



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 004-16 1425 MISSION RIDGE ROAD MODIFICATIONS JANUARY 20, 2016

APPLICATION OF TOM OSCHNER, ARCHITECT FOR RC STEINER LIVING TRUST, 1425 MISSION RIDGE ROAD, APN: 019-103-023, A-2 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 2 DU/ACRE) (MST2015-00474)

The 1.92-acre site is currently developed with a 3,374 square foot single-family residence and an attached 526 square foot two-car garage. The proposed project involves demolition of the existing single family residence and garage, construction of a new two-level single family residence comprising a 4,390 square foot main level, a 3,660 square foot basement, a 550 square foot attached two-car garage, a 704 square foot detached three-car garage, and a 480 square foot detached accessory building. The project also includes a new 512 square foot pool, landscaping, a terrace, and 2,400 cubic yards of grading, of which 600 cubic yards will be exported off site. The proposed total of 9,790 square feet (of which 7,960 square feet applies to the floor-to-lot area ratio) is 145% of the guideline maximum floor-to-lot area ratio (FAR). The proposal requires a determination of Substantial Conformance with the Staff Hearing Officer approval of October 22, 2008. This project will address a violation in a Zoning Information Report (ZIR2015-00057).

The discretionary applications required for this project are:

1. A Modification to allow the total garage floor area to exceed the maximum allowable size of 750 square feet (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Modification to allow the detached accessory building to be located within a front yard (SBMC § 28.87.170 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 in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 14, 2016.
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:
 1. The Staff Hearing Officer finds that the Modification to allow the total garage floor area to exceed 750 square feet is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed garage floor area is appropriate because the parcel size is large for the A-2 zone, it will provide additional covered parking on the site that meets the setback requirements and it is not anticipated to adversely impact the adjacent neighbors or the visual openness of the street frontage.
 2. The Staff Hearing Officer finds that the Modification to allow detached accessory space to be located within the front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed accessory space is appropriate because the existing site constraints and that the proposed accessory space is low profile and will not significantly obstruct the public view corridor of the ocean and City from Mission Ridge Road and Franceschi Park.
- II. Said approval is subject to the following conditions:
 1. A Substantial Conformance determination with the SHO approval of October 22, 2008, shall be obtained for the project.
 2. The violation outlined in ZIR2015-00057 shall be abated as part of this permit and shall be included in the Scope of Work.
 3. The location of the mechanical equipment for the pool shall be shown on the site plan to meet the required setbacks and the pool equipment shall comply with the City's Noise Ordinance requirements.
 4. If required, a permit shall be obtained from the Parks and Recreation Department for the removal of the tree in the required front setback.
 5. The hobby shop shall not be used as a garage.
 6. An Arborist Report shall be obtained from a certified Arborist and approved by the Planning Division for any proposed construction located in close proximity to the existing Oak Trees on site. The recommendations of the Arborist Report shall be implemented and included on the plans submitted for a building permit. If the submitted Arborist Report requires monitoring of the project by a qualified arborist during construction activities, the following additional conditions shall apply:
 - a. Prior to the issuance of any permit for the project the Owner shall submit, for review and approval by the Planning Division, an executed contract with a qualified arborist for monitoring of all excavation and grading work near trees during construction. The contract shall include a schedule for the arborist's presence during grading and construction activities, and is subject to the review and approval of the Planning Division.

- b. Prior to issuance of the Certificate of Occupancy or final Building Inspection, the Owner of the Real Property shall submit to the Planning Division a final tree monitoring report with the findings of the monitoring activities including additional recommendations that were carried out in the field during excavation and grading work near trees.

- 7. The applicant shall have the Single Family Design Board review the proposed project for conformance with Condition II.B.5 contained in the Staff Hearing Officer's Resolution No. 082-08 to maintain the view corridor from Franceschi Park near the intersection of Mission Ridge and Franceschi Roads. This could be achieved by requiring the reduction of the massing and height of new structures and relocating the proposed three-car garage.

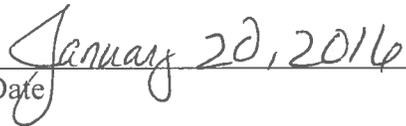
- 8. The Oak Tree that was located between the existing garage and Mission Ridge Road and indicated as remaining on the plans reviewed by the Staff Hearing Officer on October 22, 2008 shall be replaced on a 3 to 1 basis.

This motion was passed and adopted on the 20th day of January, 2016 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.



Julie Rodriguez, Planning Commission 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 Single Family Design Board (SFDB) 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.