



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 034-16 1547 SHORELINE DRIVE FRONT SETBACK MODIFICATION DECEMBER 8, 2016

APPLICATION OF TOM OCHSNER, ARCHITECT FOR DANNY AND SUSAN DUNCAN, 1547 SHORELINE DRIVE, APN 045-173-041, E-3/SD-3 ZONES, GENERAL PLAN AND LOCAL COASTAL LAND USE PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2016-00110)

On October 12, 2016, the Staff Hearing Officer approved a Front Setback Modification to allow the proposed garage to encroach two feet into the front setback. 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 22,795 square foot site is located in the appealable jurisdiction of the Coastal Zone and is currently developed with a 4,083 square foot, two-story single-family dwelling with a 564 square foot rear deck; a bluff-top deck with a 364 square foot accessory structure below; and a 516 square foot attached garage. The proposed project involves an exterior remodel of the existing residence, expansion of the existing rear deck by 220 square feet, and a 92 square foot expansion of the garage. The improvements to the existing residence are exempt from requiring a Coastal Development Permit.

The discretionary application for this project is a Front Setback Modification to allow the garage to expand into the required front setback (SBMC §28.15.060 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 of the application, or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 1, 2016
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Upheld the appeal and make the approval finding in the staff report, dated December 1, 2016, that the modification to allow the garage to encroach two feet into the required twenty foot front setback be changed to allow three feet of encroachment, and is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot as the requested garage will provide required covered parking spaces on the lot, and the expansion into the front setback will not adversely impact the visual openness of the streetscape due to its actual distance from Shoreline Drive. In addition, the irregularities of the lot with regard to the curvilinear front property line and the excess right-of-way in the front yard between the front property line and edge of the public sidewalk also contribute to additional visual openness that will not be sacrificed.

II. Said approval is subject to the following condition:

1. Standard discovery measures shall be implemented per the City's 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 8th day of December, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 2 (Lodge, Jordan) ABSTAIN: 0 ABSENT: 1 (Pujo)

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

1/12/17

Date

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.