



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 019-15
1516 CASTILLO STREET
MODIFICATION
APRIL 1, 2015

APPLICATION OF WINDWARD ENGINEERING, APPLICANT FOR SCOTT AND CHARLENE WILSON, 1516 CASTILLO STREET, APN: 027-212-022, R-4 (HOTEL-MOTEL-MULTIPLE RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/AC) (MST2014-00319)

The 7,788 square foot site is currently developed with a duplex and a single family dwelling. The proposed project involves the removal of two illegal dwelling units to restore the duplex and single family dwelling to their original three-unit configuration, demolition of 228 square feet of "as-built" first and second story additions, demolition of an "as-built" deck, stairway and landing to the duplex, demolition of an "as-built" shed, deck, landing, and stairs to the single family dwelling, restoring the uncovered porch for the duplex and converting 453 square feet of unpermitted second-story floor area to attic space. Also, proposed is permitting the "as-built" demolition of a one-car garage and three new uncovered parking spaces. The proposal will address violations identified in an enforcement case (ENF2013-00688) and in a Zoning Information Report (ZIR2013-00248).

The discretionary applications required for this project is a Parking Modification to three uncovered parking spaces instead of the one covered parking space required (SBMC § 28.90.100.G and SBMC § 28.92.110).

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

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

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

1. Staff Report with Attachments, March 26, 2015.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the requested Parking Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area. The proposed uncovered parking spaces are located at the rear of the property and will meet current setback requirements. The uncovered parking spaces are appropriate because they will provide more off-street parking for the site than what previously existed.

II. Said approval is subject to the following conditions:

- A. The violations outlined in ENF2013-00688 & ZIR2013-00248 shall be corrected as part of this permit.
- B. A floor plan of the attic space and a section drawing showing the height of the attic space shall be provided at building permit submittal.
- C. A floor plan of the attic space and a section drawing showing the height of the attic space shall be provided at building permit submittal.
- D. "No Parking" shall be painted on the pavement and a sign shall be posted stating "No Parking" in the area of the turnaround area to prevent the use of this area as parking.
- E. The amount of paving shall be reduced to the minimum necessary. The paved area shown on the plan adjacent to the proposed trash enclosure and in front of the common open yard area between the duplex and single family residence shall be removed.
- F. The following language shall be added to the plans submitted for building permit:

"Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to 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 a 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 Environmental Analyst grants authorization.

If a 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 Environmental Analyst grants authorization.

This motion was passed and adopted on the 1st day of April, 2015 by the Staff Hearing Officer of the City of Santa Barbara.

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



Kathleen Good, Staff Hearing Officer Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Architectural Board of Review (ABR)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.