City of Santa Barbara
California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 015-16
814 E. ANAPAMU STREET
MODIFICATION
MARCH 16, 2016

APPLICATION OF JONATHAN VILLEGAS FOR CEC SMP MANAGEMENT, LLC, 814 E. ANAPAMU STREET, APN: 029-192-004, R-3 ZONE (SINGLE-FAMILY RESIDENCE), GENERAL PLAN DESIGNATION: MEDIUM/HIGH DENSITY RESIDENTIAL (15-27 UNITS/ACRE) (MST2015-00611)

The 5,625 square-foot site is currently developed with a 962 square-foot, two-bedroom house and a 193 square-foot, one-car detached garage. The proposed project involves the demolition of the existing garage and replacement with a 228 square-foot garage, a 291 square-foot addition with interior alterations to a legally nonconforming residence, and a new 250 square-foot wood deck off the rear of the residence. This project will address violations identified in the most recent Zoning Information Report (ENF2015-00457) for restricting access to required covered parking. The discretionary application for this project is an Interior Setback Modification to allow the residential addition to be located within the required 6-foot interior setback (SBMC §28.21.060 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 and 15305 (Existing Facilities and Minor Alterations to 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, dated March 10, 2016.
2. Site Plans

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

I. Approved the requested Interior Setback Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed residential addition is appropriate because it is a uniform extension of the existing legal non-conforming wall of the residence and is not anticipated to adversely impact the adjacent property. The residence does not have any windows on the east elevation which is the portion of the building that encroaches into the setback. The minor encroachment into the interior setback of the door and Juliette balcony on the north elevation is not anticipated to adversely impact the adjacent property as they are oriented towards the backyard area.

II. Said approval is subject to the following conditions:

A. The portion of the ribbon driveway after the chimney shall be centered between the property line and house as it approaches the garage.

B. If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and 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 the 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 Planning Division grants authorization.

If the 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 Planning Division grants authorization.

This motion was passed and adopted on the 16th day of March, 2016 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 3/18/16

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. **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.
5. **NOTICE OF APPROVAL TIME LIMITS**: The Staff Hearing Officer's action approving the Modification 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.