



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 005-15  
11 GARDEN STREET  
MODIFICATION  
FEBRUARY 4, 2015

**APPLICATION OF JOE STENNETT, APPLICANT FOR CITY OF SANTA BARBARA, 11 GARDEN STREET, APN: 033-113-026, HRC-2/SD-3, HOTEL AND RELATED COMMERCE AND COASTAL ZONES, GENERAL PLAN DESIGNATION: OCEAN RELATED COMMERCIAL/ MEDIUM/HIGH RESIDENTIAL (15-27 DU/ACRE), LOCAL COASTAL PLAN LAND USE DESIGNATION: HOTEL AND RELATED COMMERCE (MST2014-00281)**

The 1.7 acre site is currently developed with the Santa Barbara Visitor Center building, restrooms and a parking lot. The proposed project is for a new eight-foot tall, 16 foot long information trellis/kiosk display structure and the relocation of bicycle parking in the Appealable Jurisdiction of the Coastal Zone. The Visitor Center is a designated Structure of Merit: Larco Building.

The discretionary application required for this project is a Front Setback Modification to allow the trellis/kiosk display structure within the required 10' front setback (SBMC § 28.22.060 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 15303 and 15305 (New Construction and Minor Alterations in Land Use Limitations).

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 29, 2015.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Kathy Janega-Dykes, Santa Barbara, CA.
  - b. Maggie Campbell, Santa Barbara, CA.
  - c. Annmarie Rogers, Santa Barbara, CA.

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:


- I. Approved the requested Front Setback Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed information trellis/kiosk display structure in the front setback is appropriate because the structure is consistent with the visitor-serving uses in the HRC-2 Zone, the structure will not have a significant impact to the Historic Resource and as the placement of the structure will minimize impacts to pedestrian circulation while providing adequate access to and around the structure.
  
- II. Said approval is subject to the following conditions:
  - A. The bicycle hitching post(s) shall be replaced, subject to review and approval by the Public Works Department.
  - B. The lighting for the structure and the digital display shall comply with the City's Outdoor Lighting Guidelines.
  - C. Any audio associated with the structure shall not exceed 65 dB, measured at the nearest property line, between the hours of 7:00 a.m. and 10:00 p.m. and 55 dB, measured at the nearest property line, between the hours of 10:00 p.m. and 7:00 a.m.
  - D. Any work proposed in the public right-of-way is subject to review and approval by the Public Works Department.
  - E. A Sign permit shall be obtained for the structure, subject to review and approval by the Sign Committee.
  - F. The following language shall be added to the plans submitted for building permit.


“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance.

This motion was passed and adopted on the 4<sup>th</sup> day of February, 2015 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

  
\_\_\_\_\_  
Kathleen Goo, Staff Hearing Officer Secretary

  
\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Historic Landmarks Commission (HLC)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.