



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: March 3, 2016
AGENDA DATE: March 10, 2016
PROJECT ADDRESS: 1417 San Miguel Avenue (MST2015-00426)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 2567
 Beatriz Gularte, Senior Planner *BEG*
 Danny Kato, Senior Planner *DK*

I. PURPOSE OF HEARING

The applicant is appealing the decision of the Staff Hearing Officer for three requested modifications. Please refer to the appellant's letter dated January 19, 2015 (Exhibit A).

II. BACKGROUND

On January 6, 2016, the Staff Hearing Officer (SHO) considered a proposal to allow a circular driveway for loading/unloading and uncovered parking in the front setback of an existing residence located at 1417 San Miguel Avenue. Please refer to the SHO Staff Report dated December 21, 2015 (Exhibit B).

The SHO denied the requested Modification to allow an uncovered parking space within the front setback making the finding that the proposal is not consistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot, as the uncovered parking space is inconsistent with the pattern of development within the neighborhood and three conforming parking spaces currently exist onsite (See Exhibit C: SHO Resolution 001-16).

On January 19, 2016, the property owner appealed the SHO's decision. The appeal letter (Exhibit A) states that the site is unusual in this neighborhood in that the required parking is not at the same level as the house, the garage is detached, and located below the house, and the difference in topography results in hardships for the owners. It further states that various options have been investigated and found to be infeasible for their needs.

III. PROJECT DESCRIPTION

The 10,589 square-foot site is currently developed with a 1,513 sq. ft., two-story, single family residence, a detached two-car garage and an uncovered parking space. The proposed project involves a circular driveway and parking/loading space at the front of the house, with a new curb cut and driveway.

IV. REQUIRED APPLICATIONS

The discretionary application required for this project is a Front Setback Modification to allow uncovered parking in the required 20-foot front setback (SBMC §28.15.060 and SBMC §28.92.110).

Planning Commission Staff Report
 1417 San Miguel Avenue (MST2015-00426)
 March 3, 2016
 Page 2

V. RECOMMENDATION

Staff recommends that the Planning Commission deny the appeal and uphold the SHO's decision to deny the subject application, making the finding in Section VIII of this report.

VI. SITE INFORMATION

Applicant:	Don Swann		
Property Owner:	Michael and Jami Gott		
Site Information			
Parcel Number:	045-132-006	Lot Area:	10,589 sq. ft.
General Plan:	Low Density Residential (Max 5 du/acre)	Zoning:	E-3/SD-3
Local Coastal Plan: Non-Appeal Jurisdiction			
Existing Use:	Residential	Topography:	13% Slope
Adjacent Land Uses			
North – Single Family Residential		East - Single Family Residential	
South - Single Family Residential		West - Single Family Residential	

VII. DISCUSSION

The property owners have permanent health issues, which makes loading and unloading vehicles in their approved parking spaces difficult for them. The appeal letter describes the difficulties for the property owners, the unusual nature of the property and neighborhood, and describes the alternatives that they investigated. The property is on the downhill (south) side of San Miguel Avenue, and the existing detached garage is behind and at a lower elevation than the house and is accessed from a driveway that is shared with neighbors to the south.

The applicants have requested the circular driveway and parking space at the front of the house, at the same elevation as the front door and main living level of the house. Their reason for the request is to allow better accessibility to the house, as one of the current residents has permanent injuries from a collision. Currently, the residents must park in either the garage or the uncovered parking space, and climb stairs or sloped surfaces to enter the house, and it is a hardship for them. Their letter states that it is not their intent to permanently park on the circular driveway, but rather to use it for drop-off and pick-up of one of the residents. On-street parking is prohibited on the south side of San Miguel.

The SHO expressed sympathy for the property owners, but stated that because a Modification runs with the land, the uncovered parking/loading space would be in existence far beyond the current necessity. The SHO found that the proposed uncovered parking/loading space in the front setback was neither consistent with the pattern of development within the neighborhood nor with the purpose nor intent of the Zoning Ordinance, and was not an appropriate improvement on the lot. Additionally, the property currently exceeds the parking requirement as it has three parking spaces on the lot.

Planning Commission Staff Report
1417 San Miguel Avenue (MST2015-00426)
March 3, 2016
Page 3

The concern with circular driveways is that they typically involve the removal of on-street parking and result in parking in the front setback. In this case, parking is not allowed on the south side of the street, so there would be no reduction in on-street parking. In regards to parking within the front setback, the concern relates to aesthetic and neighborhood compatibility, especially when conforming options exist as they do in this case. Although the Single Family Design Board found the modification to be aesthetically appropriate (Exhibit C of the SHO Staff Report), it is not consistent with the pattern of development within this neighborhood and the approval of the Modification would allow the circular driveway and parking spaces for the foreseeable future, and the use of the front setback for parking would far exceed the current parking need.

VIII. RECOMMENDATION AND FINDINGS

Staff recommends that the Planning Commission deny the appeal and uphold the SHO's decision to deny the subject application, making the finding below:

The Planning Commission finds that the Modification to allow an uncovered parking space within the Front Setback is not consistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot, as the uncovered parking space is inconsistent with the pattern of development within the neighborhood and three conforming parking spaces currently exist onsite.

Exhibits:

- A. Applicant's letter, dated January 19, 2016
- B. SHO Staff Report, Dated December 21, 2015
- C. SHO Resolution 001-16, dated January 6, 2016
- D. SHO Minutes, dated January 6, 2016
- E. Site Plan