



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 038-15 1187 COAST VILLAGE ROAD MODIFICATION JULY 8, 2015

**APPLICATION OF HEIDI JONES, APPLICANT FOR H&R INVESTMENTS,  
1187 COAST VILLAGE ROAD, APN 009-291-008, C-1/SD-3 ZONES, GENERAL PLAN  
DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL 15-27 DU/ACRE  
(MST2015-00118)**

The 1.1 acre parcel, located in the Non-Appealable Jurisdiction of the Coastal Zone, is currently developed with 17,868 square foot two-story commercial building and an existing 61 space parking lot. The proposed project consists of site work including adding a total of 709 square feet of new decks and outdoor dining areas, remodeling the outdoor stairs, decks, and patios, removal of an existing landscaping area for the expansion of the lower level outdoor patio/dining area, and a revised site landscape plan. Other site improvements include alterations to the existing driveway (at the northeast portion of the parcel) to reduce the slope, requiring 80 cubic yards of imported fill and replacement of approximately 94 linear feet of an existing retaining wall.

The discretionary applications required for this project is a Front Setback Modification to allow new construction within the required 10-foot front setback (SBMC § 28.63.060 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 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, July 2, 2015.
2. Site Plans

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

- I. The Staff Hearing Officer finds 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 deck is appropriate because it is a site improvement that does not add building mass, and will retain the visual appearance of the setback while maintaining the character of the neighborhood and addressing the slope topography of the existing site.

II. Said approval is subject to the following conditions:

- A. The proposed decks shall be setback a minimum of 18-inches from the public sidewalk and this setback area shall be landscaped.
- B. The applicant shall apply for a Tree Removal Permit from the Parks & Recreation Department for the proposed removal of the trees within the required front setback. If the Tree Removal Permit is denied, the project shall be revised to save and protect the trees within the front setback.

This motion was passed and adopted on the 8<sup>th</sup> day of July, 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 **Architectural Board of Review (ABR)** 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.