



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 048-16

1028 OLIVE STREET

MODIFICATION

AUGUST 17, 2016

APPLICATION OF TONY XIQUES OF DEXIGN SYSTEMS, AGENT FOR ADELAIDA ORTEGA, 1028 OLIVE STREET, APN: 029-230-017, R-3 MULTI-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (MAX 27 DU/ACRE) (MST2015-00583)

The 7,500 square-foot site is currently developed with a 1,574 square-foot single-family residence and 409 square-foot detached garage. The proposed project involves the demolition of the existing 409 square-foot garage and construction of a one-story, 750 square-foot, one-bedroom dwelling unit and three-car carport. The carport will connect the existing 1,574 square-foot residence and the new 750 square-foot dwelling unit, resulting in a duplex. A section of new 6-foot high wooden fence is proposed along the eastern property line in the area previously occupied by the garage.

The discretionary application required for this project is a Parking Modification to allow the reduction of required parking spaces from four to three (SBMC §28.90.100 and §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, August 1, 2016.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. David Dickinson, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that:

- I.** The City Staff Hearing Officer made 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; and
 - B.** 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 because the parking demand for the existing single family residence and new second dwelling unit will be met on site with the three covered parking spaces because the second unit is a one-bedroom, 750 square foot unit that's located in close proximity to services and public transportation.

II. Said approval is subject to the following conditions:

- A.** In order to meet the parking demand onsite, the new unit shall have no more than 750 square feet of floor area and shall contain no more than one bedroom.
- B.** The new paved area accessible to vehicles within the required interior setback between the new rear unit and interior property line shall not be used for parking and shall be reduced to the minimum size necessary to provide adequate maneuverability for vehicles exiting the site.
- C.** If any of the existing paving within the front yard is proposed to remain, with the exception of the driveway to the proposed carport, a physical barrier shall be placed between the driveway and paved area to prevent the parking of vehicles within the front yard.
- D.** 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.

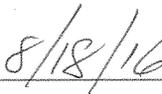
If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.”

This motion was passed and adopted on the 17th day of August, 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

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.