



County of Santa Barbara Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Elise Dale, Assistant Director

January 13, 2023

David Gerrity
P.O. Box 1107
Summerland, CA 93067

PLANNING COMMISSION
HEARING OF JANUARY 11, 2023

RE: *Gerrity Appeal – Garage Conversions; 22APL-00000-00016, 22CDP-00000-00009*

Hearing on the request of property owner, David Gerrity, to consider an appeal, Case No. 22APL-00000-00016, of the Director's denial of 22CDP-00000-00009 for the conversion of two single-car attached garages into dining rooms, in compliance with Section 35-182 of Article II, the Coastal Zoning Ordinance. The applications involve Assessor Parcel Number 075-141-003, located at 6794 Trigo and 6793 Pasado Road in the Goleta Community Plan area (Isla Vista), Second Supervisorial District.

Dear Mr. Gerrity:

At the Planning Commission hearing of January 11, 2023, Commissioner Bridley moved, seconded by Commissioner Cooney and carried by a vote of 5 to 0 to:

1. Deny the appeal, Case Number 22APL-00000-00016;
2. Make the required findings for denial of the Coastal Development Permit (CDP) included in Attachment A of the staff report dated January 3, 2023;
3. Determine that denial of the appeal and denial of the Coastal Development Permit is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15270(b) [Projects Which are Disapproved] as specified in Attachment B of the staff report dated January 3, 2023; and
4. Deny *de novo* the Coastal Development Permit, Case No. 22CDP-00000-00009.

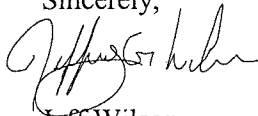
The attached findings and conditions reflect the Planning Commission's actions of January 11, 2023.

The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellants, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, January 23, 2023 at 5:00 p.m.**

If this decision is appealed, the filing fee for both non-applicant and applicant is \$701.06 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA at the same time the appeal is filed.

Sincerely,



Jeff Wilson
Secretary to the Planning Commission

cc: Case File: 22APL-00000-00016, 22CDP-00000-00009
Planning Commission File
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Laura Capps, Second District Supervisor
Laura Bridley, Second District Planning Commissioner
Veronica King, Planner

Attachments: Attachment A – Findings for Denial

ATTACHMENT A: FINDINGS FOR DENIAL

1.0 CEQA FINDINGS

The County Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved]. Please see Attachment B (CEQA Notice of Exemption) of this staff report dated January 3, 2023 and incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS

The discussion below is limited to the required findings which cannot be made for the project.

2.1 COASTAL DEVELOPMENT PERMIT FINDINGS

Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.2 the decision-maker shall first make all of the following findings:

2.1.1 The proposed development conforms:

- a. **To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;**
- b. **With the applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 35-161 (Nonconforming Use of Land, Buildings and Structures).**

The Planning Commission finds that the project does not conform to applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, and does not comply with applicable provisions of the Article II Coastal Zoning Ordinance, specifically for parking, as detailed in Sections 6.1, 6.3, and 6.4 of the staff report dated January 3, 2023, and included herein by reference.

2.1.2 **The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).**

The Planning Commission finds that the property will not comply with all law, rules, and regulations due to the lack of adequate parking if the project was approved. Two (2) parking spaces are required per bedroom in the SR-M Zone, for a total of 12 required spaces. The project proposes a change in use, which requires a recalculation of parking spaces according to current Division 6 standards. The property does not provide the 12 parking spaces as required by Article II, as detailed in Section 6.4 of the staff report dated January 3, 2023, and included herein by reference.