit to an existing single-family residence, the application shall be reviewed by the Staff Hearing Officer without a public hearing in accordance with subdivision (j) of Government Code Section 65852.2. The Staff Hearing Officer shall not issue a decision on the application until at least ten (10) calendar days after notice has been provided. The Staff Hearing Officer may receive and consider written comments from the public, but without a public hearing. The decision will be the final action of the City (i.e., not appealable).

The discretionary application required for this project is a Coastal Development Permit (CDP2018-00001) for a secondary dwelling unit (SBMC §28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, New Construction or Conversion of Small Structures.

Case Planner: Tony Boughman, Assistant Planner

Email: TBoughman@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4539

III. PROJECTS

A. **APPLICATION OF JILL HORTON, AGENT FOR K & L TRUST, 1520 FRANCESCHI ROAD, APN 019-102-039, RS-25 (RESIDENTIAL SINGLE UNIT, 25,000 SQUARE FOOT MINIMUM LOT SIZE), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 2 DU/ACRE) (MST2017-00853)**

The 19,750 square-foot site is currently developed with a two-story 2,686 square foot single family residence, attached two-car garage, and accessory storage space. The existing residence has both upper and lower level south-facing decks that are non-conforming to the primary front setback. The proposed project involves a stairway addition from the existing south-facing, lower level deck to an existing, on-grade concrete patio.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. Primary Front Setback Modification to allow the proposed stairway to encroach into the primary front setback facing Franceschi Road (SBMC §30.20.030.A, SBMC §30.20.030.B.1, and SBMC §30.250.030.B).

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

Case Planner: Stephanie Swanson

Email: SSwanson@SantaBarbaraCA.gov

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

B. **APPLICATION OF GREG JENKINS, ARCHITECT FOR JAMES BASTIAN, 1935 BATH STREET, APN 025-352-006, R-MH (RESIDENTIAL MULTI-UNIT AND HOTEL), GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2016-00336)**

The 8,421 square-foot site is currently developed with a single family residence, a detached one-car garage, and "as-built" one-car carport. The garage and carport have been converted to a 655 square foot Accessory Dwelling Unit without the benefit of permits. The proposed project involves legalization of the "as-built" conversion, removal of an "as-built" window, and hedge trimming to maintain a three and a half foot hedge height within ten feet of the alley to the rear of the property and within ten feet of the driveway facing Bath Street. An elm tree in the rear yard with the diameter breast height of 22 inches is proposed for removal. The project would abate all violations listed in ZIR2016-00040 and ENF2016-00156, including the removal of an unpermitted fabric

carport. Two tandem spaces in the existing driveway are proposed to replace the required parking for the primary residence, pursuant to California Government Code Section 65852.2.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. Interior Setback Modification to allow the legalization of the “as-built” conversion of a carport to an Accessory Dwelling Unit within the interior setback (SBMC §30.20.030.A and SBMC §30.250.030.B).

The garage conversion in the interior setback is exempt from Modification requirements and is being pursued under California Government Code Section 65852.2; however, the Government Code does not apply to the conversion of carports.

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

Case Planner: Stephanie Swanson

Email: SSwanson@SantaBarbaraCA.gov

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

C. APPLICATION OF HUBBARD 2003 LIVING TRUST 2003 LIVI, PROPERTY OWNER OF 758 JUANITA AVENUE, APN 035-073-010, RS-15 (RESIDENTIAL SINGLE UNIT, 15,000 SQUARE FOOT MINIMUM LOT SIZE), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2017-00786)

The 12,884 square-foot site is currently developed with a one-story 1,145 square foot (net) single family residence and attached two-car garage. The existing residence is non-conforming to the northeastern interior setback by approximately six inches. The proposed project involves a 914 square foot residential addition that would continue the non-conforming plane for approximately 32 feet in the interior setback (13.8 square feet). An existing wood wall beneath an existing fence is proposed for replacement with a block wall, ranging in height from three and a half feet to six feet, and with a six foot wood fence atop it. The proposed wall and fence height will require a Minor Zoning Exception to be reviewed and approved by the Single Family Design Review Board.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. Interior Setback Modification to allow the proposed residential addition to encroach into the required ten foot northern interior setback (SBMC §30.20.030.A and SBMC §30.250.030.B).

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

Case Planner: Stephanie Swanson
Email: SSwanson@SantaBarbaraCA.gov

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

D. NOTICE OF HEARING TO REVOKE THE APPLICATION OF JOSEPH ALLEN, 3617 STATE STREET, APN: 051-051-005, C-P/SD-2 RESTRICTED COMMERCIAL/SPECIAL DISTRICT 2 (“UPPER STATE STREET AREA”) ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL (MST2014-00438)

The subject of this hearing is consideration to revoke a Medical Marijuana Storefront Collective Dispensary Permit application approved by the Planning Commission on June 4, 2015 per SBMC Chapter 28.80 and SBMC section 30.185.250. The dispensary would be located in an existing tenant space in Ontare Plaza. Interior improvements are proposed.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

Case Planner: Tava Ostrenger, Assistant City Attorney
Email: TOstrenger@SantaBarbaraCA.gov

Phone: (805) 564-5405

IV. ADJOURNMENT