



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 8, 2024
AGENDA DATE: May 16, 2024
PROJECT ADDRESS: 711 Bath Street (PLN2023-00269)

TO: Planning Commission
FROM: Planning Division
 Megan Arciniega, Senior Planner
 Pilar Plummer, Associate Planner

I. PURPOSE OF HEARING

Consider the appeal of David Chase (Exhibit A), of the Staff Hearing Officer’s denial of an Interior Setback Modification for 711 Bath Street.

II. REQUIRED APPLICATIONS

The 8,995-square-foot site is currently developed with two one-story residential units and a detached single-car garage. The project consists of converting the front, 815-square-foot residence (Unit #1) to a short-term rental (hotel use). The project would also address miscellaneous violations identified in ENF2023-00142, including plumbing, piping, electrical, installation of a water heater, and conversion of the garage to a laundry room without a permit; the garage is proposed to be returned to its original permitted condition. Refer to Exhibits B and C for Project Plans and the Applicant’s Letter, respectively.

The discretionary application required for this project and denied by the Staff Hearing Officer (SHO) on February 7, 2024, is:

- A. An Interior Setback Modification to allow for a change of use within the required 6-foot interior setback (SBMC §30.20.030.B and §30.250.020).

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Amy Von Protz		
Property Owner:	David Chase, LLC		
Site Information			
Parcel Number:	037-073-010	Lot Area:	0.2 acres (~8,995 s.f.)
General Plan:	High Density Residential	Zoning:	R-MH (Residential Multi-Unit and Hotel)
Existing Use:	Two-Unit Residential	Topography:	11%

Adjacent Zoning and Land Uses		
North:	R-MH	Public Right-of-Way (Bath Street)
East:	R-MH	Mixed-Use
South:	R-MH	Mission Creek & Residential
West:	R-MH	Multi-Unit Residential



Vicinity Map: 711 Bath Street (outlined in blue)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area (Unit 1)	815 s.f.	N/A (Converted to Hotel)
Living Area (Unit 2)	655 s.f.	No Change
Garage	177 s.f.	No Change
Short-Term Rental (Hotel)	N/A	815 s.f.

IV. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior	10 feet 6 feet	19 feet 3 feet, 10.5 inches*	No Change 3 feet, 10.5 inches**
Building Height	30 feet	< 30 feet	No Change
Parking - Vehicle	Unit #1: 2 spaces Unit #2: 2 spaces	Unit #1: 0 spaces* Unit #2: 1 space*	Unit #1: 0 spaces* Unit #2: 1 space*
Parking – Bicycle	2 spaces	N/A	2 spaces
Open Yard	1,349 s.f. (based on 15% of net lot area)	> 1,349 s.f.	No Change
Private Open Yard	Unit #2: 140 s.f.	Unit #2: 160 s.f.	Unit #2: 160 s.f.
*Nonconforming **Modification requested for change of use within setback			

As identified in the table above, the project is consistent with the Zoning Ordinance either through compliance with the required standard or being nonconforming thereto, and by requesting a Modification for the standard that is not in compliance. The SHO denied the requested Interior Setback Modification on February 7, 2024, which is the subject of the appeal.

V. BACKGROUND

Refer to Exhibit D for a complete analysis of the project, including environmental review. An analysis of the appeal issues is provided in Section VI below.

Nonresidential Development (Growth Management Program)

Although the project involves a change of use from residential to nonresidential, approval of a Development Plan for the new nonresidential square footage is not required because Unit #1 is less than 1,000 square feet (SBMC §30.170.050.B), therefore, the review is limited to appropriateness of the zoning Modification for the change of use within the setback.

Standard of Review for Setback Modification

The findings that must be made to approve a setback Modification (SBMC §30.250.060.F) are:

1. The Modification is consistent with the general purposes of this title [Title 30] or the specific purposes of the zoning district in which the project is located; and
2. The Modification is necessary to accomplish any one of the following:
 - a. Secure an appropriate improvement on a lot; or
 - b. Prevent unreasonable hardship due to the physical characteristics of the site or development, or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, proximity to creeks, or other unusual circumstance; or
 - c. Result in development that is generally consistent with existing patterns of development for the neighborhood, or will promote uniformity of improvement to existing structures on the site; or
 - d. Construct a housing development containing affordable residential units rented or owned and occupied in the manner provided for in the City’s Affordable Housing Policies and Procedures.

Staff Hearing Officer Denial of Zoning Modification

The purpose of a zoning Modification is to provide individual consideration and review to grant relief from the requirements of the zoning ordinance, when doing so would be consistent with the purposes of the ordinance. The SHO reviewed the subject project on two occasions, January 17, 2024, and subsequently for a decision on February 7, 2024 (meeting minutes are attached in Exhibit D). At both hearings, staff recommended denial of the Modification because although Unit #1 is nonconforming to the interior setback, the conversion from residential to nonresidential within the setback creates a potential for a conflict of uses within proximity to each other, given that the neighborhood is predominantly comprised of residential uses, and the project does not provide adequate buffering between adjacent land uses or meet the intent of the R-MH zoning district to preserve a residential character of those neighborhoods that are still primarily residential. The SHO may agree or disagree with staff’s recommendation and has the discretion to approve or deny a Modification if sufficient evidence can be provided.

At the initial hearing on January 17, 2024, the SHO inquired if the applicant (owner) had shared the plans or received feedback on the proposed change of use from the resident at the rear of the property occupying Unit #2, as they would likely be the most impacted by the conversion from residential to a nonresidential use. The project was continued as the applicant noted that communication had not occurred. The project was continued for one week, to January 24, 2024, and then postponed to a date certain of February 7, 2024, at the applicant’s request.

On February 7, 2024, the SHO acted on the project, agreeing with the staff recommendation that the required findings could not be made to approve the change of use in the setback and denied the Interior Setback Modification. The SHO noted concerns over the existing site conditions and lack of site improvements for the proposed change of use, that the site in its existing condition allows for potential unpermitted parking and lacks a clear separation or distinction between the residential unit and the proposed short-term rental, which lends itself to the potential for

operational issues. Additionally, the SHO did not agree that the Modification was “necessary to accomplish an appropriate improvement” as the current use is appropriate for the zoning district.

VI. APPEAL ISSUES

An appeal of the SHO decision was filed by David Chase (owner of 711 Bath Street) on February 17, 2024. The application for appeal and corresponding letter, dated February 14, 2024, outlines the following appeal issues as summarized, expanding on the initial applicant letter, dated October 16, 2023, that was included as part of the presentation materials submitted to the SHO. See Exhibit A for the application for appeal and corresponding letter.

Site Constraints and Zoning Modification Justification

In the appeal letter, the appellant notes that the existing residence (Unit #1) is nonconforming to the interior setback in that the existing structure is 3 feet, 10.5 inches from the interior lot line rather than compliant to the 6-foot interior setback, and were it originally built to comply, the Modification would be unnecessary as short-term rentals are an allowed use in the R-MH zone. Additionally, the project is limited to a change of use for Unit #1 so the onsite condition will remain the same to how it has been historically. In the applicant letter, dated October 16, 2023 (Exhibit C), the request for the Modification noted that the Modification is justified because the property abuts a parcel that is mixed-use, developed with residential and a small corner market, and is constrained by onsite conditions including the footprint of the three structures on the property, the driveway access off Bath Street, and by Mission Creek which limits the developable envelope of the site.

Modifications are granted on a case-by-case basis if the Modification is consistent with the purposes of the ordinance and additional findings can be made. The purpose of the R-MH zone is to provide for a variety of multi-unit housing types, and to allow for hotels and similar establishments, while protecting the existing housing stock and preserving the residential character of neighborhoods that are still primarily residential, therefore, regulations are designed to control activities of a nonresidential use which would be inharmonious with housing. The zoning ordinance allows for alterations that change the land use of a development provided that the alteration does not change the land use of a structure located in the setback from residential to nonresidential, or from nonresidential to residential within the portion of the structure that is located closer than five feet to an interior lot line when adjacent to a residential use or zone, with some exceptions allowing for a change of use in the setback if the use is a Community Garden, Live-Work Unit, Market Garden, or Neighborhood Market. In general, this exception is to allow for nonresidential or mixed-uses that are more likely to be compatible with a residential neighborhood or are deemed desirable uses to create a vibrant walkable neighborhood. Short-term rentals are not listed as one of the exceptions for nonresidential uses, and therefore a Modification was required for the change of use.

Regarding the site constraints and justification, the existing site is developed with two one-story residential buildings and a single car garage, all of which are nonconforming to the required 6-foot interior setback. It is the case that, were Unit #1 built to comply with the 6-foot setback, the Modification would not be applicable to change the use of the building from residential to nonresidential. However, because the proposed use does not meet one of the exceptions, the

change of use in the setback requires a Modification and is evaluated to determine if the Modification is consistent with the purposes of the ordinance and necessary.

The site is adjacent to a mixed-use lot; however, the overall composition of the neighborhood is predominantly residential, and the area of encroachment is closest to a property developed with a residential use rather than a nonresidential or mixed-use development. It should be noted that additions, or new construction of a nonresidential use on the property would be subject to a 12-foot interior setback rather than the 6-foot setback allowed for residential development or a project limited to conversion of use. The larger setback of 12 feet applicable to new nonresidential structures is intended to create a buffer between residential and nonresidential uses, to protect the residential character and reduce the potential for uses inharmonious with housing. This larger setback would be challenging to meet on the property, given the existing building footprints, driveway access, and proximity to Mission Creek.

As mentioned, conversion of a structure from residential to nonresidential can use the residential setbacks (in this case an interior setback of 6 feet). The SHO was not able to make the findings to approve the requested Modification allowing conversion or a residential use to a nonresidential use (hotel/ short-term rental) within the setback. In making this decision, the SHO stated that the Modification is “not consistent with the purpose and intent of a setback to provide adequate buffering between adjacent land uses or meet the intent of the R-MH zoning district to preserve a residential character of those neighborhoods that are still primarily residential and creates a conflict of uses.” Additionally, the SHO could not make the finding that the Modification was necessary to secure an appropriate improvement on the lot, as the existing use as residential is appropriate to the site and neighborhood. The SHO was likewise not able to make the finding that there would be an unusual hardship due to the physical characteristics of the site or development, or that it would result in development generally consistent with existing patterns of development in the neighborhood. Although short-term rentals are an allowed use in the RM-H Zone, they must comply with certain development standards and this project does not comply with all standards.

Neighbor Coordination

The appellant notes in the appeal letter that correspondence did occur with the occupant of the rear unit after the initial January 17, 2024, public hearing and that the tenant did not have issues with the proposed change of use. Additionally, the adjacent neighbor at 715 Bath Street did not oppose the project. The appellant summarizes in the appeal letter that there are no safety concerns, hardships, inconveniences, or challenges to the adjacent neighbor, the renter, or the neighborhood at large. As previously discussed, the SHO requested the applicant share the plans with the Unit #2 neighbor to ask for input on the project. Although the rear resident did not express issues with the proposal, the SHO did not find that the plans addressed the two proposed uses on site from an operational or design standpoint.

VII. ENVIRONMENTAL REVIEW

Staff has determined that the project would qualify for an exemption from further environmental review under Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines, which allows for the conversion of

existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Based on review of the project, there would be no significant project-specific or cumulative impact on the environment due to unusual circumstances, the project does not have the potential to damage scenic highways or historic resources, and the project site is not identified as a hazardous waste site. None of the exceptions to the exemption under CEQA Guidelines Section 15300.2 apply.

VIII. RECOMMENDATION

Staff recommends that the Planning Commission deny the appeal and uphold the Staff Hearing Officer's denial of the Modification, as identified in Staff Hearing Officer Resolution No 006-24. The Planning Commission could amend or augment those findings as appropriate to support their decision.

If the Commission agrees with the appellant, then the appeal should be upheld thereby approving the Interior Setback Modification. In that event, the Planning Commission should state the reasons why the Modification can be approved, and staff will return with a resolution approving the Modification. Planning Commission could include conditions if needed to support the findings. If the appeal is upheld, the Planning Commission should also make the determination of exemption that the project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15303 [New Construction of Conversion of Small Structures].

The Planning Commission's decision can be appealed to the City Council by anyone that has standing (SBMC §30.205.150.B.1).

Exhibits:

- A. Application for Appeal and Letter
- B. Project Plans, presented on February 7, 2024
- C. Applicant's Letter, dated October 16, 2023
- D. Staff Hearing Officer
 - Staff Report
 - Minutes
 - o January 17, 2024
 - o February 7, 2024
 - Resolution No. 006-24

Contact/Case Planner: Pilar Plummer, Associate Planner

(PPlummer@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 4551



APPEALABLE DECISIONS

INFORMATION & APPLICATION

WHAT IS AN APPEALABLE DECISION?

An appeal is made when either an applicant or a third-party files a request for a decision to be reviewed by the next level of decision-making authority, and asks for a formal change to an official decision.

For example, an applicant dissatisfied with the Staff Hearing Officer's decision (or condition imposed) on an application may file an appeal to the Planning Commission. If the appellant is still dissatisfied with the Planning Commission's decision, a further appeal to the City Council may be made. The Council's action is the final local administrative decision.

Not all decisions made by staff or advisory bodies are appealable decisions. The Santa Barbara Municipal Code indicates if a decision or determination is subject to appeal and identifies the higher review authority who will act as the appeal body. A summary of this information is provided on page 2.

WHAT IS THE TIME LIMIT?

Unless otherwise specified in the Municipal Code, all appeals must be filed in writing within 10 calendar days of the date on which the decision was issued. To compute the length of an appeal period, begin counting with the day after the decision. If the final day of the appeal period falls on a day the City is closed, the appeal period will end at the close of business on the next business day of the City.

WHO MAY FILE AN APPEAL?

Appeals may be filed by any person aggrieved by a decision that is subject to appeal. On decisions made at a public hearing, appellants must establish an *aggrieved status* by participating either orally or in writing to have standing to appeal the decision. Grounds for appeal are limited to those issues raised either orally or in written correspondence delivered to the review body at, or prior to, the public hearing.

WHEN IS AN APPEAL APPROPRIATE?

In many cases, the object of concern for an appellant is not something that the City can control or regulate; perhaps you have long-standing disagreements with your neighbors over a variety of issues, or you are more concerned about activities on the property than the actual construction under review. The appeal of a decision must focus on the specific planning, code, or environmental issues over which the appeal body has discretion.

For example, appeals of design review actions must center on design-related issues such as size, bulk, scale, orientation, or materials. Final Approval may be appealed only on the basis that it is inconsistent with the project design approval. Similarly, the Building and Fire Code Board of Appeals Board is not empowered to waive any code requirements and will only determine the proper application of the code.

Before you file an appeal, a discussion with city staff may help you define your issues of concern and whether the appeal process is appropriate. Other avenues of resolution include local programs for conflict resolution and informal mediation such as the [Conflict Solutions Center](#).

HOW TO SUBMIT

Appeals must be submitted in writing to the appropriate city office via email, in person drop-off, or by first class mail postage prepaid, within 10 calendar days of the date on which the decision was issued. Note that fees may be paid online, by fax, drop off, mail, or in person. We do NOT accept payments via email or over the phone. Make a check payable to the City of Santa Barbara.

Appeals and associated fee post-marked after the 10th calendar day will not be accepted. Please deliver the appeal letter and fee at least 30 minutes before the end of business day to allow for adequate processing time. Please be aware that most city offices are closed on alternate Fridays.

- **To City Council** – Appeals and correspondence to the City Council are filed with the City Clerk's office: (805) 564-5309 Clerk@SantaBarbaraCA.gov
- **To Planning Commission & Design Review** – Appeals and correspondence to the Planning Commission or ABR & HLC (sign appeals) are filed with the Community Development Department, Planning Division: (805) 564-5578 PlanningCounter@SantaBarbaraCA.gov
- **To Building and Fire Code Board of Appeals** – Appeals and correspondence to the Building and Fire Code Board of Appeals are filed with the Community Development Department, Building & Safety Division: (805) 564-5485 CDBuildingCode@SantaBarbaraCA.gov
- **To California Coastal Commission** – Appeals of Council approvals of Coastal Development Permits are filed at: 89 S. California St., Suite 200, Ventura, CA 93001-2801 (805) 585-1800

WHAT TO SUBMIT

All appeals must be in writing and include the information below. You may use the attached "Application for Appeal" form or write your own letter addressed to the review authority with:

- Name of body whose decision is being appealed
- Date of meeting which decision was made
- Description of decision being appealed
- Grounds claimed for the appeal and identifying all significant issues, facts, and affected parties
- Appellant's name, mailing address, telephone number, email address, and signature

Make sure to provide the correct amount of the associated appeal fee. Appeal fees vary depending on the body who made the decision that is being appealed. Please contact the appropriate city staff indicated above to ensure the correct appeal fee is made. Please note that no fee is required to appeal a decision for a project that includes a Coastal Development Permit.



WHICH REVIEW AUTHORITY WILL HEAR MY APPEAL?

Use this table to identify the review authority on an appeal.

DECISION-MAKER	APPEAL HEARD BY	HEARING LOCATION
Architectural Board of Review	City Council	City Council Chambers (2nd Floor) 735 Anacapa Street
Building Official / Fire Code Official ¹	Building and Fire Code Board of Appeals	David Gebhard Public Meeting Room 630 Garden Street
CEQA Determinations	City Council	City Council Chambers (2nd Floor) 735 Anacapa Street
City Council ²	California Coastal Commission	California Coastal Commission 89 S. California St., Suite 200, Ventura, CA 93001-2801
Community Development Director ³	Planning Commission	City Council Chambers (2nd Floor) 735 Anacapa Street
Floodplain Administrator	Planning Commission	City Council Chambers (2nd Floor) 735 Anacapa Street
Historic Landmarks Commission	City Council	City Council Chambers (2nd Floor) 735 Anacapa Street
Planning Commission	City Council	City Council Chambers (2nd Floor) 735 Anacapa Street
Parks & Recreation Director	Parks & Recreation Commission	City Council Chambers (2nd Floor) 735 Anacapa Street
Parks & Recreation Commission	City Council	City Council Chambers (2nd Floor) 735 Anacapa Street
Sign Committee	Architectural Board of Review or Historic Landmarks Commission	David Gebhard Public Meeting Room 630 Garden Street
Single Family Design Board	Planning Commission	City Council Chambers (2nd Floor) 735 Anacapa Street
Staff Hearing Officer	Planning Commission	City Council Chambers (2nd Floor) 735 Anacapa Street

¹ Appeals of orders, decisions, or determinations made by the Fire Code Official or Building Official relative to the application and interpretations of the technical codes may be made per SBMC §8.04.020. Decisions are final with no further right of appeal.
² Final action on a Coastal Development Permit in the appealable area may be appealed to the California Coastal Commission after exhausting all local appeals to the Planning Commission and City Council.
³ Appeals of application completeness per Gov't Code Section 65943 or Mission Creek determinations SBMC §30.140.050 / §28.87.250.F.3.



WHAT DO I NEED TO KNOW ABOUT PUBLIC HEARINGS?

SCHEDULING A HEARING

After staff has received your request for appeal and fee payment, the item will be placed on the next available agenda, within the specific time periods established by the Municipal Code. An agenda containing the meeting date for the item will be mailed to the appellant, property owner and the project applicant. Agendas are also posted on the City's website: SantaBarbaraCa.Gov/Gov/Brdcomm.

DO I NEED TO ATTEND?

Yes, the appellant's presence is required at the appeal hearing. If the appellant cancels or is not present at the hearing, the appeal will be dismissed. A continuance may only be granted under certain and unusual circumstances. If you feel you need to request a continuance, you must submit your request in writing and be aware that it may not be granted.

PUBLIC HEARING ORDER

Review the City Council Procedures, Design Guidelines and the Planning Commission Guidelines for detailed hearing procedures and time limits for presentations. Time limits may be reduced or extended at the discretion of the Chair. In general, you can expect the order of the public hearing to go as follows:

1. **Item is Opened.** The Chair opens the item by reading the address and project description.
2. **Staff Presentation.** Staff makes a presentation of the proposed project, if applicable.
3. **Appellant Presentation.** Appellant is given a specified time limit to present the project.
4. **Applicant Presentation.** Applicant is given a specified time limit to present the project.
5. **Public Comment.** Public comment is opened for members of the public to speak on the item.
6. **Questions.** The Board or Commission asks questions of Staff, applicants, and others present.
7. **Comments.** The Board or Commission deliberates and has its own discussion.
8. **Motion.** The Board or Commission makes a motion to approve or deny, followed by a vote.
9. **Appeals.** The Chair announces the action and the time limit for further appeal, if applicable.

PUBLIC COMMENT AND WRITTEN CORRESPONDENCE

The City of Santa Barbara values public participation in local government and encourages all forms of citizen involvement. All written correspondence is forwarded by staff to the decision-makers and included as part of the official record, as well as published on the City's website; but it is not read into the record. Written correspondence may be mailed, emailed, hand delivered, or presented at the hearing while speaking, however email submissions are preferred. Please ensure that documents will be received with sufficient lead time for distribution, which is one week prior to the meeting date. Note that comments will be published without redaction; only submit information you wish to make public.



APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the:

- | | |
|---|---|
| <input type="checkbox"/> Architectural Board of Review | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Official / Fire Code Official | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Community Development Director | <input type="checkbox"/> Sign Committee |
| <input type="checkbox"/> Floodplain Administrator | <input type="checkbox"/> Single Family Design Board |
| <input type="checkbox"/> Historic Landmarks Commission | <input checked="" type="checkbox"/> Staff Hearing Officer |

Which was taken on the 7 day of Feb., 20 24.

I/We, the appellant(s), hereby respectfully request that Your Honorable Body reject the decision and

Approve / Deny the application or permit in question.

PROPERTY INFORMATION

Project Address: 711 BATH STREET

APPELLANT'S INFORMATION – Appealed by Applicant? Yes No

Name: DAVID GHASE Organization (if representing):

Address: 711 BATH ST ZIP:

Email: DAVID@DAVIDGHASE Phone: 805-~~458~~ 453-3305
CONSTRUCTION.COM

REASONS FOR APPEAL:

Explain specifically what actions you are appealing, and attach a copy of the protested notice, if applicable

ATTACHED LETTER

Describe the reasons or grounds why you believe the action should be reversed, modified, or otherwise set aside. Include what evidence you have that supports your appeal. You may attach additional pages, if necessary.

ATTACHED LETTER

Signature: 

Date: 2/15/24

Date: February 14, 2024

Regarding: SHO Denial of Modification for 711 Bath St. – February 7, 2024

To: Santa Barbara Planning Commission

Dear Members of Santa Barbara Planning Commission,

We are grateful for the opportunity to appeal SHO denial of modification on February 7, 2024 for 711 Bath Street. We sincerely appreciate your time and consideration.

As detailed in our initial modification application, the house in question was built in the 1940s, prior to the establishment of the current 6' setback. If the house had been built 2' plus to the left (southeast direction) then no modification would be necessary and there would be no discussion about the appropriateness and viability of this proposal. In every other way this project "checks the boxes" and there is no reason to deny this proposal.

On the attached documents, we have clearly shown the current placement of the house has no impact on the appropriateness and/or viability of our proposal. This property has no safety concerns, hardships, inconveniences, or challenges to the adjacent neighbor, the back renter or the neighborhood at large. We are not proposing any changes to the house, the front landscaping, the street view or neighborhood aesthetic.

At the initial hearing (January 17, 2024), the SHO asked in-dept questions and appeared to not find any reason to deny our request. Her only request was that we 'talk' to the renter in the rear house located on this parcel. She requested we seek their opinion about our proposal and return. We not only spoke to the renter as the officer requested, but received the renter's support in writing. In addition to what the SHO requested, we spoke with the adjacent neighbor who confirmed he received the city's letter about our proposal and was in support of our project.

When we returned (February 7, 2024) to submit the renter's letter and neighbors' supportive comments, it was clear, that in the interim, the SHO had already made up her mind to deny our request. Despite my attempt to show solidarity with her concerns and my plea for her to work with us, she quickly closed the hearing.

It was clear that the modification hearing was not about the facts, as outlined above, but instead, an excuse to deny our request to create a legal short term rental. It is worth restating that the current placement of the house within the setback has been shown to be inconsequential. Had the house simply been built 2' to the left, zoning would have no further comments with all other "boxes checked".

It is my hope this Planning Commission will see that this proposal falls within the City of Santa Barbara's proper and good regulatory process for legal short term rentals.

We have enjoyed a long and positive partnership with the City of Santa Barbara on a variety of projects. Notably, we recently purchased and worked closely with the city to successfully renovate, out of receivership, a former Dario Pini property with over 400 building and safety violations. It is now a beautiful three-building, nine bedroom long-term rental on the West side.

We look forward to this being another cooperative effort that improves this town we love.

Again, we sincerely appreciate your time and consideration.

Sincerely,



David Chase
(And Owners of 711 Bath Street, LLC.)
Email: david@davidchaseconstruction.com
Phone: 805-453-3305

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**NOTICE OF VIOLATION
WARNING LETTER**

BUILDING AND SAFETY

Director's Office
Tel: 805.564.5402
Fax: 805.564.5408

6/14/2023
711 Bath St LLC
6539 Camino Venturoso
Goleta, CA 93117

Building & Safety
Tel: 805.564.5405
Fax: 805.564.5478

Housing & Redevelopment
Tel: 805.564.5401
Fax: 805.564.5477

Planning
Tel: 805.564.5470
Fax: 805.697.1504

Neighborhood Mediation Task Force
Tel: 805.564.5405
Fax: 805.564.5477

630 Garden Street
PO Box 1980
Santa Barbara, CA
93101-1980

SUBJECT: 711 BATH STREET
APN: 037-073-010 ZONE: R-MH
ENFORCEMENT CASE NUMBER: ENF2023-00142

VIA FIRST CLASS MAIL

Dear Property Owner/Tenant:

Property records indicate that you are the owner(s) and/or tenants of the above referenced parcel. On 6/8/2023, I inspected the subject property in response to a complaint received by our office and discovered a several violation(s) of the Santa Barbara Municipal Code, described below.

The purpose of this notice is to inform you of the violation(s) on the subject property, to give you a reasonable timeframe to abate the violation(s), and to inform you of the consequences of not abating the violation(s) or repeating the violation(s).

DESCRIPTION, REMEDY & FINAL ABATEMENT DATE OF VIOLATION(S):

Please be advised that the below items are in violation of the Santa Barbara Municipal Code and/or the California Codes) SBMC 22.04.010, 2022 CRC 105.1, CMC 104.1, CPC 104.1, CEC 89.108.4.1, 2022 CEnergyC, 100.0 (a thru f).

- Unit 2 Violations:**
1. Installation of new water heater and supporting platform at North elevation without a permit. Additional Code Violations: CPC 502.1
 2. Unpermitted new in-ground ejector pump, associated plumbing (building sewer).
 3. Unpermitted new electrical near north property line (between structure and PL).
 4. Unpermitted new underground and aboveground gas piping.
 5. Unpermitted new underground and aboveground domestic water piping.
 6. Unpermitted new underground and aboveground electrical wiring including new electrical panelboard at exterior facing East.

Corrective Action(s): Obtain a building permit to legalize or demo the unpermitted work. Deadline to submit plans and a building permit application: July 3, 2023. Once the permit is issued, an approved final inspection by the City's Building Department is required.

- Garage Violations:**
1. Existing garage converted into laundry room without a permit.
 2. Unpermitted new gas piping.
 3. Unpermitted new plumbing and underground waste piping.
 4. Installation of new electrical without a permit, including new electrical panelboard.
 5. Installation of new exhaust venting for dryers without a permit.

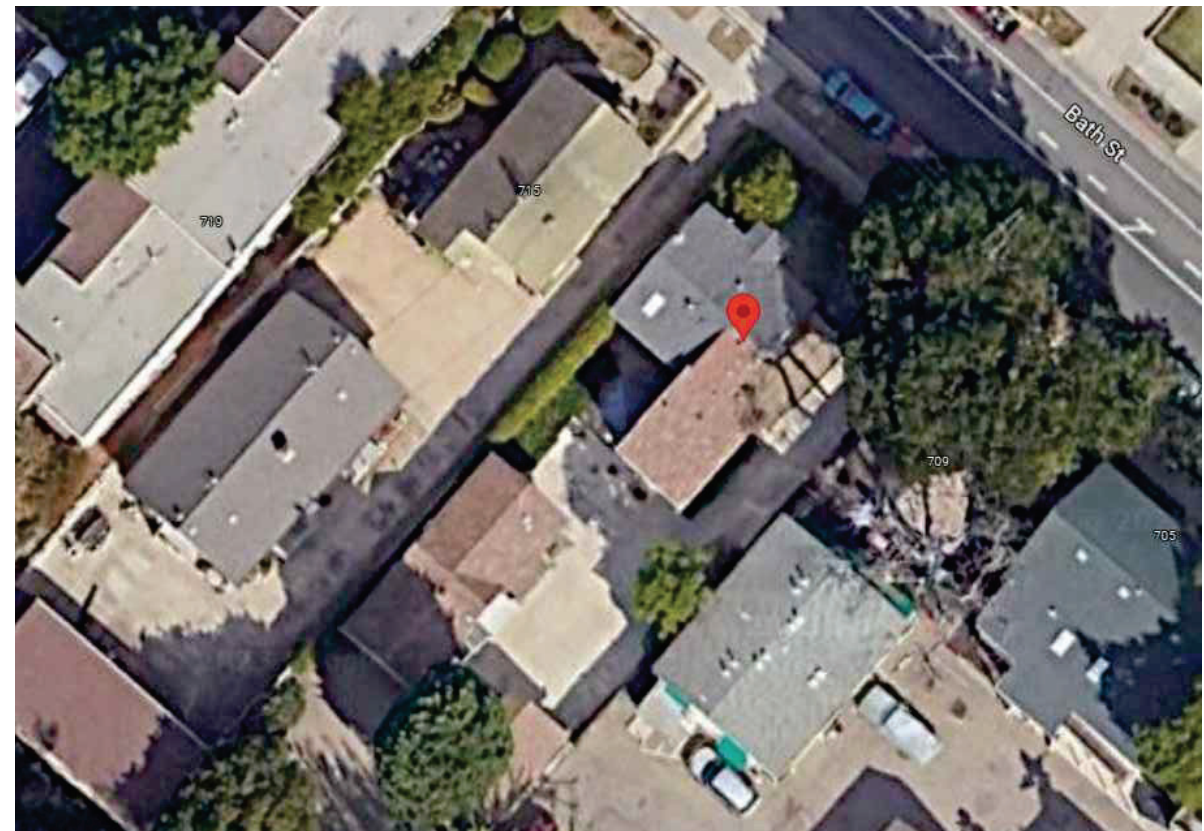
Corrective Action(s): Obtain a building permit to legalize or demo the unpermitted work. Deadline to submit plans and a building permit application: July 3, 2023. Once the permit is issued, an approved final inspection by the City's Building Department is required.

Violations shall be abated by the date as shown above.

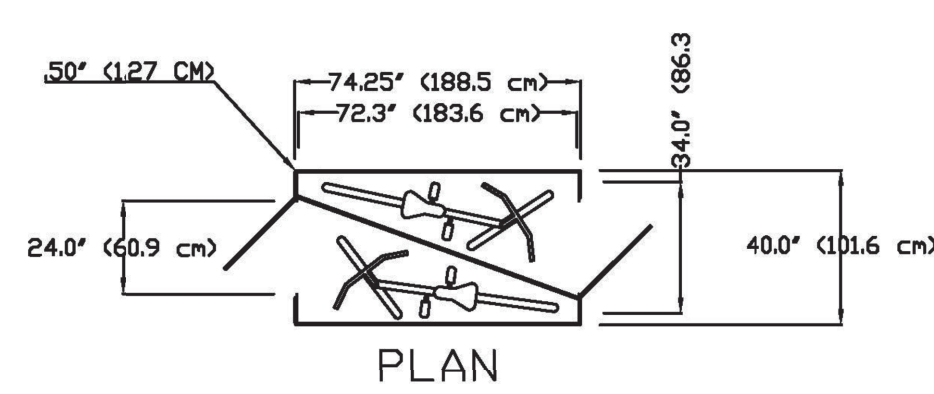
Should you find the date to submit plans and a building permit application unreasonable, please contact me to discuss the dates.

CONSEQUENCE FOR NOT ABATING THE VIOLATION(S)

If the violation(s) are not corrected by the Abatement Date(s), the First Administrative Citation will be imposed. The amount of the Citation will be \$100 per violation that still exists after the abatement date. If the violation(s) continue, additional Administrative Citations will be imposed, with the fine amount increasing to a maximum of \$250 per violation per day, for as long as the violation(s) continue, with the possibility of referral to the City Attorney's Office for criminal prosecution.

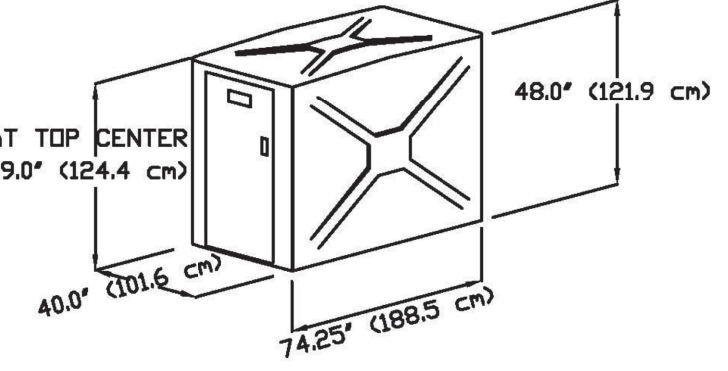
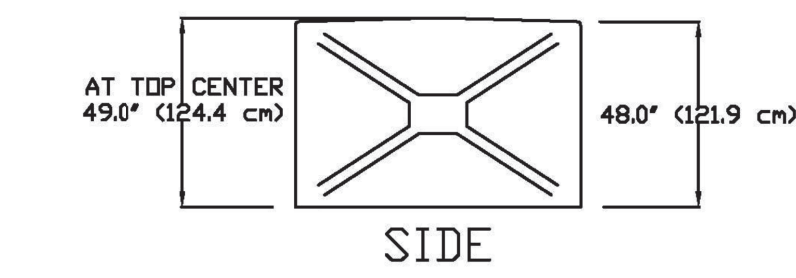


Adjacent Residences/Structures Locations



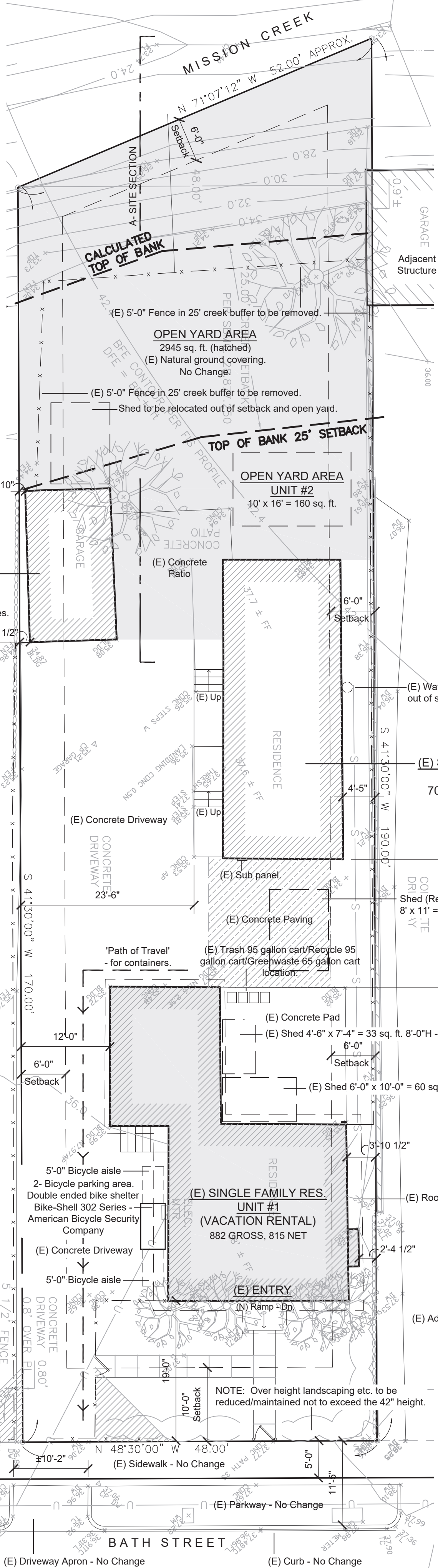
LOT COVERAGE INFORMATION: 8995 sq. ft.

Building Footprint	1788 sq. ft.	20%
Hardscape	2883 sq. ft.	32%
Landscape	4324 sq. ft.	48%



Bike Shell - Model 302 - American Bicycle Security Co.

1/4" = 1'-0"



Site Plan - Existing - 711 Bath Street

1" = 10'-0"

SCOPE OF WORK:

Change of Use of existing residence (UNIT #1) to a Vacation Rental. ****New nonresidential is 815 (net).**** Interior Setback Modification requested to allow Change of Use within the required 6-foot interior setback.

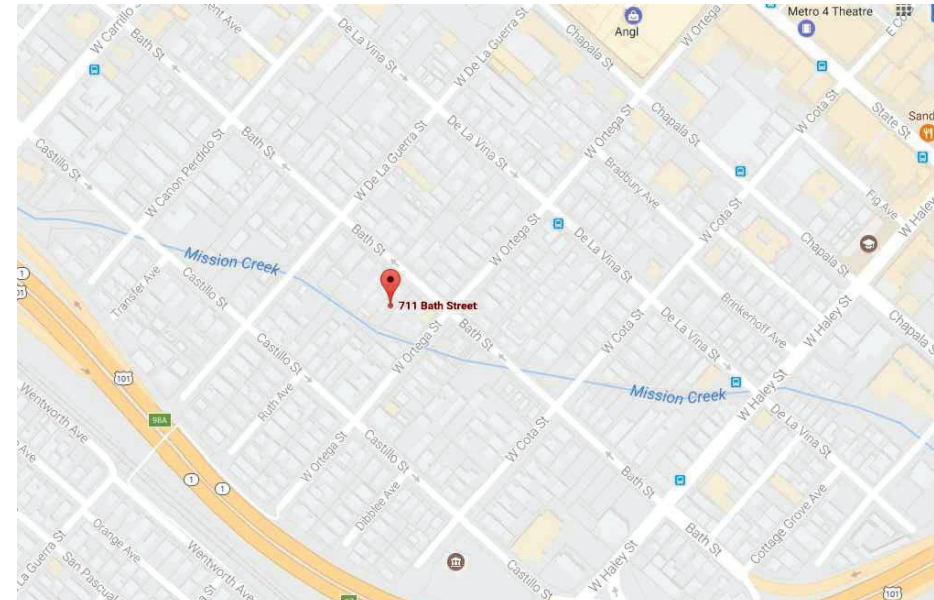
Remove Shed from sideyard setback (behind (E) Garage). Relocate.

UNIT 2 VIOLATIONS - ENF2023-00142:

1. Installation of new water heater and supporting platform at North elevation without a permit. Additional Code Violations: CPC 502.1
ABATEMENT: RELOCATE OUT OF SETBACK
2. Unpermitted new in-ground ejector pump, associated plumbing (building sewer)
ABATEMENT: ABANDON
3. Unpermitted new electrical near north property line (between structure and PL).
ABATEMENT: PERMIT FOR GARAGE
4. Unpermitted new underground and aboveground gas piping.
ABATEMENT: ABANDON
5. Unpermitted new underground and aboveground domestic water piping.
ABATEMENT: ABANDON
6. Unpermitted new underground and aboveground electrical wiring including new electrical panel board at exterior facing East.
ABATEMENT: PERMIT (E) WORK - UNIT 2

GARAGE VIOLATIONS - ENF2023-00142:

1. Existing garage converted into laundry room without a permit.
ABATEMENT: ABANDON UTILITIES - RETURN TO GARAGE
2. Unpermitted new gas piping.
ABATEMENT: ABANDON
3. Unpermitted new plumbing and underground waste piping.
ABATEMENT: ABANDON
4. Installation of new electrical without a permit including new electrical panelboard.
ABATEMENT: PERMIT
5. Installation of new exhaust venting for dryers without a permit.
ABATEMENT: ABANDON



VICINITY MAP

PROJECT DATA / BUILDING ANALYSIS

711 BATH STREET, SANTA BARBARA, CA
A.P.N. 037-073-010
Address: 711 Bath Street, Santa Barbara
Zone: R-MH (Residential Multi-Unit and Hotel) Zone
Owner: David Chase, LLC
Lot Size: 0.20 Acres (8995 sq. ft.)
General Plan Neighborhood: Downtown: West Downtown
Type of Construction: V-B
High Fire Area: No
Parking Calculation: No

Existing Parking:
Unit #1 (Residence): 0 Spaces
Unit #2 (Residence): 1 Covered Space
Site is non-conforming to the number and type of parking spaces in that 2 covered and 2 uncovered parking spaces are required for the two existing residences.

Proposed Parking:
Unit #1 (Vacation Rental): 2 Uncovered spaces
Unit #2 (Residence): 1 Uncovered space
Required Parking:
Unit #1 (Vacation Rental): 1 space
Unit #2 (Residence): 2 Covered space

*Nonconforming parking spaces credit on the site per SBMC 30.175.020.B.2.a

Land Use: Existing: UNIT #1 Residential - UNIT #2 Residential
Proposed: UNIT #1 Vacation Rental - UNIT #2 Residential

Slope: 11% (est. from City GIS)

(E) Structures:
(E) SINGLE FAMILY RES. - UNIT #1 - (Vacation Rental) - 882 GROSS, 815 NET
(E) SINGLE FAMILY RES. - UNIT #2 - 706 GROSS, 655 NET
(E) 1-CAR GARAGE - 200 GROSS, 177 NET

NOTE: Reason for discrepancy of sq. ft. numbers. At time of original submittal (BLD2017-00180) buildings were not accessible and unable to be verified for actual measurements. An exact field measurement/survey was provided of (E) buildings prior to planning submittal for Change of Use.

NOTE: In this project - No New, Converted or Demolished Non-residential floor area is proposed. This project shall comply with:

- California Residential Code 2022 Edition
- California Mechanical Code 2022 Edition
- California Plumbing Code 2022 Edition
- California Electrical Code 2022 Edition
- California Fire Code 2022 Edition
- California Energy Code 2022 Edition
- California Green Building Code 2022 Edition

All amendments as adopted in Santa Barbara City Ordinances (NZO) Title 30 and 5919.

CAL GREEN CODE: Construction Waste Management requirements of CRC R324.1 will be met. Recycle and/or salvage for reuse of minimum of 50 percent of the non-hazardous construction and demolition waste in accordance with CGBC Chapter 4, Division 4.4 (Cal Green Code)

Finish materials including adhesives, sealants, caulks, paints and coatings, aerosol paints and coatings shall meet the volatile organic compound (VOC) emission limits in accordance with CGBC Chapter 4, Division 4.5 (Cal Green Code)

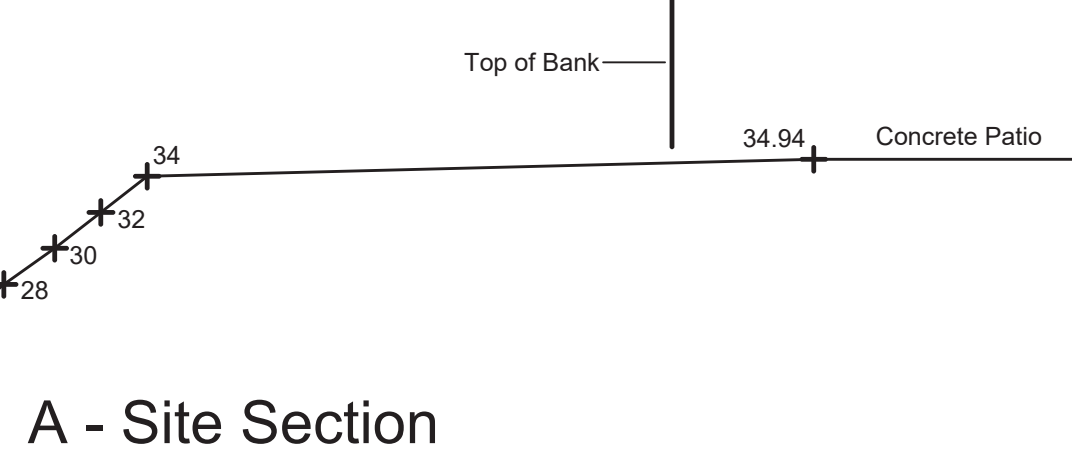
NOTE: A SEPARATE PUBLIC WORKS PERMIT IS REQUIRED FOR ALL WORK PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY.

NOTE: FIRE SPRINKLER WILL BE PROVIDED UNDER SEPARATE PERMIT.

A MINIMUM OF 65% OF THE CONSTRUCTION WASTE GENERATED AT THE SITE IS DIVERTED TO RECYCLE OR SALVAGE PER SECTION 4.408.1 AND CITY ORDINANCE, MARBORG INDUSTRIES TO PROVIDE WASTE AND RECYCLE REMOVAL.

LIST OF DRAWINGS:

- ARCHITECTURAL:
A1.0 Site Plan, Project Statistics, Vicinity Map, and Scope of Work
- SURVEY
A1.1 Site Photos and Existing Floor Plans



A - Site Section

3/32" = 1'-0"

Revisions:	Date:
Revision 2 - SHO	12-14-23

Owner:
David Chase, LLC
6539 Camino Venturoso
Santa Barbara, CA 93117
Tel: 805-453-3305
david@davidchaseconstruction.com

Permitting and Drafting:
Amy Von Protz
217 San Napoli Drive
Goleta, CA. 93117
Tel: 805-722-0381
h2will7@netscape.net

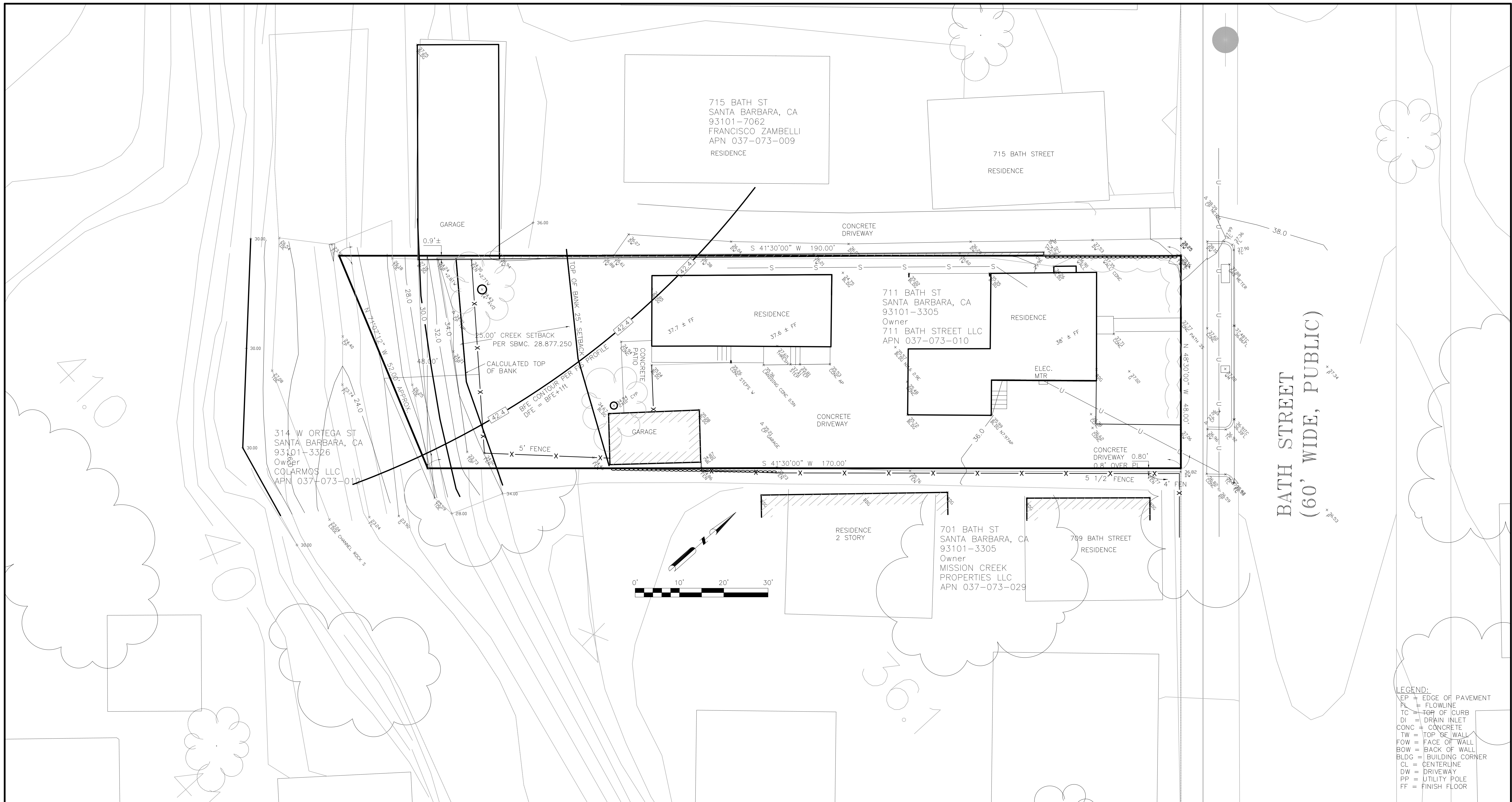
Surveyor:
Gilmour Land Surveying
7127 Hollister Ave #25A-301
Goleta, CA. 93117
Tel: 805-685-4500
info@gilmourlandsurveying.com

Contractor:
David Chase Construction
1109 De La Vina
Santa Barbara, Ca.
Tel: 805-453-3305
david@davidchaseconstruction.com

ZONING CHANGE (UNIT 1) TO VACATION RENTAL AND ENF2023-00142 ABATEMENT:
David Chase, LLC
6539 Camino Venturoso
Santa Barbara, CA 93117
Tel: 805-453-3305
david@davidchaseconstruction.com

Date:
Scale: As Noted
Job: Chase
Sheet No.

A1.0



314 W ORTEGA ST
SANTA BARBARA, CA
93101-3326
Owner
COLARMO'S LLC
APN 037-073-012

715 BATH ST
SANTA BARBARA, CA
93101-7062
FRANCISCO ZAMBELLI
APN 037-073-009
RESIDENCE

715 BATH STREET
RESIDENCE

711 BATH ST
SANTA BARBARA, CA
93101-3305
Owner
711 BATH STREET LLC
APN 037-073-010

701 BATH ST
SANTA BARBARA, CA
93101-3305
Owner
MISSION CREEK
PROPERTIES LLC
APN 037-073-029

709 BATH STREET
RESIDENCE

BATH STREET
(60' WIDE, PUBLIC)

- LEGEND:
- EP = EDGE OF PAVEMENT
 - FL = FLOWLINE
 - TC = TOP OF CURB
 - DI = DRAIN INLET
 - CONC = CONCRETE
 - TW = TOP OF WALL
 - FOW = FACE OF WALL
 - BOW = BACK OF WALL
 - BLDG = BUILDING CORNER
 - CL = CENTERLINE
 - DW = DRIVEWAY
 - PP = UTILITY POLE
 - FF = FINISH FLOOR

SURVEY NOTES:

BOUNDARY SHOWN RECORD ONLY, PER DEED FROM JOHN TYMAN TO L.A. BARTHOLOMEW AND EDITH BARTHOLOMEW, DATED MARCH 16, 1926, AND RECORDED MARCH 31, 1926 IN BOOK 84, AT PAGE 443 OF OFFICIAL RECORDS SANTA BARBARA COUNTY. THE CURRENT GRANT DEED INST. NO. 2015-0041576 O.R., IS INCOMPLETE. THE POINT OF BEGINNING IS NOT STATED. ADJOINING PARCELS AGREE WITH THE HISTORICAL DESCRIPTION. THE ORIGINAL MAP THAT SURVEYED THE LOT WAS MAP BOOK 14, PAGE 62, DATED MARCH 13, 1922, BUT IT CONTAINS AN ERROR ON THE LOT WIDTH.
BASIS OF BEARINGS: MAP BOOK 14, PAGE 78

EASEMENTS: PER FIDELITY NATIONAL TITLE COMPANY PRELIMINARY REPORT TITLE NUMBER FSBA-4201160810-SA DATED MAY 4, 2016 THERE ARE NO EASEMENTS ACROSS THE PARCEL.
FLOOD DATA: BFE CALCULATED FROM LETTER OF MAP REVISION CASE NO. 20-09-0769P. EFF DATE JULY 20, 2021
STATE OF CALIFORNIA REQUIRES NEW CONSTRUCTION TO DFE = BFE + 1ft.

BENCHMARK: CAR 400W, OF THE "2008 NAVD 88 BENCHMARK LIST" BY THE CITY OF SANTA BARBARA. CAR400W = 53.971 FL NAVD 88 DATUM
SURROUNDING TOPOGRAPHY SUPPLEMENTED WITH SANTA BARBARA PUBLIC WORKS TOPOGRAPHY.

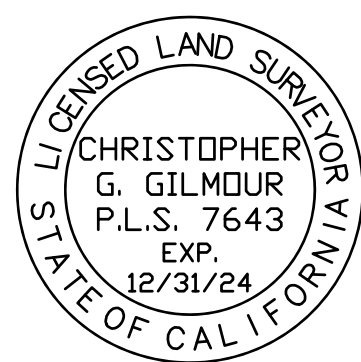
FLOOD INSURANCE NOTE: By graphics plotting only, this property is in ZONE AH of the Flood Insurance Rate Map, Community Panel No. 06083C1387J effective date of 07/20/2021
Exact designations can only be determined by an Elevation Certificate. Based on the above information, this property IS in a Special Flood Hazard Area.

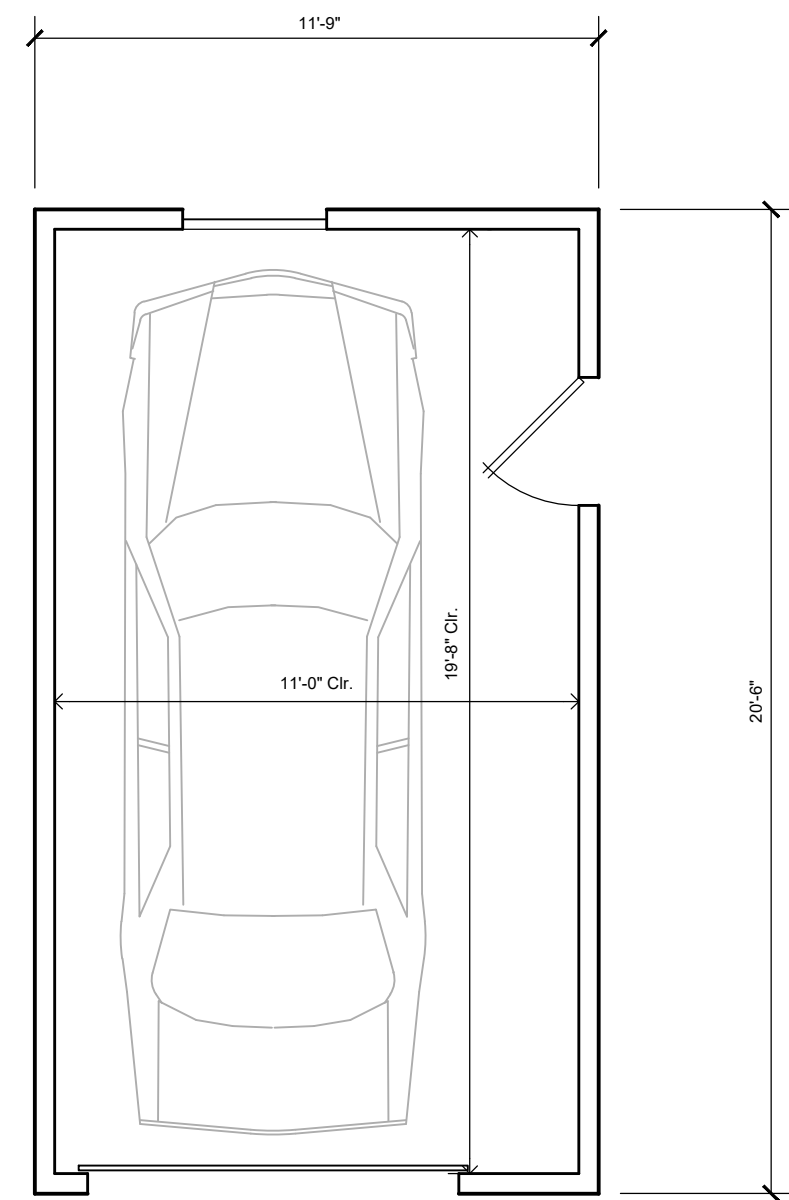
BASE FLOOD ELEVATIONS (BFE) ARE BASED ON THE MISSION CREEK FLOOD PROFILE (FIS) PAGE 93P. FOR A PROPOSED STRUCTURE THE BFE WOULD NEED TO BE CALCULATED SPECIFICALLY FOR IT, THIS IS ONLY A GUIDE.

- LEGEND:
- X—X—X—X—X = FENCE
 - ▨ = BUILDING LINE
 - U—U—U—U—U = OVERHEAD UTILITY LINE
 - ☁ = SCHEMATIC TREE
 - ▨ = RETAINING WALLS
 - WM = WATER METER
 - WV = WATER VALVES

TOPOGRAPHIC SURVEY
OF 711 BATH STREET
A.P.N. 037-073-010
IN THE CITY OF SANTA BARBARA
AS DESCRIBED IN INSTRUMENT No. 2015-0041576 (SEE NOTES)
AT THE REQUEST OF BILDSTEN ARCHITECTURE AND PLANNING
JUNE 13, 2016 REV 05/04/2023 (FLOOD DATA)
SCALE 1" = 10'

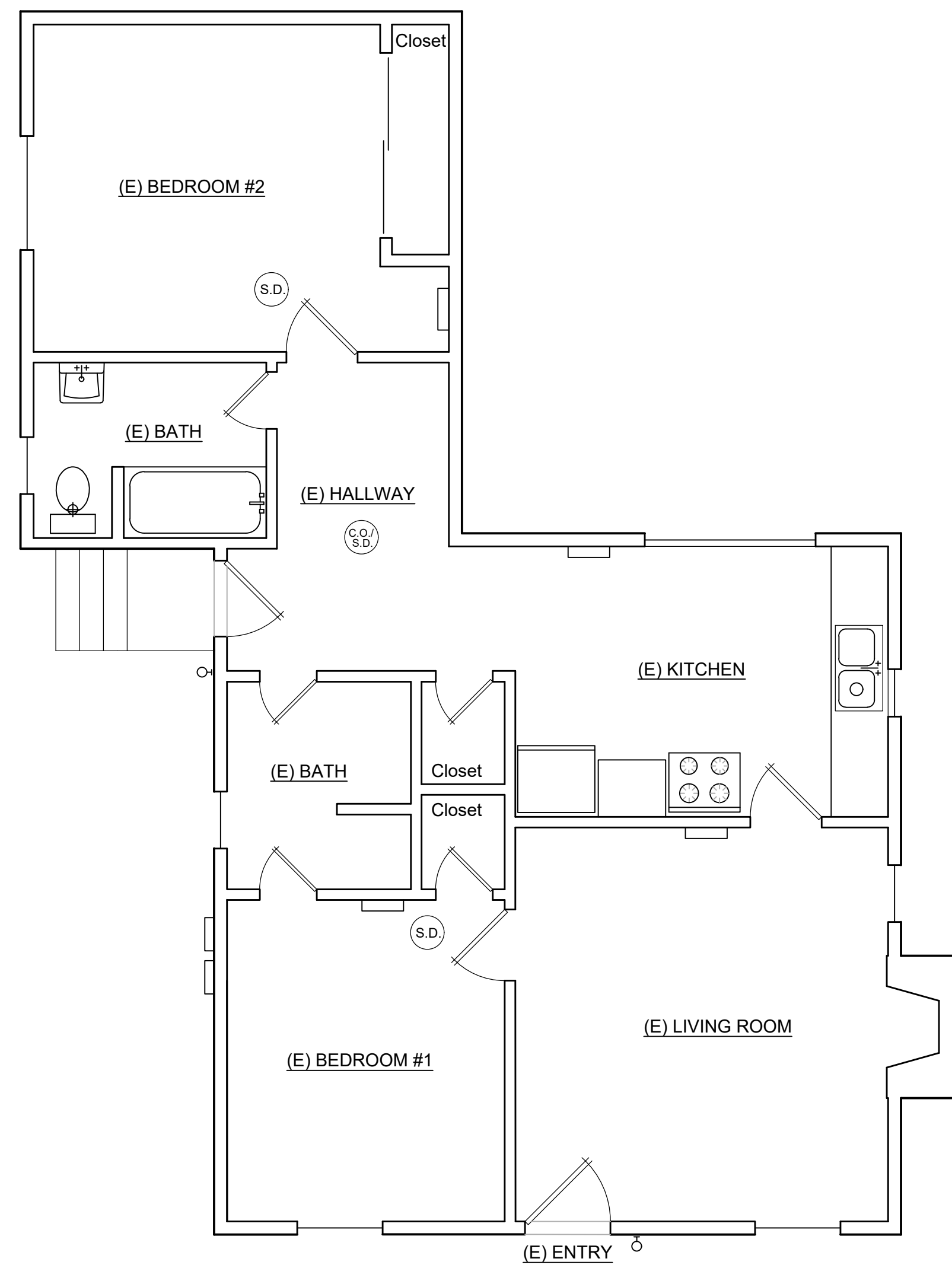
Christopher Gilmour, PLS 7643
Gilmour Land Surveying inc.
7127 Hollister Ave. #25A-301
Goleta, CA, 93117
ph. 805.685.4500
info@gilmourlandsurveying.com





Floor Plan - Existing - GARAGE

1/4" = 1'-0"



Floor Plan - Existing/Proposed -
VACATION RENTAL (Formerly UNIT #1)

1/4" = 1'-0"



STREET VIEW - VACATION RENTAL (FORMERLY UNIT #1)



STREET VIEW - 711 Bath Street, Santa Barbara



STREET VIEW - VACATION RENTAL (FORMERLY UNIT #1) - 711 Bath Street, Santa Barbara



UNIT #2 AND VACATION RENTAL (FORMERLY UNIT #1) - RELATIONSHIP BETWEEN BUILDINGS



UNIT #2 - NO CHANGE



VACATION RENTAL (FORMERLY UNIT #1) - REAR



VACATION RENTAL (FORMERLY UNIT #1) - DRIVEWAY



ADJACENT NEIGHBOR'S DRIVEWAY AND RESIDENCE



REAR OF PROPERTY - UNIT #2 AND GARAGE - VACATION RENTAL IN DISTANCE



GARAGE



GARAGE AND SHED TO BE REMOVED

Revisions:	Date:
Revision 2 - SHO	12-14-23

Owner:
David Chase, LLC
6539 Camino Venturosa
Santa Barbara, CA 93117
Tel: 805-453-3305
david@davidchaseconstruction.com

Permitting and Drafting:
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217 San Napoli Drive
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h2owill7@netscape.net

Surveyor:
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Contractor:
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1109 De La Vina
Santa Barbara, Ca.
Tel: 805-453-3305
david@davidchaseconstruction.com

ZONING CHANGE (UNIT 1) TO VACATION RENTAL AND
ENF2023-00142 ABATEMENT:

David Chase, LLC
6539 Camino Venturosa
Santa Barbara, CA 93117
Tel: 805-453-3305
david@davidchaseconstruction.com

Date:
Scale: As Noted
Job: Chase
Sheet No.

A1.1

October 16, 2023

City of Santa Barbara
Planning and Zoning Division
Community Development Department
630 Garden St.
Santa Barbara, CA. 93101

SUBJECT:

REQUEST FOR SETBACK MODIFICATION FOR AN EXISTING 815 SF. SINGLE FAMILY RESIDENCE TO BE CONVERTED INTO A COMMERCIAL USE IN THE EXISTING LOCATION. NO CHANGES TO THE STRUCTURES ARE PROPOSED.

APPLICANT LETTER & JUSTIFICATION STATEMENT FOR:

711 BATH STREET, SANTA BARBARA, CA 93101

Dear Staff Hearing Officer,

On behalf of the owners of 711 Bath St., (APN 037-073-010) I am happy to submit this Applicant Letter and Justification Statement as part of an owner-initiated General Plan Amendment request to convert one of two legal residential units into a vacation rental in the existing location. There is no proposal to perform updates to the structures and the open yard will remain the same. There will be no additional landscaping or paving, and all Mission Creek setbacks will be respected.

711 Bath St. background information:

There are two existing single family residences on the lot with one 177/200 sf. (NET/GROSS) garage. Unit #1 is 815/882 sf. (NET/GROSS), and Unit #2 is 655/706 sf. (NET/GROSS). The existing structures were legally constructed in the current 6' interior setback in 1935 and have not been altered.

Justifications for Modification:

1. **General Plan Conformity.** This parcel is Zoned R-MH (R-4) and the General Plan is High Density Residential (28-36 units). The intended use is approved under this plan.
2. **Historical Precedence Precedes Current Zoning Setbacks.** The residences at 711 Bath St. were constructed in 1935 in what is currently the 6 foot interior setback. These residences (unit #1 and unit #2) and the garage have been in the existing locations for approximately 87 years.
3. **Existing Mixed-use Neighborhood.** This property abuts a parcel with both residential and commercial (grocery/corner store) mixed-use.
4. **East Neighbor Driveway Buffer.** The east encroachment side-yard is abutting the neighbor's driveway which provides additional buffer between this structure and the adjacent neighbor's structure.
5. **Developmental Restraints and Hardship.** The Mission Canyon Creek at the rear and the long existing driveway, garage, and turn-around required for the rear unit substantially limit development options. Relocating any portion of this structure would be a substantial hardship and is not a feasible option.

In conclusion, the requested General Plan Amendment Initiation is appropriate and justified for the reasons stated above. We appreciate your consideration of this request.

With Regards,

David Chase and 711 Bath St. LLC



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 3, 2024
AGENDA DATE: January 10, 2024
PROJECT ADDRESS: 711 Bath Street (PLN2023-00269)

TO: Ellen Kokinda, Senior Planner, Staff Hearing Officer
FROM: Planning Division
Marisela G Salinas, Senior Planner I
Pilar Plummer, Associate Planner, Email: PPlummer@SantaBarbaraCA.gov

I. PROJECT DESCRIPTION

The 8,995-square-foot site is currently developed with two one-story residential units and a detached single-car garage. The project consists of converting the front, 815-square-foot residence (Unit #1) to a short-term rental (hotel use). The project would also address miscellaneous violations identified in ENF2023-00142, comprised but not limited to plumbing, piping, electrical, installation of a water heater, and conversion of the garage to a laundry room without a permit; the garage is proposed to be returned to its original permitted condition. Refer to Exhibits A and B for Project Plans and the Applicant's Letter, respectively.

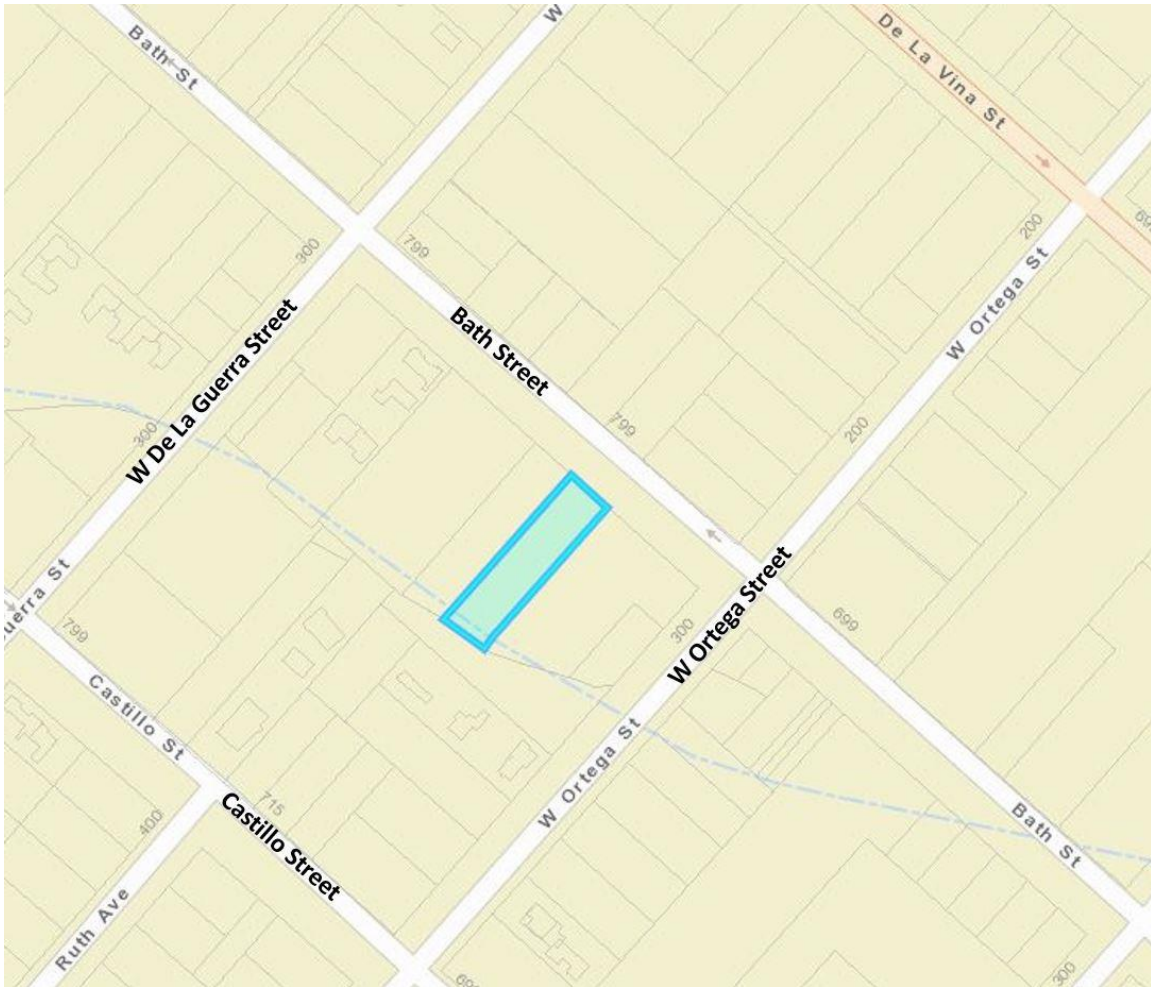
II. REQUIRED APPLICATION

The discretionary application required at this hearing under the purview of the Staff Hearing Officer is an Interior Setback Modification to allow for a change of use within the required 6'-0" side yard setback (SBMC §30.20.030.B and SBMC § 30.250.020).

APPLICATION DEEMED COMPLETE: December 18, 2023
DATE ACTION REQUIRED: March 17, 2024

III. RECOMMENDATION

Staff recommends that the Staff Hearing Officer deny the project, subject to the findings and condition in Section VII of this report.



Vicinity Map: 711 Bath Street (outlined in blue), Mission Creek (dashed blue line)

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Amy Von Protz	
Property Owner:	David Chase, LLC	
Site Information		
Parcel Number:	037-073-010	Lot Area: 0.2 acres (~8,995 square feet)
General Plan:	High Density Residential	Zoning: R-MH (Residential Multi-Unit and Hotel)
Existing Use:	Two-Unit Residential	Topography: 11%
Adjacent Zoning and Land Uses		
North:	R-MH	Public Right-of-Way (Bath Street) Mixed-Use
East:	R-MH	

South:	R-MH	Mission Creek & Residential
West:	R-MH	Multi-Unit Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area – Unit 1	815 s.f.	N/A (Converted to Hotel)
Living Area – Unit 2	655 s.f.	No Change
Garage	177 s.f.	No Change
Short-Term Rental (Hotel)	N/A	815 s.f.

V. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Complies?
Setbacks			
-Front	10 feet	>10 feet	✓
-Interior	6 feet	3 feet, 10.5 inches*	3 feet, 10.5 inches**
Building Height	30 feet	< 30 feet	✓
Parking – Vehicle	Unit #1: 2 spaces Unit #2: 2 spaces	Unit #1: 0 spaces* Unit #2: 1 space*	Unit #1: 0 spaces* Unit #2: 1 space*
Parking – Bicycle	2 spaces	N/A	✓
Open Yard	1,349 s.f. (based on 15% of net lot area)	> 1,349 s.f.	✓
Private Open Yard	140 s.f. (Unit #2)	> 140 s.f.	✓
* Nonconforming			
** Modification Requested			

As identified in the table above, the project is either compliant with or nonconforming to existing zoning standards, or requesting a modification, as discussed below. The proposed use as a hotel is allowed in the R-MH zone subject to the requirements of SBMC §30.185.220 Hotels and Similar Uses.

1. PARKING

Per SBMC §30.175.020.B.2 when an existing land use is changed to another land use that requires the same or fewer parking spaces than are required for the existing use, no additional automobile parking spaces shall be required. Since the parking for the proposed conversion of Unit #1 from residential to nonresidential will not increase the number of parking spaces required for the site, no additional parking is required. The existing single-car garage will remain on site, but is for use by the remaining residential unit on-site. Two bicycle parking spaces are required for the short-term rental and would be provided in a screened location.

2. INTERIOR SETBACK MODIFICATION

Short-term rentals, otherwise known as vacation rentals, are considered a hotel as defined in SBMC §30.295.040.P: an establishment providing overnight accommodations, for a period of 30 consecutive calendar days or less, to transient patrons for payment. The site is currently developed with two residential units, detached from one another, and a single car garage; both residences and the garage are also considered nonconforming to required interior setbacks. The project involves converting the existing 815-square-foot single-story one-bedroom residential unit (Unit #1) at the front of the property to a short-term rental (hotel), to be rented as one hotel unit. Unit #1 is nonconforming because the building is set back 3'-10 ½" from the interior lot line and therefore encroaches into the required 6'-0" interior setback. Alterations that change the land use of a development are allowed provided the alteration does not change the land use of a structure located in the setback from residential to nonresidential. Because hotels are considered a nonresidential use, a Modification is required for the conversion as the building is proposed to remain in its current location. The Ordinance provides exceptions for conversion from residential to nonresidential when nonconforming to an interior setback for some uses, specifically, a Community Garden, Live-Work Unit, Market Garden, or Neighborhood Market, because in general these uses are restricted by specified standards, conditions, and criteria that make the use more likely to be compatible with a residential neighborhood; however, the project does not meet these exceptions. Additionally new nonresidential development would require interior setbacks of 12 feet.

The project site is zoned R-MH, which is a zone intended to provide areas for multi-unit housing types and does allow hotels and similar establishments. It is also the intent of the zoning district to preserve the residential character of neighborhoods that are still primarily residential and control activities which would tend to be inharmonious with housing. In general, the neighborhood character is comprised of residential and multi-unit residential. The site is adjacent to a property developed with multi-unit residential, and a mixed-use property comprised of multi-unit residential and a small market (Little Corner Store) and abuts Mission Creek. The applicant cited site constraints, specifically that the existing buildings on the property are existing nonconforming (constructed ~1935), and the proximity to Mission Creek at the rear which limits the developable envelope. Additionally, removal of the encroachment would present a hardship as it represents an entire length of the building.

Staff is not in support of the requested modification to allow the conversion of Unit #1 from residential to nonresidential in the required 6'-0" interior setback. Although the structure is nonconforming, the conversion creates a potential for a conflict of uses within proximity to each other, given that the neighborhood is predominantly comprised of residential, and the rooms that encroach in Unit #1 consist of the kitchen and living room, which generally are active spaces. However, the area of encroachment is enclosed and with the narrow setback it is unlikely that patrons will congregate in the side yard setback. It should be noted that there is some separation from 715 Bath Street, as that property contains a driveway immediately next to the lot line of 711 Bath Street, and some hedging but no fencing for additional privacy or screening in this location.

VI. ENVIRONMENTAL REVIEW

The project site is located within an area of archaeological sensitivity; however, because the project involves no ground disturbance associated with the conversion from residential to nonresidential, staff would recommend a standard condition regarding the unanticipated discovery of archaeological resources to be printed on the building permit plan set prior to permit issuance, if the project is approved.

Staff has determined that the project would qualify for an exemption from further environmental review under Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines, which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Based on review of the project, there would be no significant project-specific or cumulative impact on the environment due to unusual circumstances, the project does not have the potential to damage scenic highways or historic resources, and the project site is not identified as a hazardous waste site. None of the exceptions to the exemption under CEQA Guidelines Section 15300.2 apply.

However, staff is recommending denial of the project, and therefore CEQA Section 15270 [Projects Which Are Disapproved] would be more appropriate if the Staff Hearing Officer concurs with staff's recommendation.

VII. RECOMMENDED FINDINGS

The Staff Hearing Officer finds the following:

A. ENVIRONMENTAL REVIEW (CEQA GUIDELINES AND SBMC CH. 22.100)

Per CEQA Section 15270 [Projects Which Are Disapproved] CEQA does not apply to projects which a public agency denies.

B. INTERIOR SETBACK MODIFICATION (SBMC §30.250.060)

The Staff Hearing Officer finds that the Interior Setback Modification is not consistent with the purpose and intent of a setback to provide adequate buffering between adjacent land uses or the intent of the R-MH zoning district to preserve a residential character of those neighborhoods that are still primarily residential and creates the potential for a conflict of uses. The Ordinance provides exceptions to allow for the conversion from residential to nonresidential uses for specified uses, and the project does not meet those exceptions. Therefore, the finding that the modification is necessary to accomplish securing an appropriate improvement on the lot, to prevent unreasonable hardship, or result in development generally consistent with patterns of development cannot be met.

C. CONDITION OF APPROVAL

If approved, said approval is subject to a condition that the following language alerting to the possibility of archaeological discovery during ground disturbance be printed on building permit plans prior to permit issuance:

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 Archaeological Resources Consultant 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 or excavation activities, consultation or monitoring with a Barbareño Chumash representative from the most current City-Qualified Native American Site Monitors List.

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 Native American 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 Native American 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.

Exhibits:

- A. Project Plans
- B. Applicant's letter, dated October 16, 2023

Contact/Case Planner: Pilar Plummer, Associate Planner
(PPlummer@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 4551



City of Santa Barbara

STAFF HEARING OFFICER SPECIAL MEETING MINUTES JANUARY 17, 2024

8:30 A.M.
David Gebhard Public Meeting Room
630 Garden Street
SantaBarbaraCA.gov

STAFF:
Ellen Kokinda, Staff Hearing Officer
Kathleen Goo, Commission Secretary

CALL TO ORDER

Ms. Kokinda called the meeting to order at 8:30 a.m.

STAFF PRESENT

Ellen Kokinda, Staff Hearing Officer
Pilar Plummer, Associate Planner
Barbara Burkhart, Assistant Planner
Kathleen Goo, Commission Secretary

I. PRELIMINARY MATTERS

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

No requests.

B. Announcements and appeals.

Ms. Kokinda announced that on December 5, 2023, the Planning Commission denied the appeal and upheld the Staff Hearing Officer approval of the two interior setback modifications and open yard modification at 225 Equestrian Avenue.

C. Comments from members of the public pertaining to items not on this agenda.

No public comment.

II. PROJECTS

ACTUAL TIME: 8:32 A.M.

A. 725 WESTMONT ROAD

Assessor's Parcel Number: 013-102-007
Zoning Designation: RS-6 (Residential Single Unit)
Application Number: PLN2023-00284
Applicant: Miguel Estrada, Eastlake Design Group, LLC
Owner: James Thomas Kellis Jr.

The 7,569-square-foot site is currently developed with a 1,776-square-foot single-unit residence. The project consists of a request to permit the previous demolition of a 400-square-foot carport and trellis and to construct a new 418-square-foot detached garage.

The discretionary application under the jurisdiction of the Staff Hearing Officer at this hearing is:

- A. A Front Setback Modification to allow the garage to encroach into the front (south) setback. (SBMC §Table 30.20.030.A and SBMC §30.250.020).

The project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 [New Construction or Conversion of Small Structures] which allows for construction of new small structures, and SBMC Chapter 22.100. The project complies with all conditions of this exemption. In addition, none of the exceptions to the exemption under CEQA Guidelines Section 15300.2 apply.

Barbara Burkhart, Assistant Planner, gave the Staff presentation and recommendation.

Miguel Estrada, gave the Applicant presentation, and was joined by James Thomas Kellis Jr., Owner.

Public comment opened at 8:40 a.m., and as no one wished to speak, and no public comment was submitted, it closed.

Ms. Kokinda announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

ACTION: **Assigned Resolution No. 001-24**
Approved the Front Setback Modification, making the findings as outlined in the Staff Report dated January 3, 2024.

Said approval is subject to the condition that the exterior lighting on the front of the garage is shielded to avoid light trespass on other properties as revised at the hearing.

The ten calendar day appeal period to the Planning Commission was announced, and that the action is subject to suspension for review by the Planning Commission.

ACTUAL TIME: 8:52 A.M.

B. 711 BATH STREET

Assessor's Parcel Number: 037-073-010
Zoning Designation: R-MH (Residential Multi-Unit and Hotel)
Application Number: PLN2023-00269
Applicant: Amy Von Protz
Owner: David Chase, 711 Bath St. LLC

The 8,995-square-foot site is currently developed with two one-story residential units and a detached single-car garage. The project consists of converting the front, 815-square-foot residence (Unit #1) to a short-term rental (hotel use). The project would also address miscellaneous violations identified in ENF2023-00142, comprised of but not limited to plumbing, piping, electrical, installation of a water heater, and conversion of the garage to a laundry room without a permit; the garage is proposed to be returned to its original permitted condition.

The discretionary application under the jurisdiction of the Staff Hearing Officer at this hearing is:

- A. An Interior Setback Modification to allow for a change of use within the required 6'-0" side yard setback (SBMC §30.20.030.B and SBMC § 30.250.020).

The project qualifies for an exemption from further environmental review under Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines, which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. In addition, none of the exceptions to the exemption under CEQA Guidelines Section 15300.2 apply.

Pilar Plummer, Associate Planner, gave the Staff presentation and recommendation.

Amy Von Protz, Applicant, gave the Applicant presentation, and was joined by David Chase and Daniel Girdler, Applicants.

Public comment opened at 9:08 a.m., and as no one wished to speak, it closed.

Written correspondence from Sara Murdoch and Vanessa Rencher was acknowledged.

Ms. Kokinda announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Ms. Kokinda asked the applicants if they had shared the plans or received any feedback from the residents at the rear of the subject lot as they would likely be some of the most impacted by the conversion of Unit #1 to a short-term rental (non-residential use). The applicant team responded to Ms. Kokinda's question that they did not reach out directly to the residents as part of their due diligence. Ms. Kokinda continued the project one week and requested that the applicant share the proposed plans with the Unit #2 neighbors and ask for input on the proposed project.

ACTION:

Continue to the date-certain Wednesday, January 24, 2024 meeting.

III. ADJOURNMENT

Ms. Kokinda adjourned the meeting at 9:43 a.m.

Submitted by,

A handwritten signature in blue ink, appearing to read 'K. Goo', is written over a horizontal line. The signature is stylized and cursive.

Kathleen Goo, Commission Secretary



City of Santa Barbara

STAFF HEARING OFFICER

MINUTES

FEBRUARY 7, 2024

9:00 A.M.

David Gebhard Public Meeting Room
630 Garden Street
SantaBarbaraCA.gov

STAFF:

Ellen Kokinda, Staff Hearing Officer
Kathleen Goo, Commission Secretary

CALL TO ORDER

Ms. Kokinda called the meeting to order at 9:00 a.m.

STAFF PRESENT

Ellen Kokinda, Staff Hearing Officer
Kelly Brodison, Associate Planner
Pilar Plummer, Associate Planner
Kathleen Goo, Commission Secretary

I. PRELIMINARY MATTERS

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

No requests.

B. Announcements and appeals.

1. Announcement of Staff Hearing Officer approval of the Coastal Development Permit to allow a proposed development at 129 LAS ONDAS, (PLN2023-00396), APN 045-212-006, in the Non-Appealable Jurisdiction of the City's Coastal Zone Santa Barbara Municipal Code (SBMC) §28.44.060). The project consists of a 6,098 square foot parcel developed with a 1,320- square-foot, one-story residence and an attached 228-square-foot garage. The proposed project consists of an additional 675 square feet for an attached Accessory Dwelling Unit at the rear of the house. The resultant 2,223 square feet is 82% of the maximum allowed Floor to Lot Area Ratio.

The project is exempt from further environmental review under Sections 15301 [Existing Facilities] and 15303 and [New Construction or Conversion of Small Structures Facilities] of the California Environmental Quality Act (CEQA)

Guidelines, which allows for minor alterations to existing structures and construction of a second dwelling unit in a residential zone.

Pursuant to Santa Barbara Municipal Code §28.44.110, when a proposed development involves the addition of an Accessory Dwelling Unit to an existing single-family residence, the application shall be reviewed by the Staff Hearing Officer without a public hearing in accordance with subdivision (j) of Government Code Section 65852.2. The Staff Hearing Officer shall not issue a decision on the application until at least ten (10) calendars days after notice has been provided to the public. The Staff Hearing Officer may receive and consider written comments from the public, but without a public hearing. Said approval is subject to the conditions of approval as outlined in the Staff Report dated January 31, 2024. **Assigned Resolution No. 004-24.**

The Staff Hearing Officer's decisions concerning the above application for a Coastal Development Permit constitutes the final action of the City and is not appealable pursuant to Santa Barbara Municipal Code §28.44.110.C.

- C. Comments from members of the public pertaining to items not on this agenda.
No public comment.

II. CONSENT ITEM

ACTUAL TIME: 9:04 A.M.

A. **923 CASTILLO ST**

Assessor's Parcel Number:	039-301-014
Zoning Designation:	R-M (Residential Multi-Unit)
Application Number:	PLN2015-00468
Applicant:	Richard Redmond
Owner:	Taylor Tatman

This is a request for a one-year time extension for the Tentative Subdivision Map approved by the Planning Commission on February 13, 2020. The approved map was set to expire on February 13, 2024; a one-year time extension was granted on February 22, 2023. The applicant is requesting a second time extension until February 13, 2025.

The approved project consists of the construction of three two-bedroom condominium units with seven on-grade parking spaces on a vacant 9,040-square-foot lot (8,966 net square feet after sidewalk dedication) adjacent to Mission Creek. The proposed three-unit condominium project would be 14.57 dwelling units per acre (du/acre), which is consistent with the R-M (Residential Multi-Unit) Zone and with the General Plan Designation of Medium High Density Residential (15-27 du/acre).

The discretionary application approved for this project was a Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC Chapters 27.07 and 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15305, Minor Alterations in Land Use Limitations, which, as determined by the City Council, allows for extensions of time limits on approved projects where circumstances have not changed.

Public comment opened at 9:05 a.m., and as no one wished to speak, and no public comment was submitted, it closed.

ACTION:

Assigned Resolution No. 005-24

Approved the second one-year extension for the Tentative Subdivision Map until February 13, 2025, making the findings as outlined in the Staff Report dated January 31, 2024.

Said approval is not subject to appeal, but is subject to the original conditions of approval in Resolution No. 001-20.

III. CONTINUED ITEM CONTINUED FROM JANUARY 17, 2024

ACTUAL TIME: 9:06 A.M.

A. 711 BATH STREET

Assessor's Parcel Number:	037-073-010
Zoning Designation:	R-MH (Residential Multi-Unit and Hotel)
Application Number:	PLN2023-00269
Applicant:	Amy Von Protz
Owner:	David Chase, 711 Bath St. LLC

The 8,995-square-foot site is currently developed with two one-story residential units and a detached single-car garage. The project consists of converting the front, 815-square-foot residence (Unit #1) to a short-term rental (hotel use). The project would also address miscellaneous violations identified in ENF2023-00142, comprised of but not limited to plumbing, piping, electrical, installation of a water heater, and conversion of the garage to a laundry room without a permit; the garage is proposed to be returned to its original permitted condition.

The discretionary application under the jurisdiction of the Staff Hearing Officer at this hearing is:

- A. An Interior Setback Modification to allow for a change of use within the required 6'-0" side yard setback (SBMC §30.20.030.B and SBMC § 30.250.020).

The project qualifies for an exemption from further environmental review under Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines, which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Pilar Plummer, Associate Planner, gave the Staff presentation and recommendation, and clarified that it is at the discretion of the Staff Hearing Office to request separation or

fencing between the short-term rental unit from the back unit; however, any improvements beyond top-of-bank are prohibited, so returning that area to natural ground cover may be the extent of what may be possible for that area as past fencing was required to be removed.

David Chase, Agent, gave the Applicant presentation and identified that there were no concerns of the rear tenant and an adjacent neighbor related to the short-term rental. He noted that the rear tenant has been renting the unit for approximately one-month.

Ms. Kokinda announced that she reread the Staff Report for the proposed project and also visited the site again for a full site visit as she had only viewed the property from the public-right-of-way.

Public comment opened at 9:13 a.m., and as no one wished to speak, and no public comment was submitted, it closed.

Prior written correspondence from Sara Murdoch and Vanessa Rencher were acknowledged at the original review hearing.

Ms. Kokinda noted that the City Ordinance provides exceptions for conversion from residential to non-residential lots when there exists a non-conforming interior setback that must meet certain standard criteria and conditions; however, this project does not meet the allowed exceptions. After going out and reviewing the site twice more, Ms. Kokinda observed the lot seems like a large parking lot (with at least four designated unit spaces) with no clear separation or distinction between the residential unit in the rear and the proposed short-term rental unit in the front. The whole site appeared that it could be and has been used to provide parking, and the plans do not sufficiently address that concern. She noted that there were no additional site improvements proposed such as landscaping or other exterior improvements that secure an appropriate improvement on the lot and that this site had no pre-existing Architectural Board of Review-approved landscape plan.

Therefore, Ms. Kokinda was unable to make the required findings that the modification is necessary to accomplish securing an appropriate improvement on the lot, that an unreasonable hardship exists due to the physical characteristics of the lot, or that the modification is consistent with the purpose and intent of a setback to provide adequate buffering between adjacent land uses, nor does it meet the intent of the R-MH zoning district to preserve a residential character of those neighborhoods that are still primarily residential.

ACTION: **Assigned Resolution No. 006-24**
Denied the Interior Setback Modification, making the determinations as outlined in the Staff Report dated January 3, 2024.

The ten calendar day appeal period to the Planning Commission was announced, and that the action is subject to suspension for review by the Planning Commission.

IV. PROJECT**ACTUAL TIME: 9:30 A.M.****A. 401 W. LOS OLIVOS STREET**

Assessor's Parcel Number: 025-221-006
Zoning Designation: R-M (Residential Multi-Unit)
Application Number: PLN2023-00328
Applicant: Jarrett Gorin, Vanguard Planning Inc.
Owner: Dan Smith, Leeward Holdings LLC

The 18,628-square-foot site is currently developed with an 18-unit two-story apartment complex and two Accessory Dwelling Units. The project consists of a proposal to construct a 146-square-foot trash enclosure on a 252-square-foot concrete pad at the front of the property, adjacent to the existing surface parking lot.

The discretionary applications under the jurisdiction of the Staff Hearing Officer at this hearing are:

- A. A Front Setback Modification to allow the trash enclosure to be 2'-7" from the front lot line (SBMC §30.20.030.B and SBMC §30.250.020); and
- B. An Interior Setback Modification to allow the trash enclosure to be 1'-1" from the interior lot line (SBMC §30.20.030.B and SBMC §30.250.020).

The project qualifies for an exemption from further environmental review under Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines, which allows for the construction of an accessory structure, such as a waste and recycling enclosure.

Pilar Plummer, Associate Planner, gave the Staff presentation and recommendation.

Jarrett Gorin, Vanguard Planning Inc., gave the Applicant presentation.

Public comment opened at 9:36 a.m., and as no one wished to speak, and no public comment was submitted, it closed.

Ms. Kokinda announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. She requested the applicant to assign the left gate (furthest from the front property line) as the primary access door of the trash enclosure to avoid the right access gate posing sidewalk visibility issues or potentially blocking access in and out of the driveway.

ACTION: **Assigned Resolution No. 007-24**
Approved the Front Setback Modification, and Interior Setback Modification, making the findings as outlined in the Staff Report dated January 31, 2024.

Said approval is subject to the condition as revised at the hearing.

The ten calendar day appeal period to the Planning Commission was announced, and that the action is subject to suspension for review by the Planning Commission.

V. **ADJOURNMENT**

Ms. Kokinda adjourned the meeting at 9:45 a.m.

Submitted by,



Kathleen Goo, Commission Secretary



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 006-24 711 BATH STREET MODIFICATION FEBRUARY 7, 2024

711 BATH STREET

Assessor's Parcel Number: 037-073-010
Zoning Designation: R-MH (Residential Multi-Unit and Hotel)
Application Number: PLN2023-00269
Applicant: Amy Von Protz
Owner: David Chase, 711 Bath St. LLC

The 8,995-square-foot site is currently developed with two one-story residential units and a detached single-car garage. The project consists of converting the front, 815-square-foot residence (Unit #1) to a short-term rental (hotel use). The project would also address miscellaneous violations identified in ENF2023-00142, comprised of but not limited to plumbing, piping, electrical, installation of a water heater, and conversion of the garage to a laundry room without a permit; the garage is proposed to be returned to its original permitted condition.

The discretionary application under the jurisdiction of the Staff Hearing Officer at this hearing is:

- A. An Interior Setback Modification to allow for a change of use within the required 6'-0" side yard setback (SBMC §30.20.030.B and SBMC § 30.250.020).

The project qualifies for an exemption from further environmental review under Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines, which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. In addition, none of the exceptions to the exemption under CEQA Guidelines Section 15300.2 apply.

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, and the following exhibits were presented for the record:

1. Staff Report with Attachments, Wednesday, January 3, 2024.
2. Site Plans
3. Prior correspondence received:
 - a. Sara Murdoch
 - b. Vanessa Rencher

NOW, THEREFORE BE IT RESOLVED that:

- I.** The City Staff Hearing Officer denied the subject application, making the following findings and determinations:
- A. ENVIRONMENTAL REVIEW (CEQA GUIDELINES AND SBMC CH. 22.100)**
Per CEQA Section 15270 [Projects Which Are Disapproved] CEQA does not apply to projects which a public agency denies.
- B. INTERIOR SETBACK MODIFICATION (SBMC §30.250.060)**
The Staff Hearing Officer finds that the Interior Setback Modification is not consistent with the purpose and intent of a setback to provide adequate buffering between adjacent land uses or meet the intent of the R-MH zoning district to preserve a residential character of those neighborhoods that are still primarily residential and creates the potential for a conflict of uses. The Ordinance provides exceptions to allow for the conversion from residential to nonresidential uses for specified uses, and the project does not meet those exceptions. Therefore, the finding that the modification is necessary to accomplish securing an appropriate improvement on the lot, to prevent unreasonable hardship, or result in development generally consistent with patterns of development cannot be met.

This motion was passed and adopted on the 7th day of February 2024 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, Commission Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. 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.