

EMERGENCY PERMIT

15EMP-00000-00004



Coastal Zone:

Subject to the requirements of Section 35-171.2 of the Article II Coastal Zoning Ordinance and the policies of the Coastal Land Use Plan.

Case Name: Abedi - Apartment Building Partial Demolition
Case Number: 15EMP-00000-00004
Site Address: 6625 Del Playa Drive, Isla Vista
APN: 075-202-046
Applicant/Agent Name: Dawn Sherry / Sherry & Associates Architects
Owner Name: Aref "John" Abedi

South County Office
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2000

Energy Division
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2040

North County Office
624 W. Foster Road
Santa Maria, CA 93454
(805) 934-6250

BACKGROUND SUMMARY:

This property is located at 6625 Del Playa Drive, in Isla Vista. The property currently has an existing legal non-conforming multi-family dwelling. Non-conformance of the existing structures is in relation to: more bedrooms and less parking than allowed by current zoning; and bluff-top setback. The applicant has been working with both the Building & Safety and the Development Review Divisions of the Planning Department to find a solution to mitigate the hazardous portion of the existing patio, subterranean supports and the portion of the existing apartment building that are within 30 feet of the eroding bluff and beach area below. During the month of May 2015, a portion of the upper bluff sloughed off, exposing a portion of the underside of the backyard concrete patio. A wedge shaped portion (approximately 15 foot tall, 45 foot wide, and 3 feet depth) of the 30 foot high escarpment retreated landward. After the sloughing, the southwest corner of the apartment building was approximately 5 ½ feet from the coastal bluff edge. Previously this corner has been 8 ½ feet from the bluff edge. Per Santa Barbara County, Building & Safety Division rules, buildings less than 30 feet from a coastal bluff must undergo mitigation. On May 15, 2015, the property owner submitted an application for an Emergency Permit for the removal of the rear (seaward) 30 feet of the existing apartment building. The site was visited by the Building Engineer Inspector, and the Building Official determined that the site qualified for emergency permit status.

PERMIT APPROVAL:

This is to inform you that an Emergency Permit has been approved for:

The project involves only the emergency demolition (cutback) of approximately 770 sq. ft. of an existing 7371 sq. ft. (gross) apartment building that does not meet the bluff-top setback. The proposed project would entail the demolition of the rear (seaward) 30 feet of the lower and upper floors of the apartment building, and, the construction of a new end (seaward) exterior wall to structurally support and enclose the apartment building. Other than the rear (seaward) structural wall, no new construction or development is permitted as a part of this Emergency Permit. The parcel will continue to be served by the Goleta Water District, the Goleta-West Sanitary District, and the Santa Barbara County Fire District. Access to the site would continue to be off of Del Playa Drive. The property is a 0.3 acre parcel zoned SR-M-8 and shown as Assessor's Parcel Number 075-202-046, located at 6625 Del Playa Drive in the Isla Vista area, 3rd Supervisorial District, within the appeals jurisdiction of the Coastal Zone.

The Building and Safety Division has deemed the rear (seaward) portion of the existing apartment building to be substandard based upon endangerment to the safety and welfare to both the building occupants and the public on the beach area below. Without prompt action, further erosion of the coastal escarpment could further undermine portions of the surrounding soil and bluff top around the patio and apartment building grade beams. This situation represents a potential public safety hazard and a threat to both onsite property as well as the beach area below. Therefore, this situation constitutes an emergency in accordance with the applicable zoning ordinance indicated above and immediate action is warranted. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This permit is not valid until signed by the

owner/applicant and subsequently issued by the Planning and Development Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

Sincerely,

Alice McCurdy for

DIANNE BLACK
Assistant Director

APPROVAL DATE: May 26, 2015

OWNER/APPLICANT AGREEMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions of approval incorporated herein. The undersigned also acknowledges and agrees that:

- This Emergency Permit provides only temporary authorization for the proposed action and other applicable permits (such as a Conditional Use Permit, Coastal Development Permit, Land Use Permit, Building Permit) are required by law to validate the emergency work as permanent.
- Any evidence or findings contained herein, or upon which this permit relies, shall not constitute any limitation on the authority of the County of Santa Barbara to issue, grant, deny, rescind, or revoke this permit or any future permit(s) required for the activities described herein, or on the authority of the County of Santa Barbara to analyze, mitigate, or condition any future permit(s) required for the activities described herein.
- This permit does not authorize any work or construction activities outside of the scope of the project as indicated in the project description, conditions of approval and approved plans.
- This permit shall not be construed to authorize any violation of County ordinance or policy, or the violation of any State or Federal regulation.

Abedi M. Abedi
Print Name

M. G. Colled
Signature

05/26/15
Date

PERMIT ISSUANCE:

N.D. Doberneck
Print Name

ND
Signature

2015.05.26
Date

BACKGROUND:

Site

The apartment building is located on the seaward side of Del Playa Drive in the student-oriented community of Isla Vista. The subject lot is a narrow rectangle (approximately 50 ft. width and 250 ft. depth). Frontage is off of Del Playa Drive. The rear is a concrete patio extending to the fenced edge of the coastal bluff. Directly below the bluff, about 30 feet vertically, is a narrow sandy beach and the Pacific Ocean.

Background

The apartment building was originally constructed in 1968 pursuant to permit no. 42248, for what was listed in 1968 as Assessor's parcels 75-202-25 and 75-202-38, within an SR-2 zoning district. This permit allowed for the development of a 21 bedroom, two-story, 5 unit student-oriented apartment building, with 10 on-site parking spaces. Since 1968 through the present, the siting, mass, and bulk of the apartment building has been essentially static. The apartment building has received numerous building permits for interior repairs and tenant improvements associated with student housing refurbishment.

Natural Erosion & Safety

The natural process of beach creation in this area is primarily due to the natural erosion of the coastal bluff. As a result, over time the coastal bluff in Isla Vista erodes inland producing new beach material. These natural actions can result in safety concerns for structures in close proximity to the coastal bluff edge.

In April 2011, Building and Safety issued a general memorandum to all seaward property owners along Del Playa Drive. This memorandum informed property owners that the coastal bluff continues to be in a natural condition of perpetual retreat. Citing Santa Barbara County and State regulations and codes, there are advisory and mandatory setbacks from the coastal bluff.

Structures equal or greater than 15 feet from the coastal bluff receive advisory notice of coastal bluff erosion. For structures less than 15 feet from the coastal bluff, to be deemed fit for occupancy the property owner must select one of three approved solutions: 1) building cutback to 30 feet distance from bluff edge, or 2) remain in situ with comprehensive proof of geotechnical and structural assessment, or 3) structural foundation strengthening program.

Recent Activity

The apartment building at 6625 Del Playa Drive was 8 ½ feet from the coastal bluff when it received a Notice of Violation. The current owner, Mr. Aref Abedi, with assistance from his structural engineer and the Building & Safety Division, opted for solution #1, building cutback. The building would need to be remodeled to comply with a 30 foot setback from the bluff edge. The proposed project would allow for the demolition of the seaward portion of the building. Concurrently, the owner has applied for a permit to allow for an interior remodel of the structure and the construction of a new landward building element on the second floor, above the existing parking lot, in the 'dingbat' style.

FINDINGS OF APPROVAL:

1. The approval of this project shall not be held to permit or to be an approval of a violation of any provision of any County Ordinance or State Law.
2. In compliance with Section 35-171.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for an Emergency Permit the Director shall first make all of the following findings, as applicable:

- a. *An emergency exists and requires action more quickly than provided for by the procedures for permit processing, and the action will be completed within 30 days unless otherwise specified by the terms of the permit.*

As evaluated and determined by County Building & Safety staff, the current geologic condition of the bluff has created an potential risk of additional erosion and damage. Therefore, this situation constitutes an emergency in accordance with Section 35-171.5 of the Article II Zoning Ordinance and immediate action is warranted. The proposed actions would be completed within 30 days of commencement.

- b. *Public comment on the proposed emergency action has been reviewed.*

Time does not allow for public comment on the proposed actions since immediate action is warranted to preclude damage to the affected structures. Notice of this permit will be mailed to surrounding property owners. Processing of the Coastal Development Permit with Hearing required to validate the proposed demolition and subsequent remodel will provide opportunity for public review and appeal.

- c. *The action proposed is consistent with the requirements of the Coastal Land Use Plan and Coastal Zoning Ordinance.*

The project does not involve the construction of any new structure and is limited to removal of the rear (seaward) 30 feet of the lower and upper floors of the apartment building portion, for a demolition (cutback) of approximately 770 sq .ft. of an existing 7371 sq. ft. (gross) apartment building currently located at the edge of the bluff-top. Coastal Act Policy 30253 requires new development to “minimize risks to life and property in areas of high geologic . . . hazard” and “assure stability and structural integrity. . .” The proposed project would alleviate identified public safety hazards consistent with this policy. Thus, the proposed demolition and removal of unsafe structural elements adjacent to the bluff-face is consistent with the policies of the Coastal Land Use Plan and the requirements of the Article II Coastal Zoning Ordinance.

3. This action is not subject to the provisions of the California Environmental Quality Act, pursuant to State CEQA Guidelines Section 15269, statutory exemption for emergency projects.

EMERGENCY PERMIT CONDITIONS OF APPROVAL

1. This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director of Planning and Development may revoke this permit and all authorization for development. The decision of the Director to revoke the Emergency Permit may be appealed to the Planning Commission.

The project description is as follows:

The project involves only the emergency demolition (cutback) of approximately 770 sq. ft. of an existing 7371 sq. ft. (gross) apartment building that does not meet the bluff-top setback. The proposed project would entail the demolition of the rear (seaward) 30 feet of the lower and upper floors of the apartment building, and, the construction of a new end (seaward) exterior wall to structurally support and enclose the apartment building. Other than the rear (seaward) structural wall, no new construction or development is permitted as a part of this Emergency Permit. The parcel will continue to be served by the Goleta Water District, the Goleta-West Sanitary District, and the Santa Barbara County Fire District. Access to the site would continue to be off of Del Playa Drive. The property is a 0.3 acre parcel zoned SR-M-8 and shown as Assessor's Parcel Number 075-202-046, located at 6625 Del Playa Drive in the Isla Vista area, 3rd Supervisorial District, within the appeals jurisdiction of the Coastal Zone.

2. An application(s) for the required permits necessary to validate the emergency work as permanent shall be submitted by the applicant to the Planning and Development Department no later than 30 days following the issuance of this Emergency Permit. The permits required for the proposed emergency work include a Coastal Development Permit pursuant to Section 35-171.5.3 of the Article II Zoning Ordinance.
3. Any materials required for a completed application, as identified in the initial review of the original application required pursuant to Condition #2 above, shall be submitted within 90 days after written notification of the application deficiencies is provided to the applicant. This time period may be extended by the Director of Planning and Development.
4. Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director of Planning and Development. The work authorized by this permit must be commenced within 30 days of the date of issuance of the permit and completed within 30 days after the beginning of construction. If construction activities are proposed by the applicant to commence after 30 days, separate authorization by the Director of P&D is required.
5. This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.

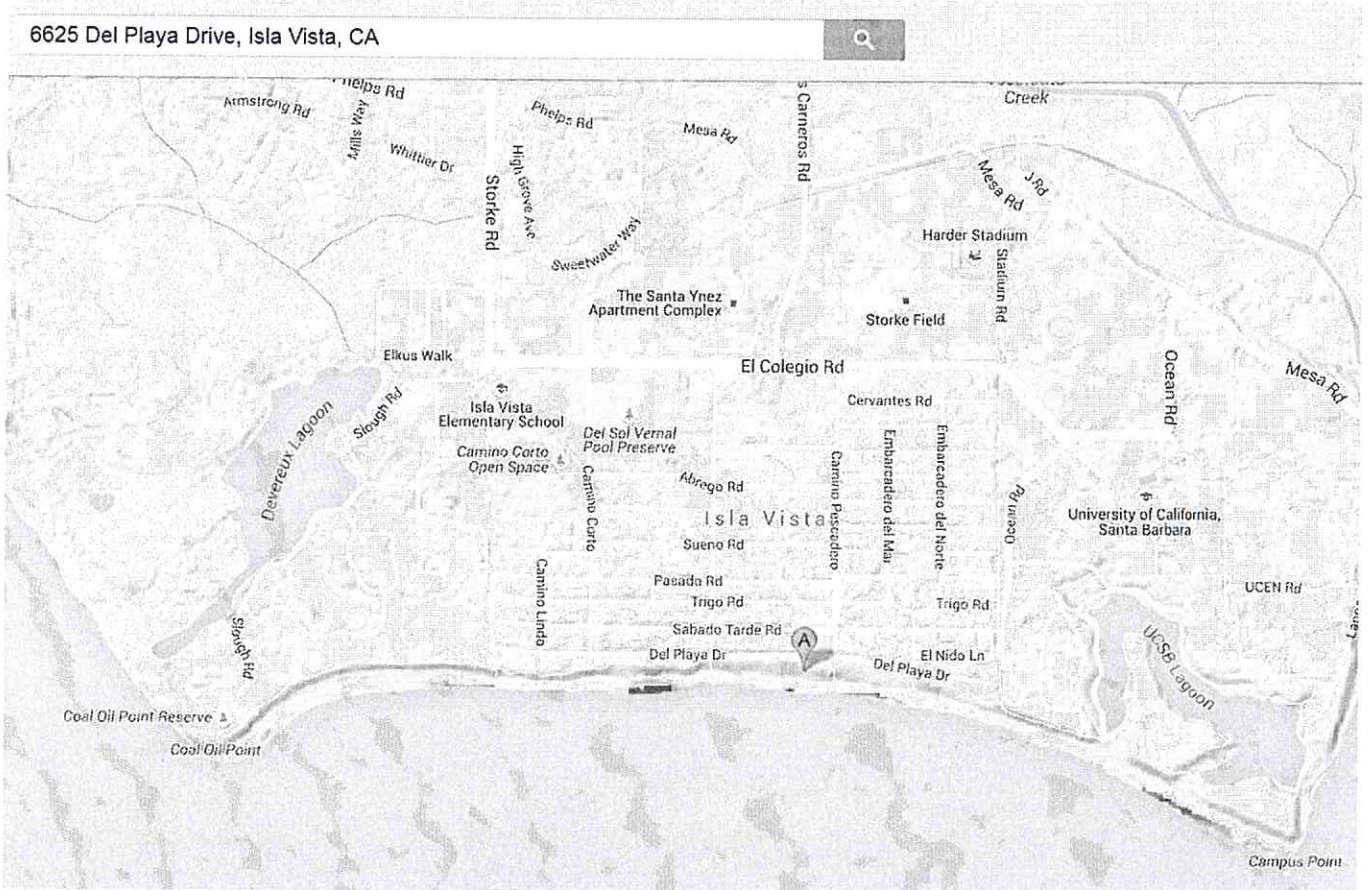
6. The Director of Planning and Development may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction.
7. All demolition debris shall be removed from the public beach area and the bluff-top portion of the property and disposed in a legal manner. During demolition activities, a monitor shall be stationed on the beach below in order to direct beach users away from the hazardous demolition area.
8. This Emergency Permit is not valid until signed by the applicant and subsequently issued by Planning and Development.

Attachments:

- A. Index Maps
- B. Site Plan

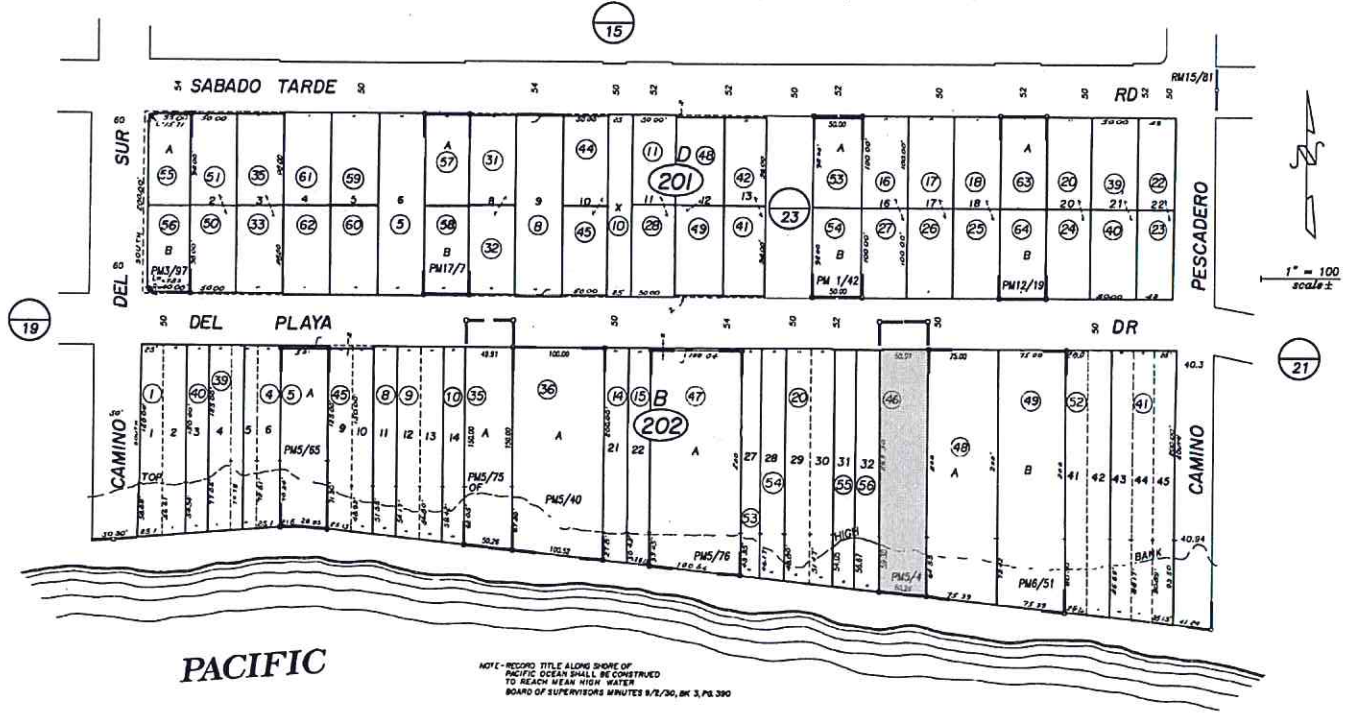
cc: Doreen Farr, 3rd District Supervisor
Dianne Black, Assistant Director, Planning & Development
Alice McCurdy, Deputy Director, Planning & Development
Eric Snyder, Building & Safety, Building Engineer Inspector
N.D. Doberneck, Planning & Development
Coastal Program Analyst, California Coastal Commission, 89 S. California Street, Ventura CA 93001

A. Index Map



POR. RANCHO LOS DOS PUEBLOS

075-20



NOTICE
 Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

OCEAN
 Assessor's Map Bk, 075-Pg, 20
 County of Santa Barbara, Calif.

11/10/1925 R.M. Bk. 15 , Pg. 81-83 , Tract "Isla Vista"

LD/07 37 into 55 & 56

B. Site Plan

