APPLICATION OF MARK MORANDO, DESIGNER FOR BRUCE BIVENS AND LESLIE BRUECKNER, 1127 BATH STREET, APN 039-212-010, R-4 (HOTEL-Motel-MULTIPLY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION:HIGH DENSITY RESIDENTIAL (28-36 DU/ACRE) (MST2016-00070)

On August 31, 2016, the Staff Hearing Officer approved an Interior Setback Modification located two feet from the interior setback on the site. The decision of the Staff Hearing Officer has been appealed by the applicant and this hearing is for the Planning Commission to consider the appeal. The 6,026 square foot site is currently developed with a 1,100 square foot, single family dwelling, a detached 298 square foot, two-car garage, and a rear dwelling of 560 square feet. The proposed project involves the demolition of the existing garage and constructing a new, 480 square foot, two-car garage, as well as alterations to the existing rear deck, the infill of an exterior door out of the utility room, and to permit the as-built full bathroom in the utility room.

The discretionary application required for this project is an Interior Setback Modification to allow the proposed garage to encroach into the required 6-foot interior setback (SBMC §28.21.060 and SBMC §28.92.110)

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations)

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor or in opposition to the appeal, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 27, 2016.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission upheld appeal and denied the SHO’s decision to approve an alternate design located two feet from the property line subject to the conditions of approval specified in Staff Hearing Office Resolution 053-16.

I. Approved the subject application making the following findings and determinations:

   The Planning Commission finds that the Modification to allow the garage to encroach 5 feet, 11 inches into the required six foot interior setback is not consistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot, as the requested garage increases the amount of floor area in the interior setback adversely impacting the adjacent property.

II. Said approval is subject to the following revised conditions in Staff Hearing Officer Resolution 053-16:

   A. The rear garage door shall be subject to approval by the Public Works Department.
B. The interior dimensions of the proposed garage shall be 20 feet by 20 feet.

C. Any runoff, including roof runoff, shall be retained onsite and the garage shall be setback at least the minimum distance required to accommodate the method of stormwater retention chosen by the applicant.

D. The Applicant shall demonstrate that they have access to use the adjacent parcel or that they demonstrate to the building official’s satisfaction that they have a construction methodology that does not require that access.

E. Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: 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. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. 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 the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

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

This motion was passed and adopted on the 3rd day of November, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6  NOES: 1 (Jordan)  ABSTAIN: 0  ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary  

Date  

11/17/16
PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.