



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 050-16 246 SAN CLEMENTE MODIFICATION AUGUST 17, 2016

**APPLICATION OF VANGUARD PLANNING, INC., APPLICANT FOR JEWELL FAMILY TRUST 8/11/14, 246 SAN CLEMENTE, APN: 045-152-025, E-3 (ONE-FAMILY RESIDENCE), SD-3 (LOCAL COASTAL) ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 5 DU/ACRE) (MST2015-00598)**

The proposed project involves a 288 square foot first-floor addition and a 169 square foot second-floor addition to an existing 1,820 square foot two-story single-family residence with an attached 256 square foot one-car garage. The proposal includes removal of a 112 square foot detached shed. The proposed total of 2,558 square feet on a 6,098 square foot lot is 94% of the required maximum floor-to-lot area ratio (FAR). The property is located in the non-appealable jurisdiction of the Coastal Zone and requires coastal review.

The discretionary application required for this project is a Parking Modification to allow one covered parking space to be provided, instead of the two covered parking spaces required (SBMC § 28.90.100 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 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, August 11, 2016.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Bob and Sharon Callis, Santa Barbara, CA.
  - b. Robbie and Jennifer Church, Santa Barbara, CA.
  - c. Oscar Zavala and Jill Hurd, Santa Barbara, CA.

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer denied the subject application making the following findings and determinations that although the Parking Modification to allow one covered parking space, instead of the two-covered parking spaces required, would not cause an increase in parking demand in the immediate area, it is inconsistent with the purposes and intent of the Zoning Ordinance to provide an adequate number of parking spaces (2) for the single residential use. The parking demand is based on the residential use, therefore the parking demand for the single family residence would continue to be two covered parking spaces. The Zoning Ordinance allows for up to a cumulative 50% increase in floor area without triggering the requirement to bring the existing parking spaces up to current code. This project, along with previous additions, exceeds that allowance and therefore is not consistent with the Zoning Ordinance's requirement to provide adequate parking for the use.

This motion was passed and adopted on the 17<sup>th</sup> 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

8/18/16  
\_\_\_\_\_  
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 **Single Family Design Board (SFDB)** 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.