



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: August 5, 2019
AGENDA DATE: August 14, 2019
PROJECT ADDRESS: 734 W. Pedregosa Street (PLN2019-00110)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner II
Ellen Kokinda, Assistant Planner *EBK*

I. PROJECT DESCRIPTION

The 4,358 square-foot site is currently developed with a one story single family dwelling with a covered front porch, a side deck, and a detached two-car garage. The house is nonconforming to the easterly interior setback, in that it is built on the property line (zero setback). The garage is nonconforming to the northerly interior setback in that it is built 3'-0" from the property line. The proposed project involves a proposal to demolish an "as-built" storage room at the rear of the garage and construct a residential addition that would connect the house so the garage. The addition is proposed to have a 3'-7½" setback to the easterly lot line, and a 3'-0" setback to the northerly (rear) property line.

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

1. Interior Setback Modification (East Property Line) to allow for the encroachment of a residential addition within the required 6'-0" interior setback (SBMC §30.20.030.A and §30.250.060.F).
2. Interior Setback Modification (North Property Line) to allow for the encroachment of a residential addition within the required 6'-0" interior setback (SBMC §30.20.030.A and §30.250.060.F).

Application Deemed Complete: July 19, 2019

Date Action Required: October 17, 2019

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve both the easterly and northerly interior setback modifications, subject to the conditions listed in Section VI.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Don Gragg	Property Owner:	Jordan & Marianne Clark
Parcel No.:	043-122-019	Lot Area:	4,358 sq. ft.
General Plan:	Medium Density Residential (12 du/acre)	Zoning:	R-2
Existing Use:	Single Unit Residential	Topography:	6.57%

Adjacent Land Uses:

North: R-2; Residential
 East: R-2; Residential
 South: R-2; Residential
 West: R-2; Residential

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front	15 feet	15 feet	No Change
- Interior	6 feet	3 feet	3 feet
- Rear	6 feet	0 feet	3 feet 7½inches (proposed addition)
Parking	2 covered	2 covered	2 covered
Open Yard	1,250 sq. ft.	1,150 sq. ft.	No Change

V. DISCUSSION

Interior Setback Modification (East Property Line)

The existing two-bedroom, one-bathroom single-family dwelling is nonconforming to the easterly setback with a zero setback. The proposed project consists of a demolition to the “as-built” storage area and a residential addition including a second bathroom, closet, laundry area, and a study. The project also consists of two 4’ x 1’ windows that are proposed on the easterly wall, located 5’ above the finished floor. In addition, there is one north-facing window (2’-6” x 4’-0”) proposed that is within the interior setback in Bedroom #1. The project requires an interior setback modification because the residential addition encroaches 2’-4 ½” into the required 6’ easterly interior setback. The addition would be 3’-7½” from the easterly interior lot line. The proposed addition does not qualify for a nonconforming addition pursuant to SBMC §30.165.050.C.2 for a number of reasons including that the addition exceeds the maximum cumulative length of 20 linear feet and it does not maintain a minimum setback of five feet to the

interior lot line. There are no original building permits or plans on file for the subject property. The Sanborn Map shows a two-car garage along the interior lot line. Sometime between the Sanborn Map publication and January 1982 an “as-built” storage area was added to the rear garage without a permit. Over the course of four decades, the City has issued building permits showing the garage’s current configuration with the “as-built” storage area in the rear.

Staff is supportive of the easterly interior setback modification request because the design is a uniform improvement in spite of the number of existing site constraints including two front setbacks, the nonconforming open yard, and nonconforming interior setback all of which create an unreasonable hardship. The roof line is proposed to be consistent from start to finish, which staff considers to be a preferred design to stair stepping the addition along the easterly lot line. Staff also supports the project because providing a second bathroom and additional storage is an appropriate improvement on the lot, particularly because the residence is so small. Staff considered several options before supporting this project, such as a smaller bathroom addition, a conforming addition, or providing non-habitable garage storage. However, after considering that even a conforming addition would create a virtually inaccessible area in the northeasterly corner of the lot, staff decided to provide support for the proposal. Staff also considered whether or not creating a small yard area in the backyard would be desirable, but ultimately concluded that the most desirable area for outdoor enjoyment is in the front yard.

The proposed project is not anticipated to cause a detrimental effect to the neighboring property or to the neighborhood. Rather than proposing to maintain the “as-built” zero foot setback, the applicant is proposing a 3’-7½” setback from the interior lot line, which creates both an improved buffer between properties and a feeling of openness. The proposed windows along the easterly elevation provide natural light into the home and also mitigate potential privacy issues by being located 5’ above finished floor. The north-facing window off of Bedroom #1 is sited to face a 6’ high wooden fence along the northerly lot line and does not pose major privacy issues because the window is screened from view by the fence. Staff does not anticipate additional noise or activity to be generated from the laundry room and closet that would significantly impact the adjacent properties.

Interior Setback Modification (North Property Line)

A second setback modification is requested for the closet and laundry room to encroach 3’ into the required northerly interior setback. The proposed project consists of demolishing the “as-built” storage and workshop area at the rear of the garage, and constructing a laundry room and closet with interior access only (no access through the garage).

Staff is supportive of the northerly interior setback modification because a laundry area and closet space is an appropriate improvement on the lot. Staff recognizes that the proposed 8’ x 14’ closet and laundry area is oversized, and that conforming options exist. Yet staff is still supportive of the proposed design because the addition is not anticipated to cause significant impacts to the adjacent property. No windows are proposed on the northerly elevation, therefore, staff concludes that the design mitigates potential privacy and nuisance issues.

Zoning and Building Violations

The project site contains existing violations from a Zoning Information Report. The garage was inaccessible for the parking of two vehicles due to the storage of items in the garage and the location of the workbench. All zoning and building violations would be abated with this application.

Partial Demolition of Garage Walls

The project consists of a partial demolition of two garage walls in order to construct the proposed addition. Planning Staff has determined that this partial demolition is not considered a Substantial Redevelopment. Transportation Planning staff commented that so long as the interior clear area for the two-car garage is restored to its originally permitted width of 16'-8" and 20' depth, they would not require that the garage be brought up to conform with current parking access and design standards, which would require a 20' x 20' interior clear area for a two-car garage, and that they would not require a waiver for the substandard garage size. Due to Transportation staff's comments, Planning staff did not condition the garage to conform to today's 20' x 20' interior clear area for a two-car garage. However, a condition of approval for the garage is recommended to clarify that if a Substantial Redevelopment of the garage is required or proposed, the garage would be required to be brought up to current size standards. Enlarging the garage would require reducing or eliminating the proposed new room (Study) and may require additional land use review and approval.

Design Review

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

Environmental Review

According to the City's Master Environmental Assessment (MEA) Report, the project is located in an archaeological sensitivity overlay area. However, archaeological reports are on file for either the subject lot or adjacent lots noting no potential impacts to archaeological resources. A standard condition of approval related to the unlikely discovery of archaeological artifacts during construction will be applicable.

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).

VI. FINDINGS AND CONDITIONS

Northerly Interior Setback

The Staff Hearing Officer finds that the Northerly Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot. The proposed addition is a uniform improvement, and is a preferable design in comparison to a conforming addition that would end up creating a stair step pattern of development. The uniform improvement is also preferred because in this instance, because

otherwise, a conforming development would create a virtually inaccessible and unusable outdoor area. Therefore, it is supportable for the proposed closet and laundry room to be oversized to continue the line of development. Further, the Staff Hearing Officer finds that the proposed project would not detract from the adjacent property or the neighborhood because no windows are proposed along the northerly elevation, therefore, mitigating potential privacy or nuisance issues.

Easterly Interior Setback

The Staff Hearing Officer finds that the Easterly Interior Setback Modification request is consistent with the purposes and intent of the Zoning Ordinance and is necessary to prevent an unreasonable hardship due to the two front setbacks, nonconforming open yard and nonconforming interior setback. The Staff Hearing Officer also finds the modification request is necessary to secure an appropriate improvement for the second bathroom and additional storage space, especially given the small size of the residence. No impacts to the adjacent neighbors or neighborhood are expected as a result of the proposed addition at the rear of the garage for the bathroom, laundry, and closet area. The proposed window openings in the setback do not pose any privacy issues because the windows are located five feet above finished floor, and the bedroom window is positioned to face the northerly lot line that has a 6' wooden fence screening the window from the neighbor's view. The proposed addition would not detract from the adjacent residential structures because there are no structures immediately adjacent to the proposed development.

Said approval is subject to the following conditions:

1. If during the building permit application review, Staff determines that the garage is proposed to be a substantial redevelopment (demolition and rebuild) per SBMC §30.140.200, the project shall be redesigned so that the new garage meets the City's Parking Access and Design Standards regarding interior clear area dimensions. This may require additional land use review and approval.
2. ***Parking Design Waiver.*** Prior to Building Permit issuance the Owner shall apply for and receive an approval from the Public Works Director for a Parking Design Waiver for the substandard garage size.
3. ***Archaeological Resources Contractor Notification.*** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: 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. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. 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 the 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 the 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.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated June 24, 2019

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