



City of Santa Barbara

STAFF HEARING OFFICER AGENDA AUGUST 1, 2018

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

STAFF:
Susan Reardon, Staff Hearing Officer/Senior Planner
Krystal M. Vaughn, 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. 7543. 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. PROJECTS

- A. **APPLICATION OF CRISTEL HENDRICKS, APPLICANT FOR BRIAN J. MCGINNIS LIVING TRUST 3/22, 1634 STATE STREET, APN 027-182-001, C-G ZONE (COMMERCIAL GENERAL), GENERAL PLAN DESIGNATION: COMMERCIAL/MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2018-00058)**

The 5,202 square-foot site is currently developed with a mixed use building. The proposed project involves converting the existing commercial square footage to part of the existing residential unit; the project would result in a single family residence on-site. No new square footage is proposed. No exterior alterations are proposed. The project would abate a minor zoning violation noted in ZIR2016-00364 related to the “as-built” interior remodel of a bathroom.

The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. Interior Setback Modification to allow a change of use from mixed use to residential in the required 6-foot residential interior setback (SBMC §30.25.030, SBMC §30.20.030, and SBMC §30.250.030.B), and
2. Open Yard Modification to allow the required open yard to be located in the primary front yard and measure less than 1,250 square foot requirement and not meet the minimum required 20'-0' x 20'-0" dimensions (SBMC §30.140.140 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, Assistant Planner

Email: SSwanson@SantaBarbaraCA.gov

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

B. APPLICATION OF NIMA YAYAVI, PROPERTY OWNER OF 612 E DE LA GUERRA, APN 031-102-002, R-M ZONE (RESIDENTIAL MULTI-UNIT), GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2017-00771)

The 2,250 square-foot site is currently developed with a single family residence and “as-built” detached accessory structure. The proposed project involves demolition of the “as-built” accessory structure, removal of “as-built” attic stairs, and legalization of an “as-built” site wall and exterior staircase along the front lot line. The proposal also includes extending the “as-built” site wall to the southern interior property line with a pedestrian gate.

The project would abate all violations related to an “as-built” attic stairs and wall listed in enforcement case ENF2017-00666, and the “as-built” detached accessory structure listed in Zoning Information Report ZIR2016-00209.

The lot has two curb cuts and one is proposed for removal. A separate Public Works permit will be required to remove it.

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

1. Front Setback Modification to allow the “as-built” construction of exterior stairs within the required front setback (SBMC §30.20.030.B and SBMC §30.250.030.B).

The discretionary application under the jurisdiction of the Single Family Design Board required for this project is:

2. Minor Zoning Exception to allow the “as-built” site wall to exceed 3’-6” in height within 10’-0” of the front lot line (SBMC §30.140.110.E and SBMC §30.245.030).

The discretionary application under the jurisdiction of the Public Works Director required for this project is:

3. Minor Zoning Exception to allow the “as-built” site wall to exceed 3’-6” in height within 10’-0” of the existing driveway (SBMC §30.140.230 and SBMC §30.245.030).

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).

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C. APPLICATION OF TOM OSCHNER, APPLICANT FOR CHRISTIAN MOGELVANG, EDWARD P. DANNEMILLER, EDWARD P. DANNEMILLER 2003 REVOCABLE TRUST, AND EDWARD P. DANNEMILLER REVOCABLE TRUST, 34 E PEDREGOSA, APN 027-032-005, RS-15 ZONES (RESIDENTIAL SINGLE UNIT), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2018-00051)

The 6,098 square-foot corner lot is currently developed with a single family residence and detached hobby room. The existing residence is non-conforming to both required front setbacks. The proposed project involves construction of a bedroom expansion in both required front setbacks.

The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. Primary Front Setback Modification to allow construction of the proposed bedroom expansion within the required 30'-0" primary front setback (SBMC §30.20.030 and SBMC §30.250.030.B) along E Pedregosa Street, and
2. Secondary Front Setback Modification to allow construction of the proposed bedroom expansion within the required 30'-0" secondary front setback (SBMC §30.20.030 and SBMC §30.250.030.B) along Anacapa Street.

The discretionary application under the jurisdiction of the Public Works Director required for this project is:

1. Minor Zoning Exception to allow an existing hedge along the eastern front property line (along Anacapa Street) to remain at approximately 8'-0" tall within 10'-0" of the existing driveway (SBMC §30.140.230 and SBMC §30.245.030).

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).

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D. APPLICATION OF JEFF KING, ARCHITECT FOR ROBERT LOVEJOY, 245 COOPER ROAD, APN 041-322-003, E-3/SD-3 ZONES, LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2018-00230)

The proposed project is to convert the 318 square foot garage portion of an existing detached garage/accessory building to an Accessory Dwelling Unit. The existing 471 square foot two-story workshop/storage accessory portion of the building would remain, and a new 310 square foot carport and 41 square foot accessory storage space are proposed to be attached to the building. No alterations are proposed to the existing 928 square foot primary residence. Modifications are requested to allow the total of existing and new accessory space to exceed 500 square feet (SBMC §28.87.160.C), and for the 41 square foot accessory space to be located within the front yard (SBMC §28.87.160.B).

The project is located within the Non-Appealable Jurisdiction of the City's Coastal Zone and, because the proposed new Accessory Dwelling Unit would be detached from the primary dwelling, a Coastal Development Permit is required for the Accessory Dwelling Unit per Coastal Commission Memorandum dated April 18, 2017 (New Accessory Dwelling Unit Legislation).

The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2018-00012) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.070);
2. A Modification for the total allowable accessory floor area to exceed the maximum allowed (SBMC §28.87.160.C and §28.92.110.2); and

3. A Modification to allow an accessory storage space to be located in the remaining front yard (SBMC §28.87.160.B and §28.92.110.2).

Pursuant to SBMC §28.44.110, when a proposed development 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) calendars 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.

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

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III. ADJOURNMENT