

PLANNING COMMISSION
STAFF REPORT

MEETING DATE: April 5, 2010

ITEM FOR CONSIDERATION

Compliance report for second dwelling units in the City

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Report reviewed by: Jackie Campbell, Director
Community Development Department


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I. RECOMMENDATION

Receive monitoring report on those properties within the City that contain residential second units.

II. BACKGROUND

In the past, residential second units required a Conditional Use Permit pursuant to the Carpinteria Municipal Code. However, state laws regarding the permitting process for second dwelling units changed in 2003 and discretionary permits are no longer required. In the City, this means that all second units are now permitted via administrative Coastal Development Permits.

There are several requirements codified as development standards in the Zoning Code that address the size of residential second units, the number and location of parking spaces, the height of structures and other similar land use regulations for the construction and use of a second dwelling unit. The purpose of these regulations is to ensure that the development of second units throughout the City does not have an adverse effect on the character of the existing single family residential neighborhoods where second dwelling units are now permitted through an Administrative Coastal Development Permit. One way in which this is accomplished is by requiring that the property owner live on site in either the main dwelling or in the second unit so as to have an ownership presence onsite rather than an absentee landlord.

In April 2009, staff provided its annual report to the Planning Commission on the status of the permitted residential second units within the City. At that time, inspections and research determined that four of the 19 surveyed were not in compliance with at least one of the standards required of second units. Of the non-compliant properties, two were not owner occupied, one had debris and materials stored on the site and the last had goods stored in the available garage parking spaces. Compliance orders were issued to each of the property owners and ultimately compliance was achieved either voluntarily or through the administrative hearing process.

III. ANALYSIS

As shown in the table below, there are 19 permitted second units within the City that are monitored annually.¹ To maintain regular monitoring of these second units, in March of this year staff visited each site for general compliance and reviewed records to verify owner occupancy.

During the 2010 annual monitoring period, two out of the 19 properties were found to be out of compliance with Municipal Code standards. The first property issue relates to parking of a travel trailer in a driveway, blocking access to the required garage parking provided on site. The second property issue relates to storage of materials and equipment in the front yard area of the property. Staff pursued these matters through Code Compliance and provided options to the landowners on how to bring the properties into compliance. Since that time, landowners have been cooperative and taken actions to bring their properties into compliance. Staff is working through the Compliance Order process to achieve compliance on both properties within a specified timeframe of the property owner being notified.

Staff also reviewed County Assessor roll data to ensure owner occupancy of the properties as required by the Zone Code. All but two of the properties are owner occupied. Currently, the properties addressed 1234 and 1272 Cramer Circle are listed for sale and are vacant, therefore the units are not owner occupied. At this time, staff has clarified the Second Unit requirements with the current owner (First Regional Bank) and listing agent and will continue to monitor the sites for compliance.

The table below lists all second units that require monitoring within the City and the status of compliance of that unit with all applicable conditions of approval and Zone Code standards.

Project Number	Date Approved	Address	APN	General Compliance	Owner Occupied
C-04-82	5-13-82	4637 Ninth Street	003-243-05	✓	✓
C-07-82	6-7-82	1472 Namouna Street	001-280-25	✓	✓
C-8-83	11-7-83	1467 Andrea Street	001-280-40	✓	✓
C-02-85	3-4-85	5528 Canalino Drive	003-340-32	✓	✓
C-09-85	6-17-87	555 Concha Loma	003-333-15	✓	✓

¹ There are many other second units in the City that were established prior to the modern permit requirements and are legal-nonconforming. These units are not monitored on an annual basis.

C-14-85	1-6-86	610 Palm Avenue	003-325-03	✓	✓
C-01-86	6-10-86	690 Palm Avenue	003-325-12	✓	✓
C-04-86	8-4-86	4611 Eleanor Drive	003-550-12	✓	✓
C-09-86	11-3-86	5290 El Carro Lane	004-012-19	✓	✓
87-354-CUP	10-5-87	1341 June Avenue	003-552-46	✓	✓
89-443-CUP	6-5-89	4155 Venice Lane	003-820-18	✓	✓
89-492-CUP	4-17-89	4940 Malibu Drive	004-026-04	✓	✓
92-659-CUP	9-21-92	1311 Chaney Avenue	003-552-07	Outdoor storage	✓
98-831-CUP	4-6-98	1269 Casitas Pass Road	001-300-45	✓	✓
02-1016-CUP	7-7-03	5226 El Carro Lane	004-012-12	✓	✓
02-1026-CUP	2-3-03	1274 La Brea Lane	001-253-01	✓	✓
03-1092-CDP	5-15-06	4980 Nipomo Drive	004-027-18	Trailer Parking	✓
05-1214-CDP	5-26-06	1272 Cramer Circle	003-104-07	✓	Bank Owned
05-1215-CDP	5-26-06	1234 Cramer Circle	003-104-06	✓	Bank Owned

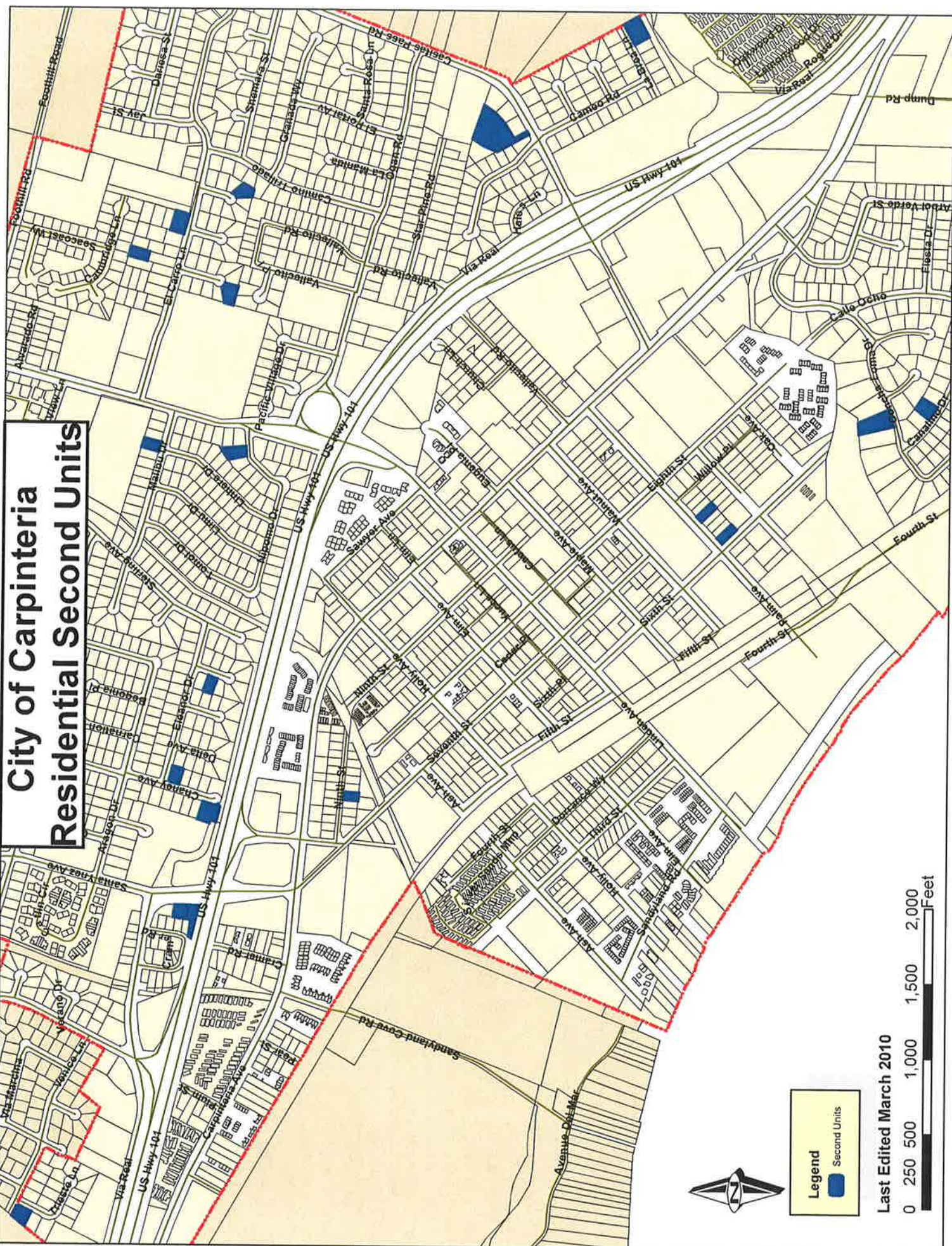
III. CONCLUSION

Staff will continue to review second units throughout the City on a regular basis to ensure compliance with all conditions of approval and with the Zone Code Development Standards. These compliance reviews ensure that development and use of second units within single family neighborhoods will not detract from the overall residential character established in an area.

IV. ATTACHMENT

Exhibit A: GIS Map of Second Unit Locations (March 2010)

City of Carpinteria Residential Second Units



Legend
Second Units

Last Edited March 2010

