



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 049-21
1407 GILLESPIE STREET
MODIFICATION
OCTOBER 20, 2021

1407 GILLESPIE STREET, ZONE: R-2 (SINGLE UNIT RESIDENTIAL), LAND USE DESIGNATION: MEDIUM DENSITY RESIDENTIAL, APN: 039-023-008, PLN2021-00263, APPLICANT/OWNER: SARAH BRONSTAD/ZACHARY DALTON

The 3,850-square-foot site is currently developed with a 1,060-square-foot single-unit residence. The project proposal is to demolish an existing 159-square-foot one-car garage and construct a 169-square-foot Accessory Dwelling Unit (ADU) in the same location. The project also consists of permitting an as-built gate across the driveway and reducing the height of the existing hedges within the 10-foot visibility triangles adjacent to the driveway to 3.5 feet.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Required Distances Modification to reduce the required 5-foot building separation between the proposed detached ADU and the existing residence (SBMC §30.185.040.G.3 and SBMC §30.250.030.B).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Sections 15303 (New Construction or Conversion of Small Structures) and 15305 (Minor Alterations to 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 support or opposition thereto, the following exhibits were presented for the record:

1. Staff Report with Attachments, October 14, 2021.
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. REQUIRED DISTANCES MODIFICATION (SBMC §30.250.030.B and SBMC §30.250.060.F)

The Staff Hearing Officer finds that the Modification would secure an appropriate improvement on the lot and prevent unreasonable hardship due to the physical characteristics of the site or development, or other circumstances, including, but not limited to, topography, irregular property boundaries, or other unusual circumstance because the small lot size and unusual lot lines significantly limit any additions to or

expansion of the ADU footprint. Additionally, the proposed ADU is only slightly over the minimum floor area of 150 square feet required for an efficiency unit. The approximately 2-foot reduction of the building separation requirement will allow a modest 10-square-foot addition to the ADU to create an efficiency kitchen and make the interior space more functional. Lastly, ADUs contribute to the City's housing stock, and at 159 square feet, the proposed ADU will be affordable by design.

II. Said approval is subject to the following conditions:

- A. **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.

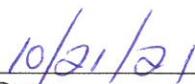
- B. **Plan Correction.** Prior to submittal for a Building Permit, the applicant shall remove the parenthetical reference to the total Nonconforming Open Yard of 546 square feet on Sheet A0.0.
- C. **Driveway Shade Structure.** The unpermitted shade structure located in the driveway shall be removed prior to issuance of any building permits for the project.

This motion was passed and adopted on the 20th day of October, 2021 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, 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. **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.
5. **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.