



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning &  
Development  
**Department No.:** 053  
**For Agenda Of:** April 5, 2022  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Lisa Plowman, Director (805) 568-2086  
Director(s)  
Contact Info: Travis Seawards, Deputy Director (805) 934-6559  
**SUBJECT:** Report on Case No. 21EMP-00000-00002: Emergency Permit to allow the installation of beams to support an existing patio on 6625 Del Playa Drive in the Goleta Community Plan area, Second Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and file this report on Emergency Permit Case No. 21EMP-00000-00002, approved by the Director of Planning & Development on October 29, 2021, which authorized the installation of three beams to support an existing patio that was in danger of falling onto the beach; and
- b) Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines Section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

Section 35-171 of the Article II Coastal Zoning Ordinance (CZO) authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of the CZO and issue an Emergency Permit when an emergency action is warranted. The nature of the emergency in this instance is that erosion of the coastal bluff face at 6625 Del Playa Drive caused an existing, permitted patio to hang over the bluff edge, and the unsupported patio could fall and potentially injure a person on

the beach below, creating an immediate threat to the health, safety, and public welfare for both the residents and the public.

The Emergency Permit was issued on October 29, 2021. The proposed project involves the temporary shoring of an exposed concrete edge beam along the bluff in Isla Vista. Two aboveground steel beams, partially cast in concrete, will be installed on the northern and southern portions of the project site's rear patio. The concrete portion of the beams are 16.5 feet in length by 3 feet wide, and the steel portion of the beams are 28.3 feet long. A third steel beam connects the two aforementioned beams perpendicularly to the existing concrete edge grade beam along the bluff. The new beams will provide support for the existing overhanging patio slab. This temporary shoring will be effective until the bluff erodes to the point that it can no longer support the proposed beams. The project is expected to take approximately 8 weeks to construct.

Pursuant to Article II Section 35-171.5.1, a notice was mailed to the surrounding property owners and residents. Additionally, one placard notice was placed on the subject property. Public comment by phone, email, and mail was accepted up until the date of the decision for the Emergency Permit project. P&D did not receive any public comment regarding the issuance of the Emergency Permit.

Pursuant to the Article II Section 35-171.5.3, an Emergency Permit does not constitute an entitlement to erect permanent structures, and an application for the applicable planning permit must be submitted within 30 days following the granting of the Emergency Permit. A Coastal Development Permit with a public hearing (CDH) is required in order to permit the work described in the Emergency Permit. The CDH application was submitted on July 23, 2021 (Case No. 21CDH-00000-00027), and staff is currently reviewing the application.

Issuance of the Emergency Permit was consistent with Article II, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare. The Department granted the Emergency Permit based on a statutory exemption (CEQA Guidelines Section 15269(a)) due to clear and imminent risk to life and property posed by the threat of the unsupported concrete patio due to coastal erosion and potential for the patio to fall injuring occupants or members of the public. A copy of the CEQA Exemption is included herein as Attachment 2.

Pursuant to Article II Section 35-171.6, the Director of P&D is required to report in writing to the Board of Supervisors and the California Coastal Commission the nature of the emergency and the work involved. This report satisfies that requirement.

**Background:**

The P&D Building and Safety (B&S) Division inspects cliff-side development in Isla Vista that overhangs the edge of the bluff and may pose a safety hazard to the public. P&D issued a Notice of Violation (NOV) on February 27, 2020 to the property owner of 6625 Del Playa Drive due to the existing dangerous condition created by the unsupported concrete patio. An additional NOV was issued on April 1, 2020. A Notice of Determination of Fine (NOD) was issued on September 1, 2020 because the property owner did not address the violation in a timely manner. These NOV's were issued under 20BDV-00000-00036.

The property owner proposed the installation of the three reinforced beams, which involves minimal ground disturbance and does not include the placement of any new structures on the bluff face. B&S reviewed the application and confirmed the need for the proposed work due to the imminent risk to life and property posed by the threat of collapse of the patio. The Emergency Permit application was accepted by P&D on August 27, 2021 and the permit was issued on October 29, 2021. The Building Permit (Case No. 21BDP-00000-00408) was issued on November 29, 2021.

**Fiscal and Facilities Impacts:**

**Budgeted:** County staff costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-adopted fee ordinance. The estimated total cost to process this Emergency Permit is approximately 20 staff hours, which equates to \$5,060.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on page D-301 of the County of Santa Barbara Fiscal Year (FY) 2021-22 adopted budget. Future permitting costs associated with this project will be borne completely by the applicant.

**Attachments:**

1. Emergency Permit 21EMP-00000-00002
2. CEQA Notice of Exemption

**Authored by:**

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Development Review Division, Planning and Development Department