



BOARD OF SUPERVISORS    **Agenda Number:**  
AGENDA LETTER

**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:** July 07, 2015  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

---

**TO:** Board of Supervisors

**FROM:** Department Director: Glenn Russell, Ph.D., Director  
Planning & Development, (805) 568-2085

Contact Info: Alice McCurdy, Deputy Director Development Review  
Planning & Development, (805) 568-2518

**SUBJECT: Abedi - Apartment Building Partial Demolition Emergency Permit  
15EMP-00000-00004  
6625 Del Playa Drive, Isla Vista, Third Supervisorial District**

---

**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form: No

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

1. Receive and file this report on Emergency Permit 15EMP-00000-00004, which authorized the partial demolition of an apartment building and erection of a new structural end wall for public safety on the subject property (6625 Del Playa Drive, APN 075-202-046, Third Supervisorial District).
2. Determine that issuance of the Emergency Permit is exempt from the California Environmental Quality Act (CEQA) pursuant CEQA Guideline section 15269(c), as this action was necessary to prevent or mitigate an emergency.
3. Determine that receiving and filing this report is not a project pursuant to CEQA Guideline 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:**

An Emergency Permit was approved on May 26, 2015 for the emergency partial demolition of the rear (seaward) 30 feet of the lower and upper floors of an apartment building located at 6625 Del Playa Drive and backing onto the coastal bluff. The emergency permit also included subsequent erection of a new structural end wall to stabilize and enclose the structure.

During the month of May 2015, a wedge shaped portion (approximately 15 foot tall, 45 foot wide, and 3 feet depth) of the 30 foot high escarpment sloughed off, exposing a portion of the underside of the backyard concrete patio. After the erosion episode, the rear concrete patio was cantilevered about 3 feet over the escarpment, and the nearest portion of the existing apartment building (the southwest corner) was about 5 ½ feet from the coastal bluff top edge. The emergency permit involved the partial demolition (cutback) of approximately 770 sq .ft. (footprint) of an existing 7,371 sq. ft. (gross) apartment building to ensure it meets the County's 30 feet bluff top setback requirement, and the construction of a new south facing wall to stabilize and enclose the structure.

Pursuant to Section 35-171.6.1 of Coastal Zoning Ordinance, when an Emergency Permit is issued, the Director of Planning and Development is required to provide a written report to the Board of Supervisors and the California Coastal Commission regarding the nature of the emergency and the work involved. This Board Letter fulfills the ordinance requirements for reporting to the Board of Supervisors. The Board Letter will be sent to the California Coastal Commission following approval of the administrative agenda to fulfill the ordinance requirement for reporting to the California Coastal Commission.

**Background:**

This property is located at 6625 Del Playa Drive, in Isla Vista. The property's currently developed with an existing legal, non-conforming, multi-family dwelling. On September 15, 2014, the Building and Safety Division cited the property with a building violation (11BDV-00000-00111) as the structure was encroaching into the required 30 foot setback from the bluff edge, and required correction action, in accordance with Chapter 3, Section 302 #8 (3) of the 1997 Uniform Code for the Abatement of Dangerous Buildings (UCADB), as adopted by the Santa Barbara County Code Ordinance No,4871, effective January 9, 2014. Since the issuance of building violation, the new property owner, Mr. John Abedi, has been working with both the Building & Safety and the Development Review Divisions of the Planning Department to correct the problem. Specifically, on February 25, 2015, Mr. John Abedi, applied for a Coastal Development Permit within the Coastal Commission's appeal jurisdiction (15CDH-00000-00004) for a demolition and remodel project.

The proposed project (15CDH-00000-00004) would allow for the demolition of the seaward 30 foot portion of the building and construction of a structural end wall. Concurrently, the proposed project would allow for the construction of a new landward building addition on the second floor, above the existing parking lot. The proposed CDH permit project would allow for the remodeling of the existing 5-unit apartment building into a 3-unit apartment building, while maintaining the same number of bedrooms (21) and parking spaces (10), and would adhere to the current lot setbacks and maintain the current building height of 24 ft., 9 in. at the gabled ridgeline.

During the month of May 2015, as noted above, a portion of the upper bluff sloughed off, exposing a portion of the underside of the backyard concrete patio. 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 and the construction of a structural end wall. In

essence, the issued emergency permit accelerated the partial demolition and end wall construction already proposed under the current permit application (15CDH-00000-00004). The site was visited by the Building Engineer Inspector, who confirmed the nature and scope of the emergency, allowing the Planning & Development Director to verify that the situation demanded immediate attention to prevent or mitigate loss or damage to life, health or property.

The Building and Safety Division determined the rear (seaward) portion of the existing apartment building to be substandard and a public safety hazard based upon endangerment to the safety and welfare to both the building occupants and the public on the beach area below. Therefore, this situation constituted an emergency in accordance with the applicable zoning ordinance indicated above and immediate action was warranted.

Section 35-171.5.3 of Coastal Zoning Ordinance states:

*The issuance of an Emergency Permit shall not constitute an entitlement to the erection of permanent structures. An application for a Coastal Development Permit and any discretionary permit required by this Article shall be made no later than 30 days following the granting of an Emergency Permit; any materials required for a completed application shall be submitted within 90 days after the issuance of the emergency permit, unless this time period is extended by the Planning and Development Department.*

As a condition of approval of the Emergency Permit, the applicant is required to submit an application for a Coastal Development Permit to validate all work authorized as a part of this emergency. This has already been effectuated through the earlier permit application for partial demolition and remodeling of the apartment building (15CDH-00000-00004).

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

County costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-approved fee resolution. Permit revenues are budgeted in the Permitting budget program on page D-212 of the adopted 2014-2016 fiscal year budget. The fixed fee for an Emergency Permit in June 2015 is \$2,623.31.

**Staffing Impacts:**

None

**Attachments:**

Emergency Permit (15EMP-00000-00004)

**Authored by:**

N.D. Doberneck, Planner (805) 568-2517

**cc:**

Anne Almy, Supervising Planner (805) 568-2053

# NOTICE OF EXEMPTION

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** N.D. Doberneck, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

**APNs:** 075-202-046

**Case Nos.:** 15EMP-00000-00004

**Location:** 6625 Del Playa Drive, Isla Vista, 3<sup>rd</sup> Supervisorial District

**Project Title:** Abedi - Apartment Building Partial Demolition Emergency Permit

**Project Applicant:** Aref “John” Abedi, Property Owner

**Project Description:** 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, 3<sup>rd</sup> Supervisorial District, within the appeals jurisdiction of the Coastal Zone.

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Agency Carrying Out Project:** Dawn Sherry / Sherry & Associates Architects

**Exempt Status:** (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:** 15269(c) – Emergency Projects, specific actions necessary to prevent or mitigate an emergency.

**Reasons to support exemption findings:** This section allows for emergency actions necessary to prevent or mitigate an emergency, in this case, 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. 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 on-site property as well as the beach area below. The site was visited by the Building Engineer Inspector, and the Building Official determined that the site qualified for emergency permit status.

Lead Agency Contact Person: N.D. Doberneck

Phone #: (805) 568-2517

Department/Division Representative: \_\_\_\_\_

Date: \_\_\_\_\_

Acceptance Date: \_\_\_\_\_

distribution: Hearing Support Staff

Project file (when P&D permit is required)

Date Filed by County Clerk: \_\_\_\_\_.