



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 010-07

1014 GARDEN STREET

MODIFICATION AND RECOMMENDATION TO CITY COUNCIL

MARCH 1, 2007

**APPLICATION OF EVERETT WOODY, ARCHITECT FOR JEFF & JULIE FRIEDMAN FAMILY TRUST, PROPERTY OWNER, 1014 GARDEN STREET, 029-221-026, R-3/ C-2 MULTIPLE FAMILY RESIDENCE AND COMMERCIAL ZONES, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL, 12 UNITS PER ACRE (MST2007-00018)**

The proposed project involves a proposal for a change in zone from R-3/C-2 to C-2, and a setback modification, both intended to abate two existing zoning violations. A recently permitted two-unit residential condominium project currently under construction does not meet the Solar Ordinance in the R-3 portion of the lot. A zone change to C-2 will abate this violation. The building was also permitted with an architectural column located up to the interior property line and within the interior yard setback. This encroachment was not previously recognized or approved as a modification to the interior yard. The discretionary applications required for this project are:

1. Initiation of a Rezone and Recommendation by the Planning Commission to City Council to change a parcel zoned R-3/C-2 to C-2 (SBMC, §28.92.020); and
2. Modification to allow a building encroachment within an interior yard setback (SBMC §28.21.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301, Existing Facilities, and 15305, Minor Alterations in Land Use Limitations.

Case Planner: Chelsey Swanson, Assistant Planner

Email: [cswanson@SantaBarbaraCA.gov](mailto:cswanson@SantaBarbaraCA.gov)

**WHEREAS**, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, February 22, 2007 Site Plans

**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission:

- I. Approved the subject application making the following findings and determinations:

**Modification (SBMC §28.21.060 and §28.92.110§)**

The Planning Commission found that the requested interior yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot, prevent unreasonable hardship, or promote uniformity of improvement. The encroachment of the 30" by 30" column up to the interior property line would not include any habitable space within the setback, would be a minor architectural encroachment, and also abuts a property which allows, but is not zoned for residential uses. The modification is consistent with the purposes and intent of a required yard with regard to separation of improvements and people.

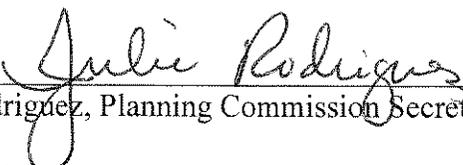
II. **Recommendations to City Council**

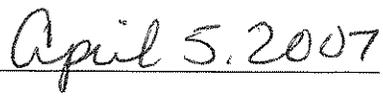
Planning Commission initiated the rezone and recommended to the City Council a rezone of the subject property, 1014 Garden Street, from C-2/ R-3 to R-O. Changing the entire parcel to R-O would be justified because it would eliminate a "split-zone" parcel, the zone would be consistent with adjacent commercially zoned parcels and land uses, and the zone change would abate an existing violation of the Zoning Ordinance.

This motion was passed and adopted on the 1st day of March, 2007 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary

  
\_\_\_\_\_  
Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.