

# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 027-15 1635 SAN PASCUAL STREET MODIFICATIONS MAY 13, 2015

**APPLICATION OF THOMAS A. WOODWARD, FOR THOMAS A. WOODWARD TRUST, 1635 SAN PASCUAL STREET, APN: 043-221-008, R-3 (LIMITED MULTIPLE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2015-00049)**

The 5,663 square-foot site is currently developed with a 1,137 square foot single family residence. The proposed project involves construction of a 669 square foot detached three-car garage with a new 501 square foot dwelling unit above, and for construction of 27 square feet of accessory storage space to be located under a new stairwell. Also proposed is demolition of an existing 350 square foot concrete slab at the rear of the property. The existing 1,137 square foot, one-story dwelling unit at the front of the parcel will remain unaltered.

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

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

**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, May 7, 2015.
2. Site Plans

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

- I. Approved the subject application making the following findings and determinations:
  - A. The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and the CEQA certificate of determination on file for this project.
  - B. The Parking 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 because the parking demand will be met on site with three covered parking spaces for a single-family residence and an additional residential unit of approximately 500 square feet.

I. Said approval is subject to the following conditions:

- A. The two over-height gates at the property along San Pascual Street and Valerio Street shall either be reduced in height to comply with SBMC Section 28.87.170 or Administrative Approval for the two over height gates shall be obtained.
- B. The miscellaneous stored items shall be removed from the required setbacks.
- C. The shed shall be removed from the required setbacks and the required Open Yard area.
- D. The plans submitted for building permit shall show the portion of the alley directly behind the property that runs the length of the property to be paved with asphalt or similar materials, subject to review and approval by the Public Works Department.
- E. The existing shrubs and hedge adjacent to the intersection of Valerio Street and alley directly behind property shall be reviewed by the Supervising Transportation Engineer to determine if the height of the vegetation should be reduced given the potential visual impairment of vehicles exiting the alley. The recommendations of the Supervising Transportation Engineer shall be incorporated into the project and shown on plans submitted for a building permit and shall be completed prior to the final inspection of the building permit. The vegetation shall be maintained to not exceed the maximum height recommended by the Supervising Transportation Engineer.
- 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.

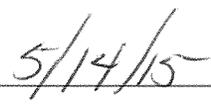
If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the 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 13<sup>th</sup> day of May, 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 Goo, 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.