



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** September 30, 2020  
**AGENDA DATE:** October 7, 2020  
**PROJECT ADDRESS:** 333 E. Mission Street (PLN2020-00175)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470, 4531  
Danny Kato, Senior Planner II *DYK*  
Kelly Brodison, Associate Planner *KAB*

### **I. PROJECT DESCRIPTION**

The 6,687 square-foot site is currently developed with a one story, 1,578 square foot single family residence, a 455 square foot two car garage and a 194 square foot accessory structure located in the Mission Area Special Design District. The existing garage is legal non-conforming to the front and interior setbacks. The proposed project involves raising the roof of the garage and moving the interior wall in order to expand the eastern portion of the garage to improve maneuverability. The project also includes installation of new garage doors, a new entry door with stairs at the rear of the garage and a roof deck above the garage.

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

1. A Front Setback Modification to allow for alterations to a legal non-conforming garage and creation of a roof deck within the 20' front setback (SBMC §Table 30.20.030.A & §30.250.F), and
2. An Interior Setback Modification to allow for alterations to a legal non-conforming garage and creation of a roof deck within the 6' interior setback (SBMC §30.20.030.A & §30.250.F).

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).

### **II. RECOMMENDATION**

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

**III. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Brooke Van Duyne	Property Owner:	Joel and Amy Halverson
Parcel Number:	025-331-012	Lot Area:	6,687 sq. ft.
General Plan:	Low Density Residential (3 du/acre)	Zoning:	RS-15 (Residential Single Unit)
Existing Use:	Single Family Residence	Topography:	~11%

Adjacent Land Uses:

North –	RS-15; Single Family Residence (1-story)
East –	RS-15; Single Family Residence (2-story)
South –	RS-15; Single Family Residence (2-story)
West –	RS-15; Single Family Residence (2-story)

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1,578 sq. ft. (net)	No Change
Garage	455 sq. ft. (net)	558 sq. ft. (net)
Accessory Area	194 sq. ft. (net)	No Change

**IV. ZONING ORDINANCE CONSISTENCY**

<b>Standard</b>	<b>Requirement/Allowance</b>	<b>Existing</b>	<b>Proposed</b>
Setbacks			
- Front (for street facing parking)	30'-0"	0	0*
- Interior	10'-0"	0	0*
Parking	2 covered	2 covered	2 covered

\* = Modification requested

**V. DISCUSSION**

Front Setback Modification

RS-15 lots are subject to a 30' front setback for residential structures. The purpose and intent of the Front Setback is to provide openness between the front property line (edge of the public right-of-way) and development on private property, as well as variation in building facades (SBMC §30.140.160). For the subject site there are two small non-conforming one car garages,

constructed right at the front property line with zero setback. The project proposes to remove the interior garage wall to combine the two garages into one garage and to expand the structure to the north east to increase the width and height of the existing non-conforming garage and also to create a roof deck.

Staff is supportive of this Modification to alter the existing garage in the front setback because it will be more conforming to the requirements of the Transportation Division for size, accessibility and maneuverability, and because the Single Family Design Board (SFDB) found the changes to the garage and the proposed roof deck to be compatible with the neighborhood.

Transportation staff is also supportive of the proposed modification as it will improve the maneuverability and accessibility of the garage bring it closer to the required standards.

#### Interior Setback Modification

The required interior setback for lots in the RS-15 zone is 10'. The existing structure is non-conforming to this setback because it is built right up against the eastern property line. The project requires an interior setback modification to increase the height and width of the existing non-conforming garage and to construct a deck on the roof of the structure.

Staff is supportive of this Modification because it will improve the functionality of the garage and bring it closer to the standards of the Public Works Transportation Planning Department, the SFDB found the improvements to be compatible with the neighborhood, and the roof deck would not be a detriment to adjacent neighbors. Also, because of the existing grade differential, the existing garage is at street level, where the house is at the level of the garage's roof, the proposed roof deck would be at the same level as the grade of the useable front yard, and would therefore not be a detriment to adjacent neighbors.

Transportation staff is also supportive of the proposed modification as it will improve the maneuverability and accessibility of the garage bring it closer to the required standards.

#### Design Review

The Single Family Design Board (SFDB) reviewed the project on June 8, 2020. The Board unanimously supported the project, including the front and interior setback encroachments, with positive comments and recommendation that the project is ready for Project Design Approval on the Consent Calendar review of the modification requests by the Staff Hearing Officer.

The project is subject to Tier 2 Storm Water Management Program best management practices, which will be reviewed by the Creeks Division prior to during the building permit phase of the project.

See Exhibit C for the full SFDB minutes.

## **VI. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds the following:

### **A. Front Setback Modification (§28.92.110.B)**

The Staff Hearing Officer finds that the Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot because the existing structure is non-conforming to the front setback and the proposed garage expansion is compatible with the neighborhood and will improve the functionality of the garage.

The Staff Hearing Officer also finds that the proposed roof deck door is an appropriate improvement to the nonconforming setback because the roof deck is even with the finished grade of the adjacent front yard and will not be a detriment to the surrounding neighborhood or adjacent neighbors.

**B. Interior Setback Modification (§28.92.110.B)**

The Staff Hearing Officer finds that the 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 because the existing structure is non-conforming to the interior setback and the proposed garage expansion will improve the functionality of the garage.

The Staff Hearing Officer also finds that the proposed roof deck door is an appropriate improvement to the nonconforming setback because the roof deck is even with the finished grade of the adjacent front yard and will not be a detriment to the surrounding neighborhood or adjacent neighbors.

**C. Conditions of Approval**

Said approval is subject to a condition that 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
- B. Applicant's letter, dated June 20, 2020
- C. SFDB Minutes

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