



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 19, 2019
AGENDA DATE: September 25, 2019
PROJECT ADDRESS: 1803 Robbins Street (PLN2018-00225)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner II
Ellen Kokinda, Planning Analyst

I. PROJECT DESCRIPTION

The 5,706 square-foot site is currently developed with a one-story single family residence with a covered front porch and a detached two-car garage. The proposed project involves a first floor addition and a new, second story addition. Other site improvements include an interior remodel and a new wooden deck at the rear of the residence.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Solar Access Modification to allow relief from the Solar Access Ordinance for the second story addition (SBMC §30.140.170 and SBMC §30.250.060.F).

Application Deemed Complete: August 26, 2019

Date Action Required: November 26, 2019

II. RECOMMENDATION

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

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Harold Powell	Property Owner:	Noah Levit
Parcel Number:	043-142-010	Lot Area:	5,706 sq. ft.
General Plan:	Low Density Residential (5 du/acre)	Zoning:	RS-6
Existing Use:	Single Family Residential	Topography:	5%

Adjacent Land Uses:

North:	RS-6; Public right-of-way
East:	RS-6; Residential
South:	RS-6; Residential
West:	RS-6; Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	842 sq. ft. (net)	1,212 sq. ft. (net)
Garage	327 sq. ft. (net)	No Change
Accessory Area	N/A	N/A

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front	15 feet	22 feet	No Change
- Interior	5 feet	5 feet	No Change
- Rear	5 feet	55 feet	50 feet
Parking	2 covered	2 covered	No Change
Open Yard	1,250 sq. ft.	1,250 sq. ft.	No Change

V. DISCUSSION

Solar Access Modification

The proposed second story addition requires a modification for exceeding the maximum height of the Solar Access Height Limitations along the westerly lot line. The subject lot has two north facing lot lines: one along the northerly lot line that faces the public right-of-way, and a secondly northerly lot line to the west that faces an adjacent single family residence. The rules and regulation governing the Solar Access Ordinance are contained in Resolution 17-075, which were originally adopted in October 1986, and were amended in July 2017. The Zoning Ordinance allows a Modification of the solar access height limitations in the single family if the limitations are found to be an unreasonable restriction. If there is an unreasonable restriction, the solar height limit can be increased by six feet such that the height limitation would be the same as that specified for R-M (R-3) and R-MH (R-4) zones. The rules detail the criteria for an unreasonable restriction for second stories as follows:

1. All portions of the second story must be within the existing perimeter of the building.
2. The horizontal dimension of the portion of the building that exceeds the solar height limit must be no more than 25 feet, excluding roof overhangs.
3. The portion of the building that exceeds the solar height limit may not cast a shadow on a solar collector at 9:00 a.m., 12:00 p.m. and 3:00 p.m. PST on December 21.
4. The amount of sunlight on all south facing windows on any adjacent lot may be no less than the amount of sunlight in the event that the maximum addition in compliance with the solar access height limitations were to be constructed.

Staff reviewed the plans, and found the project meets all four criteria, and determined that the Solar Access Ordinance poses an unreasonable restriction on proposing the second story addition. All portions of the second story are within the existing perimeter of the building, and the building height does not exceed 25 feet. The applicant provided a shadow study demonstrating that the proposed solar access encroachment will not have significant effect on the adjacent property. The site plans (Exhibit A) provide a solar study; however, it should be noted that the submitted shadow plans do not show the maximum addition in compliance with the solar access height limitations. Instead, the applicant provided sufficient evidence that the project meets criteria 3 and 4 above by showing the shadow of the proposed second story addition (dashed lines) and the shadow allowed by the Solar Access Ordinance (solid lines).

Design Review

Design Review by the Single Family Design Board (SFDB) is required pursuant to SBMC §22.69.020.C.3, Additions Two or More Stories or 17' in Height. The Board reviewed the project on June 25, 2018 and April 2, 2019 (Consent Review) and commented that the modification is aesthetically appropriate, and is consistent with the SFDB Design Guidelines.

Environmental Review

According to the City's Master Environmental Assessment (MEA) Report, the project is located in an archaeological sensitivity overlay area. Due to the project's location in an archaeological

sensitive area, an Archaeological Letter Report is typically required as part of CEQA mandated environmental review. However, no ground disturbance deeper than 12” is not anticipated. Therefore, the requirement is waived for this project. A condition has been added as a precautionary measure if it is determined during the building permit application process that ground disturbance is required. In addition, this property is located within several sensitive geophysical hazard areas, and may have additional requirements at the time of building permit application.

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

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to prevent an unreasonable restriction for new second story addition because the project meets the required criteria as discussed in Section V.

Said approval is subject to the following condition:

1. ***Ground Disturbance.*** Prior to building permit issuance, if it is determined that ground disturbance greater than a depth of 12 inches or an area greater than 500 square feet is proposed, the Owner shall submit an Archaeological Letter Report prepared by a City qualified archaeologist to be reviewed and approved by the City’s Environmental Analyst. If ground disturbance is proposed, work in the area may only proceed after the Planning Division grants authorization.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated April 2, 2019
- C. SFDB Minutes

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