

City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 046-15 1308 N. SALSIPUEDES STREET MODIFICATIONS AUGUST 19, 2015

APPLICATION OF THOMPSON NAYLOR ARCHITECTS FOR SEREBOFF FAMILY TRUST, 1308 NORTH SALSIPUEDES STREET, APN: 029-092-010, R-2 (TWO-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (12 DU/ACRE) (MST2015-00234)

The 3,200 square foot site is currently developed with an 818 square foot, one-story single-family residence and a detached 260 square foot, one-car garage with a workshop area. The proposed project includes demolition of the existing garage and workshop area, construction of a new 233 square foot, one-car garage, a new 188 square foot, one-story addition, raising the height of the roof, window alterations, a new driveway, a new fence, gate and retaining wall, and associated grading. The proposal will address violations outlined in a Zoning Information Report (ZIR2013-00173). This property is a contributing historic resource to the potential Bungalow Haven Historic District and in the Lower Riviera Special Design District.

The discretionary applications required for this project are:

1. Open Yard Modification of the location of the open yard area and/or to reduce the size of the required open yard area (SBMC §28.18.060 and §28.92.110); and
2. Interior Setback Modification to allow window alterations and an increased roof height in the required six-foot interior setback to the east (SBMC §28.18.060 §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, August 13, 2015.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Dan and Sheryl Wheeler, Santa Barbara, CA.
 - b. Christy Barnes Jones, Santa Barbara, CA.
 - c. Melanie Bennett Brewer, Santa Barbara, CA.

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

- I. Approved the requested Open Yard Modification and Interior Setback Modification making the findings and determinations that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed new window and increased plate height in the interior setback are appropriate because they are not anticipated to adversely impact the adjacent neighbors as the proposed alterations are adjacent to the neighbor's driveway and are screened from view by an existing hedge and will result in a cohesive design to the existing dwelling. In addition, the resulting open yard area on the small lot with a single-family residence is appropriate because the resulting open yard area is useable by the residents.

- II. Said approval is subject to the following conditions:
 - A. The violations outlined in ZIR2013-00173 shall be abated as part of this permit and shall be included in the Scope of Work.

 - B. A Parking Design Waiver for the garage doors shall be obtained from the Public Works Department.

 - C. The demolition of the garage shall not result in exposed framing of the attached neighboring garage/s exterior walls. The exterior walls of the adjacent neighbors garages where previously attached shall be improved to provide exterior materials to match existing. Review by the Historic Landmarks Commission will be required if necessary.

 - D. The applicant shall work with the City's Urban Historian to determine the feasibility of moving the proposed garage closer to Salsipuedes Street to provide more useable open yard area to the rear of the site without impacting the historic fabric of the site. The project plans shall be revised to incorporate the finding of the City's Urban Historian.

 - E. The applicant shall submit a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all ground-disturbing activities associated with the project, including but not limited to grading, excavation, trenching, vegetation or paving removal and ground clearance in the areas identified in the Phase 1 Archeological Resources Report and Addendum Report prepared for the site by Heather Macfarlene, M.A., RPA, Archaeologist, dated May 19, 2015 and May 19, 2015. The contract shall be subject to the review and approval of the Environmental Analyst.

The archaeologist's monitoring contract shall include the following provisions:

The archaeologist shall monitor all ground disturbing activities associated with the project, including, but not limited to grading, excavation, trenching, vegetation or paving removal and ground clearance in the areas identified as archeologically sensitive.

The following information shall be printed on the site plan:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and 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, should resources prove to be Native American in origin.

Appropriate management recommendations may include a standard Phase 2 archeological evaluation of the find, which in the case of foundation remains may include hand and/or mechanical excavations to trace foundations, documentation of their layout and construction and analysis of any associated artifacts. Should the Phase 2 evaluation determine the historic structure or site to be eligible for listing in the California Register of Historical Resources (Pub. Res. Code 5024.1, Title 14 CCR, Section 4850 et seq. [Criterion D]), and the structure or site cannot be feasibly avoided, Phase 3 data recovery may be required.

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 Planning Division 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 Planning Division grants authorization.

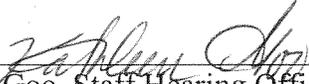
Should monitoring during grading operations indicate that the project area is devoid of archaeological resources, no further monitoring work in the parcel shall be required.

Prior to issuance of the Certificate of Occupancy (Final Inspection), the owner of the Real Property shall complete the following: A final report on the results of all archaeological investigations including monitoring shall be submitted to the Environmental Analyst within 180 days of completion of the monitoring and prior to issuance of the Certificate of Occupancy (Final Inspection), whichever is earliest.

Any significant artifacts collected during monitoring or archeological excavations shall be curated at the most appropriate curation facility. Local facilities include Santa Barbara Natural History Museum Archeological Collections or the University of California, Department of Anthropology, Repository for Archaeological and Ethnographic Collections.

This motion was passed and adopted on the 19th day of August, 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

8/19/15

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.