



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 072-16
1032 SANTA BARBARA STREET
MODIFICATION
NOVEMBER 9, 2016

APPLICATION OF DAVID WATKINS, AGENT FOR DAVID P. MEYERS, 1032 SANTA BARBARA ST, APNS 029-212-002 & 029-212-024, C-2 (COMMERCIAL) ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH DENSITY RESIDENTIAL (MAX: 28-36 DU/AC)/PRIORITY HOUSING OVERLAY (MST2016-00071)

The proposal is a mixed-use project using the Average Unit Density (AUD) Program (Priority Housing Overlay) on two lots totaling 7,908 square feet, with a density of 48 dwelling units per acre (du/ac). The project is proposed as a three-story building with eight (8) units and 1,369 square feet of nonresidential development, and 11 covered parking spaces. The units will include seven (7) two-bedroom units and one (1) studio unit, with an average unit size of 970 square feet. An existing one-story office building and a one-story single-family residence are proposed to be demolished. A Voluntary Lot Merger to merge parcels APN 029-212-002 and APN 029-212-024 to create a single lot will be required.

The discretionary application required for this project is an Outdoor Living Space Modification to allow development of a dwelling unit in a multi-family residential project without providing the required private outdoor living space (SBMC §28.21.081 and §28.92.110);

The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183.

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 nor in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 27, 2016.
2. Site Plans

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

- I. Approved the subject application making the finding and determination that the Outdoor Living Space Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The Modification will allow the development of an additional dwelling unit, consistent with the goals of the General Plan and AUD Program. Although the mirador balcony does not qualify as private outdoor living space, Staff finds that the balcony's design with operable screens allows the space to serve a substantially similar function. The screening of the balcony on the west elevation will also protect

against exposure from the late afternoon sun. As the balcony fronts Santa Barbara Street, the modification does not pose adverse impacts to neighboring properties.

- II.** Said approval is subject to the condition that the mirador balcony shall not be enclosed with glass windows or walls, converted to conditioned space, or incorporated into the indoor living space without further review by the Planning Division for a determination of conformance with this approval.

This motion was passed and adopted on the 9th day of November, 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.



Jennifer Sanchez, Commission Secretary

11/10/16

Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission 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 a **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 Modification 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.

