



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 9, 2021
AGENDA DATE: December 15, 2021
PROJECT ADDRESS: 1322 San Andres Street (PLN2021-00350)
TO: Ellen Kokinda, Planning Analyst II, Staff Hearing Officer
FROM: Planning Division
Marisela G. Salinas, Senior Planner I
Tony Boughman, Associate Planner
Email: TBoughman@SantaBarbaraCA.gov

I. PROJECT DESCRIPTION

Existing development on the 6,065 square foot lot in the R-M zone consists of an 858 square foot, one-story, single-unit dwelling at the rear of the site, and an 1,866 square foot, two-story, single-unit dwelling at the front of the site. The project consists of permitting an as-built three-car carport (approximately 742 square feet) located between the two units at the rear of the site. The carport's location on the site complies with the required three-foot interior setback, but interrupts an area of open yard with minimum 20-foot dimensions, thus reducing the amount of conforming open yard area on the lot. See Exhibits A and B.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is an Open Yard Modification to allow the proposed attached one-car garage to reduce the existing open yard (Santa Barbara Municipal Code (SBMC) §30.250.020.B and Table 30.20.030.B).

APPLICATION DEEMED COMPLETE: November 16, 2021

DATE ACTION REQUIRED: January 15, 2022

II. RECOMMENDATION

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

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Brooke VanDuyne, Sherry & Associates	Parcel Owner:	Aaron Richter
Parcel No.:	039-101-009	Lot Area:	6,065 sq. ft.
General Plan:	Med. High Density Residential	Zoning:	R-M
Existing Use:	Multi-Unit Residential	Topography:	6% slope

Adjacent Zones and Land Uses:

North:	R-M Zone	Multi-Unit Residential
East:	R-M Zone	Multi-Unit Residential
South:	R-M Zone	Multi-Unit Residential
West:	R-2 Zone	Single-Unit Residential

B. PROJECT STATISTICS

	Permitted	Proposed
Living Area	2,674 sq. ft. (net)	no change
Carport	400 sq. ft. (per plans)	808 sq. ft.

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Permitted	Proposed
Setbacks			
- Front	10 ft.	10 ft.	no change
- Interior	3 ft. (parking)	3 ft.	3 ft.
Parking	4 spaces, 2 covered	2 covered	3 covered
Open Yard	1,250 sq. ft.	416 sq. ft.	416 sq. ft.*

*Modification Requested

V. DISCUSSION

Background

The property was previously permitted with one dwelling unit and two covered parking spaces in a detached garage. Later, the garage was demolished and archive plans indicate a new 20x20 foot carport six feet from the south interior lot line. The Planning File in the City’s archive records includes an October 12, 1988 letter to the property owner from the City Modification Hearing Officer with a condition of approval of a setback modification to allow a proposed new dwelling to be set back 3 feet, eight inches from the interior lot line. A condition of this approval required “removal of any remaining portions of the garage that previously existed on the westerly lot line.” The referenced new dwelling is the existing front building. The 1988 plans show a 20 x 20 foot carport to replace the previous garage, as shown with the “previously permitted site plan” on Sheets T2.0 and T2.1 of the plans submitted for this review. This “previously permitted site plan”

shows an area of open yard between the carport and property line that meet the required 20-foot dimension. There is no clear evidence that a carport was ever constructed in this location. Aerial images in the City's Mapping Analysis and Printing System ([MAPS](#)) dated 1999, 2004, 2008, 2012, and 2015 show what appears to be a carport in the location of the existing carport, although the carport in the aerial images appears to be smaller than the existing carport and approximately 25 feet wide.

The parking requirement for the two-unit residential property is four spaces, and a minimum of one space per unit must be covered (SBMC Table 30.175.040 & SBMC §30.175.030.N.2). The lot is permitted with two covered spaces and is nonconforming to the parking requirement of four parking spaces. The project proposes to permit the "as-built" carport as its required parking and will therefore become more conforming. The 30-foot wide existing carport provides three parking spaces.

Open Yard Modification

The project proposes to reduce the conforming open yard in order to permit functional on-site covered parking. The approved 1988 plans show open yard in the location of the existing carport. As shown on the 1988 plans, the open yard (with minimum 20-foot dimensions) was 985 square feet, and did not meet the required 1,250 square feet. The proposed site plan represents a reduction in approved open yard area, although it is not clear whether, or when, the approved open yard may have actually existed on the site. The applicant prepared an exhibit (plan Sheet T2.1) to show the amount of useable open yard space is approximately 1,183 square feet with not less than a 12.5 foot dimension, and another plan showing the amount of open yard that meets the required 20 x 20-foot dimensions in SBMC §30.140.140.C.1.b is 416 square feet. Although the area that meets the minimum 20 x 20-foot dimensions is proposed to be reduced, the open yard areas that meet the minimum dimensions of 10 x 10 feet, as outlined in SBMC§30.165.100, Nonconforming Open Yard, provides guidance for useable areas to qualify as designated open yard. Additionally, the alternative of constructing the parking as shown on the "previously permitted site plan" on plan Sheet T 2.0 is not supportable by Transportation Planning because the design does not meet the City's parking design standards for maneuverability.

Staff supports the owner's desire for more functional on-site parking while still providing adequate useable open space as an appropriate improvement. The requested Open Yard Modification is consistent with the purpose of the Zoning Ordinance open yard requirement "...to promote desirable living conditions, a sense of openness on residential development, and to provide minimum useful space for outdoor living and enjoyment" (SBMC §30.140.140).

Design Review

The two-unit residential project requires design review pursuant to SBMC §22.68.020.B to permit the existing carport and the new construction of required shear walls for structural compliance of the structure as shown on plan Sheet A1.0. The project had one concept review by Architectural Board of Review (ABR) on the Consent Agenda on October 4, 2021. The ABR Consent reviewers commented that the modification does not pose consistency issues with design guidelines and made comments regarding consistency with the Compatibility Analysis Findings, including the finding that the project includes an appropriate amount of open space and landscaping. The ABR will formally make these findings when granting design review approval. See Exhibit C for the full ABR minutes.

VI. ENVIRONMENTAL REVIEW

The subject property is located partially within the Prehistoric Watercourse archaeological sensitivity zone, and within the Hispanic 1850, the American Period, and the Early 20th Century archaeological sensitivity zones. Ground disturbance is proposed to a depth of approximately 12 inches for small footings at the proposed shear walls. All Phase I Archaeological Reports that have been prepared for projects within a block of the subject site have concluded that the likelihood of the presence of archaeological resources is low. Further study is not required for the small amount of ground disturbance proposed. However, the standard archaeological discovery clause has been added as a recommended condition of approval.

Staff has determined that the project is categorically 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) which is applicable to the requested Zoning Modification.

VII. FINDINGS AND CONDITION OF APPROVAL

OPEN YARD MODIFICATION (SBMC §30.250.060)

The Staff Hearing Officer finds that the Open Yard Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot by providing more functional on-site parking while retaining useable open space. The existing unpermitted three-car carport is appropriate for providing covered parking on the lot, its location provides maneuverability and alternative locations for covered parking are not feasible.

Said approval is subject to the following condition of approval:

Requirement for Archaeological Resources. The following information shall be printed on the carport floor plan:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and 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 Planning Division 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 Planning Division grants authorization.

EXHIBITS:

- A. Project Plans
- B. Applicant's letter, dated July 9, 2021
- C. ABR Minutes, dated October 4, 2021

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