



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 11, 2018
AGENDA DATE: December 19, 2018
PROJECT ADDRESS: 3306 Calle Noguera (MST2018-00460)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Marck Aguilar, Acting Senior Planner *MA*
Stephanie Swanson, Assistant Planner *(SAS)*

I. PROJECT DESCRIPTION

The 12,572 square-foot site is currently developed with a single family dwelling, detached two-car garage, and a detached family room. The proposed project involves construction of a residential addition, construction of a utility closet to include a relocated water heater and electric meter, and permitting an “as-built” outdoor barbecue with sink. The project includes abatement of all listed violations in ZIR2001-00239, including an “as-built” laundry sink.

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

1. Open Yard Modification to allow the reduction of the existing nonconforming open yard (SBMC §30.165.100 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).

Please reference Exhibit A, Project Plans, and Exhibit B, Applicant Letter, for additional project details.

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to the findings in Section V of this report.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Tilton Jones	Property Owner: Rex & Helen Bird Revocable Trust
Parcel Number: 053-245-006	Lot Area: 12,572 sq. ft.
General Plan: Low Density Residential (MAX 5 DU/Acre)	Zoning: RS-10/SRP/USS (Residential Single Unit/San Roque Park Subdivision Overlay Zone/Upper State Street Overlay Zone)
Existing Use: Single Family Residential	Topography: 6%

Adjacent Land Uses:

North – RS-10/SRP/USS; 125 San Roque Road – Single Family Residential (1-story)
 East – RS-7.5/USS; 102 San Roque Road – Single Family Residential (1-story)
 South – RS-10/SRP/USS; 3305 Calle Noguera – Single Family Residential (1-story)
 West – RS-10/SRP/USS; 3318 Calle Noguera – Single Family Residential (2-story)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,494 sq. ft. (net)	1,721 sq. ft. (net)
Garage	403 sq. ft. (net)	403 sq. ft. (net)*
Detached Living Area	326 sq. ft. (net)	326 sq. ft. (net)*
Attached Accessory Area	-	13 sq. ft. (net)
Nonconforming Open Yard (location and dimension requirements specific to nonconforming open yard per SBMC 30.165.100)	1,467 square feet with 10'-0" x 10'-0" minimum dimensions	1,388 square feet with 10'-0" x 10'-0" minimum dimensions**
Open Area on the Lot	3,447 square feet	3,206 square feet
		* = no change ** = modification requested

C. PROPOSED LOT AREA COVERAGE

Building	2,829 sq. ft. (22.5%)
Hardscape	2,331 sq. ft. (18.54%)
Landscape	7,412 sq. ft. (58.96%)

D. FLOOR-AREA RATIO (FAR)

Maximum Guideline FAR: .324 (4,072 square feet (net))
Existing FAR: .177 (2,224 square feet (net)); 55% of the guideline maximum
Proposed FAR: .196 (2,463 square feet (net)); 61% of the guideline maximum

IV. DISCUSSION

The proposed project includes construction of a master bathroom at the rear of an existing single family residence. This corner lot is currently nonconforming to open yard requirements, as the existing 3,447 square feet area does not meet the typical standard of 20'-0" x 20'-0" dimensions; therefore, nonconforming open yard standards (with minimum dimensions of 10'-0" x 10'-0") apply. The construction of the bathroom would result in an open yard area that does not meet the minimum dimensions for nonconforming open yard.

Previously Approved Projects

The Staff Hearing Officer approved a similar master bathroom addition, with an open yard modification request, under MST2007-00287 on October 24, 2007; however, the applicant did not pursue a building permit for the project before the expiration date. Prior to that approval, the Planning Commission approved a master suite addition (after an appeal of the Staff Hearing Officer's approval) in the front setback under MST98-00468 on January 14, 1999. The building permit for that approval (BLD98-01462) did not include the master suite addition.

Design Review

This project is exempt from design review by the Single Family Design Board.

Building Violations

ZIR2001-00239 noted the existence of an "as-built" laundry sink in the rear yard. Zoning staff conducted a site visit on September 24, 2018 and did not observe a laundry sink within the rear yard. However, there is a barbecue and sink in the rear yard, with associated utilities, for which there is no building permit on file. This application includes permitting the "as-built" barbecue and sink in the rear yard, as well as documenting the "as-built" laundry sink's removal from the site. The property would have no further outstanding documented violations.

Modification Request and Required Findings

The applicant is requesting an open yard modification to allow for a reduction in the nonconforming open yard, and for that reduced open yard to not meet the required 10'-0" x 10'-0" dimensions in all locations. Per SBMC Section 30.250.060.F, the Staff Hearing Officer is required to make the following findings to approve the requested modification.

1. The Modification is consistent with the general purposes of this Title or the specific purposes of the zoning district in which the project is located; and
2. The Modification is necessary to accomplish any one of the following:
 - a. Secure an appropriate improvement on a lot; or
 - b. Prevent unreasonable hardship due to the physical characteristics of the site or development, or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, proximity to creeks, or other unusual circumstance; or
 - c. Result in development that is generally consistent with existing patterns of development for the neighborhood, or will promote uniformity of improvement to existing structures on the site; or
 - d. Construct a housing development containing affordable residential units rented or owned and occupied in the manner provided for in the City's Affordable Housing Policies and Procedures

Open Yard Modification

The site's existing open yard is nonconforming to the minimum dimension requirement of 20'-0" x 20'-0" in all areas, but meets the minimum square footage requirement of 1,250 square feet; therefore, nonconforming open yard development standards, with a reduced minimum of 10'-0" x 10'-0" minimum dimensions apply for new development on the lot (SBMC 30.165.100).

The subject RS-10 lot requires a 40'-0" front setback along Calle Noguera due to the San Roque Park Subdivision Overlay Zone (SRP) overlay area, and the base 25'-0" front setback along San Roque Road. The Santa Barbara Municipal Code does not allow the entirety of the primary front setback (along Calle Noguera) to count towards required open yard, nor does the code allow the first 10'-0" of the secondary front setback (along San Roque Road) to count (SBMC 30.165.100.A.2). The two front setbacks, in addition to the corner lot's irregular shape, create a site constraint for providing conforming open yard; thus, the lot's existing nonconforming configuration.

A previously approved modification described the open yard area as behind the existing residence and behind the privacy wall fronting San Roque Road, towards the center of the lot between the detached family room and residence. Although only 1,250 square feet of open yard is required, 3,447 square feet of open area currently exists on the lot (including the required open yard); however, there is an area facing San Roque Road (southeast corner of the lot) and an area towards the garage along San Roque Road (north corner of the lot) that do not meet the reduced minimum dimensions for nonconforming open yard. The proposed addition would encroach into the largest, most usable area of the previously described nonconforming open yard, and would reduce the total open area on the lot to 3,206 square feet. The proposal will also designate a new area of open yard that meets the required minimum dimensions behind the detached family room, to offset the loss in open yard. The resultant open yard will maintain the required 1,250 square feet, and exceed it to meet the minimum dimensions; 1,388 square feet of designated nonconforming open yard is proposed.

Title 30 allows a reduction of nonconforming open yard without a modification if at least 50% of the minimum required area (1,250) is met, the proposal includes no additional residential units, the proposal does not trigger any additional requirements for private open yard requirements (for multi-unit family development), and the designated nonconforming open yard is not reduced (SBMC 30.165.100.B). Since the project would reduce the largest, most usable area of the previously designated open yard, a modification is required. The revised open yard would still meet the required 1,250 square feet and minimum dimensions of 10'-0" x 10'-0" for nonconforming open yard, but would be revised in location. Overall, there would still be 3,206 square feet of open area on the lot.

Staff supports the proposed open yard modification because the resultant open yard would remain functional and would meet all development standards to alter nonconforming open yard except the slight reduction in the designated nonconforming open yard and annexation of additional open area on the lot to become the newly designated nonconforming open yard. The resultant open area that meets location requirements would still greatly exceed the square footage requirement for conforming open yard (1,250 required and provided, 3,206 available on the lot, 1,388 of which would be designated nonconforming open yard). The proposed addition, an appropriate improvement on the lot, would respect the required RS-10/SRP/USS setbacks and result in a 1,721 square foot (net) residence, approximately 61% of the maximum guideline floor-to-lot area ratio for a lot of this size. Given the respect for other development standards, in conjunction with the site constraints described above, the proposed addition is a seemingly appropriate development on the lot.

Environmental Review

According to the City's Master Environmental Assessment Report the project is not located in an archaeological or biological sensitivity overlay area. Staff did not require any further technical reports for environmental review purposes. Since no more than 500 square feet of new replaced impervious surfaces is anticipated, the project is subject to Storm Water Management Plan (SWMP) Tier 1 voluntary best management practices.

Staff finds the scope of the entire proposed project exempt from the California Environmental Quality Act (CEQA) under categorical exemption 15301 (Existing Facilities) and 15305 (Minor Alterations in Land Use Limitations).

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement a lot, a modestly sized residential addition, with constrained physical characteristics (both a 40'-0" front setback along Calle Noguera and a 25'-0" front setback along San Roque Road). The proposed residential addition resulting in a reduction in the existing, designated nonconforming open yard is appropriate because the remaining open yard area will result in a newly designated nonconforming open yard area that would still remain a functional space and meets both the square footage and location requirements for designated nonconforming open yard pursuant to SBMC 30.165.100. Further, beyond the designated nonconforming open yard, there is an additional 1,818 square feet of open area on the lot, which greatly exceeds the 1,250 square footage requirement (3,206 square feet total on the lot). The proposed addition would result in development that is approximately 61% of the maximum guideline floor-to-lot area ratio for a lot of this size, provides appropriate amenities for the existing dwelling (master bath), and respects the required setbacks for the RS-10/SRP/USS zone.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated August 27, 2018

Contact/Case Planner: Stephanie Swanson, Assistant Planner
(SSwanson@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4569



City of Santa Barbara California

***** SEPARATELY DISTRIBUTED EXHIBIT A *****

Exhibit A: The exhibit for this Staff Report has been distributed separately. A copy of the site plan is available for viewing at the Planning and Zoning Counter located 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 to verify closure dates.

EXHIBIT A

August 13, 2018

RECEIVED

AUG 27 2018

CITY OF SANTA BARBARA
PLANNING DIVISION

To Susan Reardon, Staff Hearing Officer

The master bath is proposed to be a single story structure and not intended to drastically change the roofscape or height of our home. We are requesting only a quality of space to better function within our home. This addition will only be a continuation of the roof line.

The existing courtyard is our primary useable outdoor space and living area. The existing site constraints of the odd-shaped lot creates a triangular boundary that makes it difficult to expand. The proposed addition will not hinder the usability of our courtyard and rear yard space.

The master bath addition will allow for private quarters, and allow us to use the bathroom without leaving our private quarters. Planning for the future, the proposed bathroom will be more accessible and functional as my husband and I are in our seventies.

Regards,

A handwritten signature in cursive script that reads "Helen Bird".

Helen Bird

