

ADMINISTRATIVE HEARING AGENDA REPORT

SUBJECT: Request for a Minor Use Permit to establish a single-family residence in the Neighborhood Commercial (C-N) zone. The project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the CEQA Guidelines.

PROJECT ADDRESS: 1827 Broad Street

BY: Hannah Hanh, Associate Planner

Phone: (805) 781-7432

FILE NUMBER: USE-0519-2024

Email: hhanh@slocity.org

RECOMMENDATION: Approve the Minor Use Permit to establish a single-family residence in the C-N zone, based on the findings and subject to the conditions of approval.

SITE DATA

Applicants	Gerald and Toni Detz
Land Use Designation	Neighborhood Commercial (NC)
Zoning	Neighborhood Commercial (C-N)
Site Area	Approximately 0.2 acre
Environmental Determination	Categorically exempt from environmental review under CEQA Guidelines section 15301, Class 1 (Existing Facilities).



Figure 1 – Project Site

1.0 SUMMARY

Gerald and Toni Detz (Applicants) have applied for a Minor Use Permit to establish a single-family residence at 1827 Broad Street. The Applicants would utilize the existing structures and site features as a proposed two-bedroom, approximate 990 square foot single-family residence with a three-car garage and three (3) uncovered, unenclosed parking spaces. No new construction or additional building square footage is proposed as part of the project. Minor tenant improvements would be required to change the occupancy of the existing structure from a retail storefront to a proposed single-family residence.

2.0 PROJECT INFORMATION

Site Information

Present Use & Development	Developed property with existing commercial building (i.e., retail storefront), three-car garage, and site improvements such as access, uncovered parking, and landscaping
Topography	Relatively flat
Access	Broad Street
Zones & Surrounding Uses	North: R-2; residential uses South: C-N; residential, personal services, restaurant, auto repair, etc. uses East: R-2; residential uses West: C-N; residential, instructional services, retail, etc. uses

Project Description

The Applicants have applied for a Minor Use Permit to establish a single-family residence at 1827 Broad Street. The Applicants would utilize the existing structures and site features as a proposed two-bedroom, approximate 990 square foot single-family residence with a three-car garage and three (3) uncovered, unenclosed parking spaces. No new construction or additional square footage is proposed as part of the project. Minor tenant improvements would be required to change the occupancy of the existing structure from a retail storefront to a proposed single-family residence.

3.0 PROJECT EVALUATION

On September 3, 2024, the City Council adopted [Ordinance No. 1739](#), which amended [Table 2-1](#) (Uses Allowed by Zone) to conditionally allow residential uses with approval of a Minor Use Permit in the C-N zone. As such, the Applicants are requesting a Minor Use Permit to establish a single-family at 1827 Broad Street in the C-N zone.

Approval of the Use Permit is subject to requirements, outlined in [Section 17.110.060](#) (Criteria for Approval) and [Section 17.110.070](#) (Required Findings), for consistency with applicable standards and limitations of the General Plan and Zoning Regulations. Staff has evaluated the project against relevant standards and guidelines and found it to be in compliance as discussed in the following analysis.

Consistency with the General Plan and Zoning Regulations

The project site is located in the Neighborhood Commercial (NC) land use designation and (C-N) zone, which are intended for the establishment and operation of small-scale, pedestrian-oriented, and low-impact retail sales and personal services for the convenience and frequent needs of people living in the surrounding residential areas.

The project is consistent with the intent of the land use designation and zone because it is a single-

family residence that would support nearby neighborhood serving commercial uses and be compatible with other residential uses in the vicinity. Prior to being utilized as a retail storefront, the property was developed as a single-family residence. As proposed, the project would convert the structure back to a residence and satisfy applicable development standards outlined in [Table 2-14](#) (C-N Zone Development Standards), including density, setbacks, building height, floor area ratio, and parking.

Consistency with Major City Goals

Housing & Homelessness was prioritized as a Major City Goal in the [2023-2025 Financial Plan](#) to support the expansion of housing options and facilitate housing production. As proposed, the project would advance this Major City Goal by providing a residence in a location where it would be in proximity to compatible commercial and other residential uses.

4.0 ENVIRONMENTAL REVIEW

The project is categorically exempt from provisions of the California Environmental Quality Act (CEQA) described in Section 15301 (Existing Facilities) of the CEQA Guidelines because it consists of the operation, permitting, leasing, licensing, and minor alteration of an existing structure with no new construction or additional building square footage. Changes would be limited to minor tenant improvements to change the occupancy of the structure from a commercial storefront to a single-family residence.

5.0 ATTACHMENTS

- A. Project Description
- B. Project Plan

6.0 ACTION

- Approve
- Approve as modified
- Deny
- Continue to: _____ to allow _____

- Continue indefinitely to allow: _____

Tyler Corey, Deputy Director of Community Development
Hearing Officer

Findings

Minor Use Permit

1. The project is consistent with the Land Use Element of the General Plan because the proposed single-family residence is consistent with the intent of the Neighborhood Commercial land use designation as it is a residential use that would support neighbor serving commercial uses and be compatible with other residential uses in the vicinity.
2. The proposed single-family residence is permitted in the Neighborhood Commercial zone and has been designed, or conditioned, to comply with all applicable provisions of the Zoning Regulations and Municipal Code.
3. The design, location, size, and operating characteristics of the project will be compatible with existing and future land uses in the vicinity because the proposed single-family residence would be compatible with neighboring serving commercial uses and other residential uses.
4. As conditioned, the site is physically suitable in terms of (a) its design, location, shape, size, and operating characteristics of the proposed single-family residence, (b) traffic generation and provision of public and emergency vehicle (e.g., fire and medical) access, (c) public protection services (e.g., fire protection, police protection, etc.), and (d) the provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal). The project site is surrounded by other developed properties, has access to the City's circulation system, and will be served by existing utility services. Additionally, the project is sufficiently served by parking onsite.
5. As conditioned, the establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property of improvements in the vicinity of the use because the project is limited to a single-family residence that would be located in proximity to neighbor serving commercial uses and other residential uses.

Environmental Determination

6. The project is categorically exempt from provisions of the California Environmental Quality Act (CEQA) described in Section 15301 (Existing Facilities) of the CEQA Guidelines because it consists of the operation, permitting, leasing, licensing, and minor alteration of an existing structure with no new construction or additional building square footage. Any changes would be limited to minor tenant improvements to change the occupancy of the structure from a commercial storefront to a single-family residence.

Conditions of Approval

Planning Division – Community Development Department

1. The Minor Use Permit shall be reviewed by the Community Development Director for compliance with the conditions of approval, or to determine whether a modification of the Minor Use Permit is necessary upon significant change to the project description, approved plans, and other supporting documentation submitted with this application or in the event of a change in ownership which may result in deviation from the project description or approved plans. Minor changes to the project description or approved plans may be authorized by the Community Development Director and substantial modifications shall require modification of the Minor Use Permit.
2. The Minor Use Permit shall be reviewed by the Administrative Hearing Officer if the City receives substantiated written complaints from any citizen, Code Enforcement Officer, or regulatory agency, which contain information and/or evidence supporting a conclusion that a violation of this Use Permit, or of City Ordinances or regulations has occurred. At the time of Minor Use Permit review, conditions of approval may be added, modified, or removed, or the Use Permit may be revoked to ensure ongoing compatibility with nearby uses. The Administrative Hearing Officer may refer to the complaint to the Planning Commission at the Hearing Officer's discretion.

Indemnification

3. The applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action or proceeding against the City and/or its agents, officers or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review ("Indemnified Claims"). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and City shall fully cooperate in the defense against an Indemnified Claim."

Applicable Application or Code Requirements and Informational Notes

4. A building permit is required to change the occupancy of the structure from a retail business to a single-family residence.

Title Page:

1827 Broad Street is located in the C-N zone and is a 2 bedroom approximately a 990 square foot home, on a 6970 square foot lot with a density of 1.92 units.

The footprint of both the garage and house structure has not changed. Therefore, total square footage, density, parking, setbacks, total area of landscaping, number of bedrooms has not changed, there is nothing new to report.

Project Description: To obtain a minor use permit for 1827 Broad Street per application check list. There are no proposed building projects.

Land Use activities: Owners and renters have lived in the house structure since 2016 and the garage was used as storage. Before that the house structure was used as a retail business and the garage was used as storage.

Proposed land use activities: To continue to use the structure as a residence. There are no other activities proposed or planned for the property at this time.

Parking for all activities: There are 4 onsite parking spaces for homeowners to park in.

Site Plan and floor plan:

Attached. Contains approximant building footprints and floor plans. The site plan attached should be the same site plan the city already has on file. There have been no changes to the exterior impervious surfaces, drainage, property lines, setbacks and dimensions. The exception is the front yard and apron have been converted from grass to drip system plants.

GERALD & TONI DETZ

1827 BROAD STREET

LOT 4 Block 124

PARCEL 003 641 021

ZONE C-N

EXISTING HOME

APPROX 40x24

990 SQ FT

GARAGE - EXISTING

APPROX 26x31

806 SQ FT

EVERY THING DRAWN IS EXISTING. NO PROPOSED CHANGES

ATTACHMENT B

