



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 028-15  
101 E. CABRILLO BLVD.  
MODIFICATIONS  
MAY 27, 2015

**APPLICATION OF CRAIG BURDICK, ARCHITECT FOR ANTHONY T. SCHRILLO REVOCABLE TRUST, 101 E. CABRILLO BLVD., APN: 033-113-004, HRC-2 (HOTEL AND RELATED COMMERCE), SD-3 (COASTAL) ZONES, GENERAL PLAN DESIGNATION: OCEAN-RELATED COMMERCIAL/MEDIUM HIGH DENSITY RESIDENTIAL (MST2014-00081)**

The 0.71 acre site is currently developed with a restaurant (The FisHouse) located at the corner of Anacapa Street and Cabrillo Boulevard. The proposed project is to construct a new 345 square foot trellis over an existing wall enclosure for the outdoor patio seating area along Anacapa Street in the Appealable Jurisdiction of the Coastal Zone.

The discretionary application required for this project is a Modification to allow a new trellis to be located within the 10-foot front building setback on Anacapa Street (SMBC §28.22.060 and 28.92.110).

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

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

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

1. Staff Report with Attachments, May 21, 2015.
2. Site Plans


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


- I. Approved the subject application making the following findings and determinations that the Front Setback 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 trellis is appropriate because it will provide shade for the existing outdoor dining area and because it is consistent with the visitor-serving amenities for the restaurant without detracting from the waterfront area's desirability as a place to visit.
- II. Said approval is subject to the following conditions:
  - A. The unpermitted shipping containers in the landscaped area of the parking lot shall be removed from the property or permits shall be obtained for the shipping containers.
  - B. The approved outdoor seating plan shall be provided at building permit submittal.

- C. The unapproved umbrellas for the outdoor seating area along Anacapa Street are subject to review and approval by the Historic Landmarks Commission.
- D. The area under the trellis shall not be altered or enclosed by any material (walls, plexi-glass, glass, windows, etc.) without further City review and approval.
- E. In accordance with Staff Hearing Officer Resolution No. 015-12, the existing juniper bushes in the parkway strip along Anacapa Street shall be removed and replaced with new landscaping subject to review and approval by the Historic Landmarks Commission.

This motion was passed and adopted on the 27<sup>th</sup> day of May, 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 Landmark 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.