



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
(805) 568-2240

BOARD OF SUPERVISORS AGENDA LETTER

Department Name:
Planning and Development
Department Number:
053
Agenda Date:
July 7, 2026
Placement:
Departmental Agenda

Estimated Time:
30 min.
Continued Item:
No
If Yes, date from:
N/A
Vote Required:
Majority

TO: Board of Supervisors

FROM: Department Director(s): Lisa Plowman, Director, Planning and Development

DocuSigned by:
Lisa Plowman
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CONTACT: Travis Seawards, Deputy Director, Planning and Development

SUBJECT: Hearing to Consider the Applicant Appeal of the Director Incompleteness Determination for the Sandoval Quiel Revocable Living Trust – Accessory Dwelling Unit, Case Nos. 26CDP-00025 & 26APL-00009; First Supervisorial District

Concurrences:

County Counsel Concurrence:
As to form: Yes

Auditor-Controller Concurrence:
As to form: N/A

Other Concurrence:
As to form: N/A

Recommended Actions:

That the Board of Supervisors take the following actions:

- a) Deny the appeal, Case No. 26APL-00009;
- b) Determine and find that the application, Case No. 26CDP-00025, is Incomplete for the reasons discussed in this Board Letter; and

- c) Determine that the above recommended action is an administrative activity of the County that will not result in direct or indirect physical changes in the environment and is therefore not a “project” defined for the purposes of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15378(b)(5).

Summary Text:

Tyler Quiel (hereinafter Appellant) requests a hearing to consider Case No. 26APL-00009, an appeal of the Director’s decision to deem the application for the Sandoval Quiel Revocable Living Trust – Accessory Dwelling Unit (Case No. 26CDP-00025) Incomplete. The appeal was filed on May 4, 2026, in compliance with Government Code Section 66317(d). Staff reviewed the appeal and finds the issues raised are without merit. The appeal issues, along with staff’s responses, are outlined in this Board Agenda Letter, and support the recommended actions to deem the application (Case No. 26CDP-00025) Incomplete.

Discussion:

Proposed Project

The project is a request for a Coastal Development Permit to allow the as-built conversion of an existing 526-square-foot garage to an accessory dwelling unit. No grading is proposed. No trees are proposed for removal. The parcel is served by the Montecito Water District, the Carpinteria Sanitary District, and the Carpinteria-Summerland Fire Protection District. Access will continue to be provided off Serena Avenue. The property is a 0.52-acre parcel zoned 20-R-1 and shown as Assessor's Parcel Number 005-340-006, located at 3196 Serena Avenue in the Toro Canyon Plan area, First Supervisorial District.

Appeal Issues

On May 3, 2026, the Appellant filed an appeal of the Director’s determination to deem the Sandoval Quiel Revocable Living Trust – Accessory Dwelling Unit application (Case No. 26CDP-00025) Incomplete. The appeal issues and staff’s responses are discussed below.

- 1. The Appellant states that the Director’s determination to deem the application incomplete unlawfully imposes substantive and discretionary conditions on a ministerial accessory dwelling unit (ADU) approval, including off-site requirements to widen roads to neighboring properties.**

Staff Response: The County has not unlawfully imposed substantive and discretionary conditions on the ADU application. On April 23, 2026, staff sent the Appellant an Incompleteness Letter (Attachment B) determining the ADU application was Incomplete. The incompleteness items are discussed in detail in Appeal Issue 3, below. The incompleteness items requested by the Carpinteria-Summerland Fire Protection District (Fire District) and the Santa Barbara County Flood Control and Water Conservation District (Flood Control) include required information that is needed by each Department to determine that that application meets basic health and safety requirements, as permitted by State law.

No action has been taken to approve or deny the ADU application, nor have conditions been applied, and therefore, contrary to the Appellant’s claims, no substantive and discretionary conditions have been placed on the project.

2. The Appellant states that the application is for the recognition and legalization of an existing detached structure with a documented history as a habitable living unit prior to January 1, 2020, as an ADU. They state that the application is subject to Government Code Section 66311.7.

Staff Response: The applicant did not submit an application identifying that the detached structure identified for conversion to an ADU has ever been documented as a habitable living unit.

Government Code Section 66311.7 prevents agencies from denying permits for previously unpermitted ADUs constructed prior to January 1, 2020, based on violation of building standards pursuant to Division 13 of the Health and Safety Code or due to noncompliance with state ADU law or local ADU ordinances. As stated above, no action has been taken to approve or deny the ADU application, therefore, the County has not violated any requirements of Government Code Section 66311.7. Additionally, the Appellant has not provided any evidence that the detached structure was converted to an ADU prior to January 1, 2020. In fact, County permit records and the Appellant's 2025 application for a separate ADU show that the detached structure has been identified as an "existing garage" as follows:

- The subject detached structure is shown as "existing garage" on approved site plans from 1985 for an addition to the existing single-family dwelling (Attachment E).
- Site plans submitted by the Appellant in 2025 for a separate ADU application for the as-built conversion of a 625-square-foot accessory structure on site (Case No. 25CDP-00037) (Attachment F) also show the subject detached structure as an "existing garage".

Separately, permit denial, which has not occurred, is allowed pursuant to Government Code Section 66311.7 if the local agency finds that correcting the violation is necessary to meet the health and safety standards in Health and Safety Code Section 17920.3. Health and Safety Code Section 17920.3 (Regulation of Buildings Used for Human Habitation) lists conditions that can be used to deem a building substandard, including conditions that endanger the safety of occupants of the building and /or nearby residents. The incompleteness items requested by the Carpinteria-Summerland Fire Protection District (Fire District) and the Santa Barbara County Flood Control and Water Conservation District (Flood Control) are necessary to determine whether the existing structure is safely located outside of a flood hazard area, and whether the structure has the required fire safety access and fire-extinguishing systems. Both requests for information are entirely consistent with Government Code Section 66311.7 and Health and Safety Code Section 17920.3.

3. The Appellant states that the Director's determination to deem the application incomplete requires compliance with "all details requested on the County's application checklists" and hyperlinks the County's online submittal-materials directory, which lists 68 distinct case-specific submittal checklists.

Staff Response: The Director's determination to deem the application Incomplete is consistent with State law requirements as outlined in Government Code 66317, which states that "a permitting agency shall determine whether an application to create or serve an accessory dwelling unit is complete and provide written notice of this determination to the applicant not later than 15 business days after the permitting agency received the application, and if the permitting agency determines an application is incomplete, the permitting agency shall provide

the applicant with a list of incomplete items and a description of how the application can be made complete". All items included in the Incompleteness Letter were identified as required information on the Fire District (Attachment C) and Flood Control (Attachment D) application checklists, pursuant to requirements of Government Code § 65940 (a)(1). The Incompleteness Letter listed eight incomplete items, as follows.

- a. Fire District Incompleteness Items are based on the Carpinteria-Summerland Fire Protection District Checklist (Attachment C).
 - i. The first item requested is to specify if the existing single-family residence has fire sprinklers installed. This item is required to determine if the ADU will need to include fire sprinklers. Pursuant to Government Code Section 66314(d)(C)(12), ADUs shall not be required to provide fire sprinklers if they are not required for the primary residence.
 - ii. The second item requested is to "show scaled Fire District turnaround on plans". This item is required to determine if there is sufficient room on the project site for a firetruck to safely enter and exit. This standard is required under the Fire District Development Standard #1 – Fire Apparatus Access, which requires an approved driveway turnaround for building sites on driveways over 150 feet in length.
 - iii. The third item requested is to "show location of closest fire hydrant along an approved access route". This item is required to determine if there is a fire hydrant along the access route for the project (Serena Avenue) that meets the spacing requirements in the Fire Code. This standard is required under the Fire District Development Standard #2 – Fire Protection Water Supply, which provides a method of providing for and maintaining adequate and unobstructed fire hydrants and water supplies for fire department apparatus and personnel, as required by the fire code official, the California Fire Code, and the Carpinteria-Summerland Fire Protection District Ordinance.
- b. The Flood Control incompleteness item is based off the Flood Control Attached and Detached Accessory Dwelling Units in the Special Flood Hazard Areas Submittal Checklist (Attachment D).
 - i. The incomplete item requested is to delineate the limits of both the effective and the preliminary special flood hazard areas with respect to the locations of the structures on the property. The plans are required to show if the proposed ADU is located within the FEMA Preliminary Special Flood Hazard Area, also known as the FEMA Preliminary Floodplain, to determine what requirements apply per SBCC Ordinance 15A.

The Flood Control incompleteness items also requested information as to when the existing garage was built, when it was converted to an ADU, whether it was habitable prior to the conversion, and to delineate the top-of-creek bank and 50-foot setback. P&D staff provided permit records to Flood Control for the garage, which provided answers to the last four Flood incompleteness items, and therefore, the County no longer considers these incompleteness items.

Summary

The County deemed the Appellant's ADU application Incomplete in full compliance with state laws as outlined in Government Code Section 66317. In addition, no action has been taken to deny the

ADU application. The incomplete items identified by the County are contained on required application checklists, and the particular information requested by the Fire District and Flood Control is important to determine if the proposed ADU meets basic health and safety requirements. Once the required information is provided, the County can proceed with reviewing the application for concurrence with all State and County ADU requirements.

Background:

On April 8, 2026, the Appellant submitted an application for approval of a conversion of an existing detached accessory structure into a 526-square-foot ADU on a property located at 3196 Serena Avenue. Pursuant to Government Code Section 66317, a permitting agency shall determine whether an application to create or serve an ADU is complete and provide written notice of this determination to the applicant not later than 15 business days after the permitting agency received the application. Staff sent the Appellant a letter determining the application was Incomplete (Attachment B) on April 23, 2026.

On May 3, 2026, the Appellant submitted an appeal of the Incompleteness determination. Pursuant to Government Code Section 66317(d), if a permit application for an ADU is determined to be Incomplete, the permitting agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency. State law allows jurisdictions to codify an appeal process that could designate the Planning Commission or other body to hear ADU appeals, however, the County has not yet adopted an ordinance and therefore the governing body for the County is the Board of Supervisors.

The permitting agency on the appeal shall provide a final written determination by not later than 60 business days after receipt of the applicant’s written appeal. 60 business days from the date the appeal application was submitted is July 29, 2026. Therefore, if the Board takes action on July 7, the Board’s determination on the appeal will occur within the allowed timeframe pursuant to Government Code Section 66317.

Fiscal and Facilities Impacts:

Budgeted: Yes

Total costs for processing the Project are approximately \$8,200 (25 hours of staff time). Funding for the Project is budgeted in the Planning and Development Department’s Permitting Budget Program as shown in the County of Santa Barbara Fiscal Year (FY) 2025-26 Adopted Budget and the FY 2026-2027 Recommended Budget. The processing fees are paid by the applicant and factored into the FY 2025-26 Adopted Budget. There will be no impact to the General Fund.

Fiscal Analysis:

Funding Source	FY [2025-26]	FY [2026-27]	FY [<i>fiscal year 3</i>]	Total
Fees	\$6,560	\$1,640		\$8,200
Total				\$8,200

Special Instructions:

The Planning and Development Department shall publish a legal notice in the *Santa Barbara Independent* at least 10 days prior to the hearing on July 7, 2026. The Planning and Development

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Department shall also fulfill mailed noticing requirements at least 10 days before the scheduled hearing. The Clerk of the Board shall forward the Board minute order via email to the assigned case planner, Willow Brown, at wbrown@countyofsb.org.

Attachments:

Attachment A – Appeal Application Case No. 26APL-00009

Attachment B – Incomplete Letter for Case No. 26CDP-00025, dated April 23, 2026

Attachment C – Carpinteria-Summerland Fire Protection District Checklist

Attachment D – Flood Control Checklist

Attachment E – Approved Plans from 1985 Addition Permit

Attachment F – Approved Plans for 25CDP-00037

Contact Information:

Willow Brown

Planner, Planning and Development Department

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