



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 020-20
217 S VOLUNTARIO ST
MODIFICATION
DECEMBER 16, 2020

**APPLICATION OF MARK MORANDO, APPLICANT FOR FRANCISCO VASQUEZ,
217 VOLUNTARIO STREET, APN 017-260-016, R-M ZONE (MULTI UNIT RESIDENTIAL)
ZONE, GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL
(PLN2020-00436)**

The project consists of a proposal for a new multi-family development using the Average Unit Density Incentive Program (AUD). The project will include the demolition of an existing 691 square foot one story dwelling unit, 421 square foot detached garage, and 85 square foot shed, and the construction of a 2,204 square foot two-story duplex and a 2,854 square foot two-story triplex. The existing 1,072 square foot (3-bedroom) dwelling unit will remain and is proposed to be modified to a two-bedroom unit. The proposed unit mix will include, five 2-bedroom units and one 1-bedroom unit. The project will result in six dwelling units totaling 6,145 square feet, with an average unit size of 1,024 square feet. The proposed density on this 12,500 square foot parcel will be 21 dwelling units per acre on a parcel with a General Plan land use designation of Medium-High Density Residential, 15-27 dwelling units per acre. There will be a total of five parking spaces provided in attached garages totaling 1,088 square feet, and one uncovered space. Two fruit trees will be removed and new landscape, hardscape, fencing, and trash enclosures are proposed. Grading will consist of 140 cubic yards of excavation and 25 cubic yards of fill. This project will address violations identified in Zoning Information Report ZIR2015-00485.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is an Open Yard Modification to allow for open yard area that does not meet the minimum size requirements or standards and location requirements for single residential units (SBMC §30.140.140 and SBMC §30.250.030.B).

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, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 9, 2020
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:

A. ENVIRONMENTAL REVIEW (CEQA Guidelines §15183)

The project qualifies for an exemption from further environmental review under the California Environmental Quality Act Guidelines Section 15183, "Projects Consistent with a Community Plan or Zoning," based on the CEQA certificate of determination on file for this project.

B. OPEN YARD MODIFICATION

The Open Yard 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 open space provides approximately 1,170 square feet of open space that meets the minimum dimension of 10' x 10'. The project is divided into three separate buildings in lieu of one large building separating the mass and bulk of the project which promotes a sense of openness. Additionally, each unit will have Private Open Yard areas and the project adds four new rental units to the City's overall housing stock which is one of the long term goals of the City's General Plan.

II. Said approval is subject to the following conditions:

1. ***Permit Parking Program.*** Residents shall not participate in the Residential Permit Parking Program.
2. ***Unanticipated Archaeological Resources Contractor Notification.*** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to 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, etc.

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 Environmental Analyst 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 Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

This motion was passed and adopted on the 16th day of December, 2020 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.

Mary Ternovskaya

12/18/2020

Mary Ternovskaya, Commission Secretary

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 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 three (3) years from the date of the approval, per SBMC §30.205.120, unless:
 - a. A building permit for the construction authorized by the approval is issued within thirty six 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.