

SANTA BARBARA COUNTY PLANNING COMMISSION

Coastal Zone Staff Report for Mission Isla Vista Partners LP Housing Development

Hearing Date: February 26, 2025
Staff Report Date: February 19, 2025
Case No.: 24DVP-00005, 24CDP-00021
Environmental Document: CEQA
Exemption Section 21159.25

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AGENT:

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This site is identified at Assessor's Parcel Number 075-092-009, located at 6737 Sueno Road in the Goleta Community Plan area, Second Supervisorial District.

1.0 REQUEST

Hearing on the request of Mission Isla Vista Partners LP to consider the following:

- Case No.24DVP-00005 for a Development Plan to allow for three new, three-story apartment buildings, totaling 16 new units, in compliance with Section 35-174 of Article II, the Coastal Zoning Ordinance.

- Case No. 24CDP-00021 for a Coastal Development Permit (CDP) for the construction of three new, three-story multi-family buildings in compliance with Section 35-169 of Article II.
- Determine the project is exempt from CEQA pursuant to Public Resources Code Section 21159.25 (Residential or Mixed-Use Housing Projects), as outlined in the Notice of Exemption included as Attachment C.

The application involves Assessor Parcel No. (APN) 075-092-009, zoned Medium Density Student Residential (SR-M-18), located at 6737 Sueno Road, in the Goleta Community Plan area, Second Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Your Commission's motion should include the following:

1. Make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings.
2. Determine the project is exempt from CEQA pursuant to Public Resources Code Section 21159.25, as set forth in the Notice of Exemption included as Attachment C.
3. Approve the project (24DVP-00005 and 24CDP-00021) subject to the conditions included as Attachment B.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project requires a Development Plan and Coastal Development Plan pursuant to Sections 35-76 and 35-169 of the Article II Coastal Zoning Ordinance. Respectively. A Final Development Plan is required for all development including grading within the SR-M Zone, and a Coastal Development Permit is required prior to using any land or structure, or commencing any work pertaining to any development or use in the Coastal Zone of the County.

This project is being considered by the County Planning Commission based on Article II, Section 35-174.2.4 which states that all Development Plans outside the jurisdiction of the Director or the Zoning Administrator shall be within the jurisdiction of the Planning Commission.

4.0 ISSUE SUMMARY

The project consists of the development of 16 residential units that will be located in the three new multi-family buildings. The project will include two affordable very low income units under State Density Bonus Law, two moderate income units for Coastal Plan policy consistency and twelve market rate units. The applicant submitted a Preliminary Application pursuant to SB 330 and the project is subject to processing pursuant to the Housing Accountability Act and State Density Bonus Law, as described further below.

4.1 The Housing Accountability Act

This housing development project is eligible for processing pursuant to California Government Code Section 65589.5 (Housing Accountability Act [HAA]). The proposed housing project qualifies for the HAA because it is a multi-family housing development project consisting of residential units.

Under the HAA, a multi-family housing development project, as defined in Government Code, § 65589.5, subdivision (h)(2), that is consistent with objective general plan, zoning, and subdivision standards and criteria cannot be disapproved or conditioned to lower density unless the decision-maker finds, supported by a preponderance of the evidence in the record, that the project:

- I. Would have a specific adverse impact upon the public health or safety; and
- II. There is no feasible method to satisfactorily mitigate or avoid the adverse impact.

Under the HAA, “specific, adverse impact” means significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete; and “objective” means involving no personal or subjective judgement by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official. Additionally, the project is subject to a maximum of five hearings, including hearing continuances and hearings for appeals.

4.2 Affordable Housing and State Density Bonus Law

A State Density Bonus Law (SDBL) application pursuant to Government Code § 65915-65918 was provided as part of the project application. SDBL provides developers proportional increases in allowed density for projects that provide affordable units. In addition to provisions for increased density, SDBL also allows developers to request to modify or remove certain development standards in order to make their project economically and physically feasible. These requests fall under two categories, and are defined below:

- **Concessions/incentives.** Pursuant to Gov't Code § 65915 (d)(1) & (k)(1) developers can utilize concessions or incentives to deviate from site development standards, zoning code requirements, or architectural design requirements when doing so would result in identifiable and actual cost reductions, in order to provide for the affordable housing. Developers are allowed up to four concessions/incentives depending on the percentage and level of affordable units proposed by the project.
- **Waivers/Modifications.** Pursuant to Gov't Code § 65915(e)(1) and § 65915(e)(2), a developer can reduce or modify development standards, as defined in the statute, when those requirements will have the effect of physically precluding the construction of a development at the allowed density or with the concessions or incentives permitted under SDBL. Unlike concessions/incentives, there are no financial criteria required for granting a waiver. Furthermore, the number of waivers/modifications that can be used on a project is unlimited.

The project proposes to provide 16 new multi-family residential units, two of which will be very low income units affordable to households earning a maximum of 50 percent of the Area Median Income (AMI). Therefore, the project is 18 percent affordable according to the State Department of Housing and Community Development's criteria, and the applicant is allowed a 50 percent density bonus, three incentive/concessions, and unlimited waivers.

The project is proposing five additional units, which equates to a 45% density bonus, and is requesting three concession/incentives, and no waiver/modifications. The project site is located within ½ mile of a major transit stop. The Metropolitan Transit District (MTD) El Colegio and Camino Corto stop is located approximately 0.33 miles from the subject parcel and is therefore not required to provide on-site parking pursuant to Assembly Bills AB 2097 and AB2553 which amend Government Code §66005.1. The Assembly Bills prohibit public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within ½ mile of public transit and defines major transit stops as peak-hour transit frequency standards of 20 minutes. The concessions and incentive requests are described below and are analyzed further in Section 5.4:

Concessions/Incentives:

1. **Article II Section 35.76.7, Bedroom Density.** The applicant is requesting to allow an increase in bedroom density from 10 bedrooms per 25,430 net square feet to 48 bedrooms per 25,430 net square feet.
2. **Article II Section 35-76.8, Setbacks for Buildings and Structures.** The applicant is requesting to allow front, side, and rear setback reductions from as follows:
 - Front 50' from right-of-way setback to be reduced to 12' 7" front setback.
 - Side 12' 9" setbacks reduced to 8' 6" west and 12' 3" east side setbacks.
 - Rear 25' setback reduced to 10' rear setback.

- 3. Article II Section 35-76.10, Height Limit.** The applicant is requesting to allow a height of 36'7" for all three buildings in lieu of the 25' height limit for the SR-M Zone District.

A developer who meets the law's requirements for affordable or senior units is entitled to the density bonus and other assistance as of right, regardless of the locality's desires (subject to limited health and safety exceptions). As discussed in Section 6.3 below, the County shall grant the concessions/incentives requested by the applicant unless the County makes a written finding, based upon substantial evidence that:

- The request does not result in identifiable and actual cost reductions (*Concessions/Incentives only*).
- The request would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- The request would have an adverse impact on any real property that is listed in the California Register of Historical Resources.
- The request would be contrary to state or federal law.

Staff finds that the project is consistent with the eligibility and criteria requirements for HAA, SDBL, as it is a housing development project consisting of residential units only that is consistent with objective general plan, zoning, and subdivision standards and criteria and provides affordable housing units.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Urban, Res-18.0 (minimum parcel size or units/acre)
Ordinance, Zone	Medium Density Student Residential SR-M-18 (18 units/2,420 gross square feet) Design Control Overlay, Isla Vista Project Area
Site Size	0.58-acres net/ 0.65-acres gross
Present Use & Development	Single-family dwelling residential
Surrounding Uses/Zone(s)	North: Student Residential, SR-M-18, Recreation, REC South: Student Residential, SR-M-18 East: Recreation, REC West: Student Residential, SR-M-18
Access	Sueno Road

Site Information	
Public Services	Water Supply: Goleta Water District Sewage: Goleta Water Sanitary District Fire: County Fire District Police Services: County Sheriff

5.2 Background

The proposed development is located on a legally created lot shown on Assessor's Map Bk. 75 Pg. 9. The lot was originally created as part of the Rancho Los Dos Pueblos Isla Vista Tract. The parcel is developed with a single-family dwelling and detached garage built between 1939 and 1944, prior to permitting requirements. All existing site development will be removed to accommodate the new development. The parcel is located within the Medium Density Student Residential Zone District (SR-M).

5.3 Project Description

The project is a request for a Development Plan and Coastal Development Permit submitted pursuant to Senate Bill 330 to allow for the demolition of an existing 1,620 square foot (SF) single-family dwelling and 455 SF garage, and the construction of three new, 3-story multi-family buildings totaling 15,213 net SF and 18,837 gross SF. The project includes 16 residential units (16 three-bedroom units), a management office, and will have a maximum height of 36'-7". Two of the units will be very low income units pursuant to State Density Bonus Law and two will be moderate income units pursuant to Coastal Plan policy. The project includes 24 parking spaces, 48 bike lockers, and 52 bike racks to serve the development. Other site improvements include a new trash enclosure, two 6-foot tall gates and fencing, cluster mailboxes and cluster parcel boxes, concrete flatwork and landscaping. Grading will include 415 cubic yards of cut and 75 cubic yards of fill. No trees are proposed for removal.

Existing onsite development, consisting of one residential structure, one garage and various shed and storage containers are proposed for demolition and removal. The project is requesting a 45% density bonus, resulting in an additional five units above the zoning density per acre, and three concessions. The concessions include an increase to the allowed bedroom density, a reduction in front, side and rear setbacks, and an increase to maximum height limit for the SR-M Zone District. The parcel and project will be served by the Goleta Water District, the Goleta Sanitary District, and the County Fire Department. Access will be provided via Sueno Road. The property is 0.58-acres net, 0.65-acres gross, zoned SR-M-18 and is shown as Assessor's Parcel Number 075-092-009, located at 6737 Sueno Road in the Goleta Community Plan area, Second Supervisorial District.

5.4 Statistics

Item	Proposed	Ordinance Standard	Article II Section
Max. Height of Structure(s)	36'-7"	25'	Section 35-76.10
Distance Between Buildings	9.5' & 20'	Minimum of 5'	Section 35-76.9
Setbacks	<p>Front: 15'-7" from street right-of-way</p> <p>Side: 5' west side setback & 15'9" east side setback</p> <p>Rear: 10'</p>	<p>Front: 50 feet from the center line and 20 feet from the right-of-way line of the street.</p> <p>Side: On each side of the lot, 10 percent of the width of the lot but not less than five feet. When the width of the required side yard exceeds 10 feet, one side yard may be permitted to be retained at 10 feet provided the amount in excess of 10 feet is added to the other side yard.</p> <p>Rear: 25 feet.</p>	Section 35-76.8
Parking - Car	24 Spaces	Single-family or multiple-residential unit: two spaces per studio or bedroom (48 bedrooms = 96 parking spaces)	Section 35-76.11
Parking - Bicycle	48 bicycle lockers 52 bike racks	One unenclosed and one enclosed, bicycle storage space for each bedroom and/or studio apartment. (48 bedrooms = 48 unenclosed & 48 enclosed bicycle storage spaces)	Section 35-76.12
Landscaping	18.6% 4,734 SF	15% net lot area (25,430 x 0.15 = 3,814.5 SF)	Section 35-76-13
Number of Dwelling Units	16	18 units per gross acre; 1 unit per 2,420 SF gross land area (18 x 0.65 = 11)	Section 35-76.6
Lot Density	16	2,420 gross area/dwelling unit (28,608 SF/ 2,420 = 11 dwelling units)	Section 35-76.6

Item	Proposed	Ordinance Standard	Article II Section
Bedroom Density	48	1 Bedroom per each 2,500 SF net lot area (25,430 / 2,500 = 10 bedrooms maximum)	Section 35-76.7
Grading	415 CY Cut 75 CY Fill	No limits per Article II	N/A

6.0 PROJECT ANALYSIS

6.1 Environmental Review

The Project was evaluated for compliance with the California Environmental Quality Act (CEQA) and determined to be exempt from environmental review pursuant to CEQA Guidelines Section 21159.25, Residential or Mixed-Use Housing Projects. Section 21159.25 applies to a residential or mixed-use housing project if all of the following conditions are met:

- 1) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- 2) (A) The public agency approving or carrying out the project determines, based upon substantial evidence, that the density of the residential portion of the project is not less than the greater of the following:
 - I. The average density of the residential properties that adjoin, or are separated only by an improved public right-of-way from, the perimeter of the project site, if any.
 - II. The average density of the residential properties within 1,500 feet of the project site.
 - III. Six dwelling units per acre.
 (B) The residential portion of the project is a multi-family housing development that contains six or more residential units.
- 3) The proposed development occurs within an unincorporated area of a county on a project site of no more than five acres substantially surrounded by qualified urban uses.
- 4) The project site has no value as habitat for endangered, rare, or threatened species.
- 5) Approval of the project would not result in any significant effects relating to transportation, noise, air quality, greenhouse gas emissions, or water quality.
 - I. Transportation: A Vehicle Miles Traveled (VMT) calculation was conducted for the project and determined that the proposed project will result in an estimated average of 92 daily trips, fewer than County threshold of 110 average daily trips.

- II. Noise: The project will generate short-term construction related noise, and therefore is conditioned to limit construction hours. Long term noise levels will be that of a residential use in an urban neighborhood.
 - III. Air Quality: Due to the limited period of time that grading activities would occur on the project site, construction-related emissions of NOx and ROC would not be significant on a project-specific or cumulative basis. However, due to the non-attainment status of the air basin for ozone, the project is conditioned to comply with measures recommended by the APCD, in their letter dated June 2024, to reduce construction-related emissions of ozone precursors to the extent feasible.
 - IV. Greenhouse Gas Emissions: The project will construct 3 buildings with a combined 15,213 net SF and 16 multi-family units, which falls below the County adopted Screening Criteria of 55,000 square feet for multi-family housing and therefore will not generate greenhouse gas emissions, either directly or indirectly, that will have a significant effect on the environment.
 - V. Water Quality: The project incorporates a Tier 2 Stormwater Control plan which incorporates permeable pavement and an underground storage system to detain runoff to meet Public Works Flood Control and Project Clean Water requirements.
- 6) The site can be adequately served by all required utilities and public services.
 - 7) The project is located on a site that is a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

This exemption applies to the proposed project because it consists of 16 residential units and is denser than the surrounding properties. It is a legal parcel within an unincorporated urbanized area of the county on a 0.58-acres net (0.65-acres gross) project site, and will not result in any significant environmental effects. See Attachment C, Notice of Exemption, of this staff report for a more detailed discussion of the CEQA exemption.

6.2 Comprehensive Plan Consistency

This housing development project is eligible for processing pursuant to the Housing Accountability Act (HAA). Under the HAA, an eligible housing development project that is consistent with objective general plan, zoning, and subdivision standards and criteria cannot be disapproved or conditioned to lower density unless the decision-maker finds, supported by a preponderance of the evidence in the record, that the project: 1) would have a specific, adverse impact upon the public health or safety; and 2) there is no feasible method to satisfactorily mitigate or avoid the adverse impact.

Under the HAA, “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete; and “objective” means involving no personal or subjective judgment by a public official and being

uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official. The following general plan and development standard consistency analyses are therefore limited to objective requirements, as defined under the HAA.

REQUIREMENT	DISCUSSION
ADEQUATE SERVICES	
<p>Coastal Plan Policy 2-4: <i>Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual water company, if such service is available.</i></p> <p>Coastal Plan Policy 2-6: <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan . . .</i></p>	<p>Consistent: The proposed project is consistent with the policies that require new development to be served by public sewer and water districts and that adequate services exist to serve the project. Goleta Water District provided a Preliminary Water Service Determination letter on April 29, 2024, and Goleta West Sanitary District provided a Sewer Availability letter on February 12, 2025. Additionally, Santa Barbara County Fire Department reviewed the project and provided a clearance memo dated March 14, 2024. The project will take access from Sueno Road. A Vehicle Miles Traveled (VMT) calculation was conducted for the project. It determined that the proposed project will result in fewer than 110 average daily trips. The VMT Tool estimated an average of 92 daily trips, which establishes that Sueno Road is able to accommodate the projected increase in traffic and have a less than significant impact. The project was reviewed and cleared by Public Works Transportation. Public Works also reviewed the proposed sidewalks, road improvements, and design features of the proposed development. A Design Exception for the driveway location was approved under an issued encroachment permit (Permit No. 24-054-EN-0002). The parcel will continue to be served by the Santa Barbara Police Department.</p>
HOUSING	
<p>Coastal Plan Policy 5-10: <i>Because of Isla Vista's location adjacent to the University of California</i></p>	<p>Consistent. The proposed development is consistent with this policy because the project</p>

<p><i>and the critical need to provide affordable housing opportunities for the student population, which forms the majority of the community's residents, the following requirements shall be met in new residential developments of five units or more:</i></p> <p><i>a. Twenty-five percent of the total units in the project shall be affordable to persons of low or moderate income, depending on the size of the unit as follows:</i></p> <table border="1"> <thead> <tr> <th><i>Size of unit</i></th> <th><i>Max. Afford. Sales Price or Rent</i></th> </tr> </thead> <tbody> <tr> <td><i>Studio</i></td> <td><i>Low</i></td> </tr> <tr> <td><i>1-bedroom</i></td> <td><i>Low</i></td> </tr> <tr> <td><i>2-bedroom</i></td> <td><i>Moderate</i></td> </tr> <tr> <td><i>3-bedroom</i></td> <td><i>Moderate</i></td> </tr> </tbody> </table> <p><i>b. Affordable units required pursuant to this policy shall be provided on site and maintained as affordable units for a period of twenty-five years, consistent with Policy 5-5(c)</i></p>	<i>Size of unit</i>	<i>Max. Afford. Sales Price or Rent</i>	<i>Studio</i>	<i>Low</i>	<i>1-bedroom</i>	<i>Low</i>	<i>2-bedroom</i>	<i>Moderate</i>	<i>3-bedroom</i>	<i>Moderate</i>	<p>includes two very low income 3-bedroom housing units and two moderate income 3-bedroom housing units. The combined total of affordable housing for the 16-unit development is twenty-five percent, with two of the affordable units to be rented for rates lower than the required moderate income rates. Additionally, the project has been reviewed by Santa Barbara County Housing and Community Development and is conditioned to record an Agreement to Provide Affordable Housing which shall include a Restrictive Covenant and Preemptive Right. The very low income units shall remain affordable for a period of 55 years and the moderate income units shall remain affordable for a period of 25 years (Attachment B-1, Conditions 14 & 15).</p>
<i>Size of unit</i>	<i>Max. Afford. Sales Price or Rent</i>										
<i>Studio</i>	<i>Low</i>										
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<i>3-bedroom</i>	<i>Moderate</i>										
CULTURAL RESOURCES											
<p><i>Coastal Plan Policy 10-2:</i> <i>When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</i></p> <p><i>Coastal Plan Policy 10-3:</i> <i>When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.</i></p>	<p>Consistent: The proposed project is consistent with policies regarding protection of cultural resources. The applicant provided a Phase I Cultural Resources Survey prepared by Leftwich Archeology and a Phase 1 Historical Assessment, prepared by Long Preservation Services, both dated April 2024. The Cultural Resources Survey found that the likelihood of undiscovered, significant cultural resources existing in the project area is very low and that an extended Phase I study is not necessary. The survey included a record search of the Central Coast Information Center (CCIC) and a pedestrian survey conducted on April 12, 2024. The pedestrian survey did not observe any</p>										

<p><i>Coastal Plan Policy 10-5:</i> <i>Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</i></p>	<p>historic or prehistoric cultural materials and the record research disclosed that there were no prehistoric resources recorded within 0.25-miles of the project site. Nevertheless, in the unlikely event that cultural resources or human remains are found on-site, Condition No. 5 of Attachment B-1 requires work to stop immediately and a County-qualified archaeologist to be contacted in order to comply with cultural resources policies and the County's Cultural Resources Guidelines. The Phase I Historical Assessment, dated April 2024, analyzed the historical value of the structures and concluded the residence and detached garage at 6737 Sueno Road are not eligible for listing on the California Register of Historic Places (CRHR) and does not meet the definition of a historical resource per the California Environmental Quality Act.</p>
<p style="text-align: center;">NOISE</p>	
<p><i>Noise Element Policy 1:</i> <i>In the planning of land use, 65dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in the project design.</i></p>	<p>Consistent: The proposed project is consistent with the policy that limits noise levels to ensure compatibility with noise-sensitive uses. The project will allow a residential use in a developed urban neighborhood. The project will generate short-term construction related noise, and therefore is conditioned to limit construction hours to Monday through Friday, 8:00 a.m. to 5:00 p.m. No construction shall occur on weekends or State holidays (Attachment B-1, Condition No. 6). The project site may be subject to periodic exterior noise from adjacent roadways (Sueno Road) in excess of 65 dBA. However, the California Building Code requires interior noise levels to be under 45 dBA through the building's construction materials when doors and windows are closed.</p>
<p style="text-align: center;">HILLSIDE AND WATERSHED PROTECTION, FLOODING, DRAINAGE</p>	
<p><i>Coastal Act Policy 30231.</i> <i>The biological productivity and the quality of coastal waters,</i></p>	<p>Consistent: The proposed project is consistent with policies regarding protection of water</p>

<p><i>streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</i></p> <p>Coastal Plan Policy 3-18: <i>Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained on-site whenever possible to facilitate groundwater recharge.</i></p> <p>Coastal Plan Policy 3-19: <i>Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</i></p>	<p>resources and flooding. The project is located outside of any Flood Hazard Overlay or High Hazard Area and therefore is not subject to risks from flooding. Pursuant to the submitted Tier 2 Stormwater Control Plan, the project proposes permeable pavement for the parking stalls and drive aisles to reduce the amount of impervious surface area. An underground storage system is proposed to detain runoff to meet Public Works Flood Control and Project Clean Water requirements. Runoff from concrete walkways will drain to surrounding landscaped areas as well as permeable pavement on the driveway and parking areas. Curb areas and buildings will drain to surrounding permeable pavement on the driveway and parking areas via gutter downspouts and storm drainpipes. All runoff draining to the permeable pavement will be collected in the underground storage system.</p>
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6.3 Zoning: Article II

6.3.1 Compliance with Article II, Coastal Zoning Ordinance

As discussed above in Sections 4.1 and 6.2 of this staff report, this housing development project is eligible for processing pursuant to the HAA. Under the HAA, an eligible housing development project that is consistent with objective general plan, zoning, and subdivision standards and criteria cannot be disapproved or conditioned to a lower density unless the decision-maker finds, supported by a preponderance of the evidence in the record, that the project: 1) would have a specific, adverse impact upon the public health or safety; and 2) there is no feasible method to satisfactorily mitigate or avoid the adverse impact. The following zoning consistency analyses are therefore limited to objective requirements, as defined under the HAA.

As described in Section 5.3 of this staff report, the project complies with the setbacks, height limit, and bedroom density requirements of the SR-M Zone with the use of incentives/concessions as outlined below. Additionally, the project complies with the following standards for the SR-M Zone:

Section 35-76.1 – Purpose and Intent [of a SR-M Medium Density Student Residential] states:

The purpose of this district is to provide for residential development which is unique to a student-oriented community. The intent is to provide for multiple residential development at moderate densities to mitigate potential adverse impacts on traffic, parking, open space, aesthetics, health, and safety and to encourage combining substandard lots to allow for a more efficient utilization of space.

Consistent: The project is consistent with the purpose and intent of the SR-M Zone. The proposed development is to demolish a single-family dwelling and provide new multi-family residential units, which is consistent with the purpose and intent of the SR-M Zone.

Section 35-76.9 Distance Between Buildings on the Same Building Site.

The minimum distance between a building designed or used for human habitation and any other detached building on the same building site shall be five feet, unless a more stringent standard is required by the Public Works Department.

Consistent: The minimum distance between the proposed multi-family residential units is 9.5 feet. Therefore, the proposed project is consistent with this requirement.

Section 35-76.12 Bicycle Parking Spaces.

All development within this district shall provide one unenclosed and one enclosed, permanently maintained and secure bicycle storage space for each bedroom and/or studio apartment within the development.

Consistent: The project is consistent with this standard. The required number of bicycle spaces required with this housing project is 48 unenclosed and 48 enclosed bicycle storage spaces. The proposed project proposes 48 bike lockers and 52 bike racks serve the development.

Section 35-76.13 Landscaping.

- 1. Not less than 15 percent of the net lot area shall be devoted to landscaping.*
- 2. Landscaping shall be installed and permanently maintained in accordance with the approved Final Development Plan or Coastal Development Permit*

Consistent: The landscaping plan for the proposed project demonstrates 18.6% of the net lot area will be landscaped and is therefore consistent with this standard. It is proposed along the edges of the project area to screen the development from public view and blend with the surrounding area.

Section 35-76.14 Sidewalk.

Prior to the issuance of any Coastal Development Permit for buildings or structures, all plans for new or altered buildings and structures shall be reviewed by the Road Division of the Public Works Department for frontage improvement conditions. As a condition to the issuance of a Coastal Development Permit for any building or structure, the owner or his agent shall dedicate rights of way and engineer and construct street pavement, curbs, gutters, and sidewalks on the street frontage of his property that are determined by the County Department of Public Works, Road Division, to be reasonably related to the proposed use of the property.

Consistent. The proposed project has been reviewed by Public Works Transportation Division. They worked with the applicant with the design of the curb cut and driveway entrance from Sueno Road. The sidewalk and street improvements were evaluated and approved under encroachment permit 24-054-EN-00002. Prior to the issuance of any Coastal Development Permit for this project, all plans will be reviewed by the Public Works Road Division for final frontage improvement conditions clearance.

Section 35-76.11– Parking

Two spaces per studio or bedroom are required for multiple-residential units.

Section 35-76.7 – Bedroom Density and Parking

Dwelling unit area in excess of the following maximums shall be treated and counted as additional bedrooms for the purposes of this section, and for the purposes of Section 35-76.11, Parking, as follows: For each bedroom in excess of 160 square feet, for each studio dwelling unit in excess of 500 square feet, for each living room or dining room in excess of 400 square feet, and for each room other than the living room, dining room, kitchen, bathroom(s), each 80 square feet of excess area from all units on a site combined shall count as additional area for which additional parking spaces shall be required, and each 160 square feet of such excess area shall count as an additional bedroom for the bedroom density standard.

State Density Bonus Law – Upon the request of the developer, the county shall not require a vehicular parking ratio that exceeds the following ratios:

- (A) Zero to one bedroom: one onsite parking space.*
- (B) Two to three bedrooms: one and one-half onsite parking spaces.*
- (C) Four and more bedrooms: two and one-half parking spaces.*

Consistent: This project would require 97 spaces to be compliant with Article II standards (48 bedrooms at 2 parking spaces each plus and additional parking spaces based on excess square footage as laid out in the Bedroom Density section). However, the project site is located approximately 0.33 miles from the MTD El Colegio and Camino Corto stop, which falls within ½ mile of a major transit stop and pursuant to SDBL, no on-site parking is required. Nonetheless, the proposed project provides 24 parking spaces and is therefore consistent with parking requirements.

Article II Section 35-144C. Density Bonus for Affordable Housing Projects

Section 35-144C.2 Applicability and Eligibility for Density Bonus, Incentives or Concessions

1. ***Applicability.*** This Section only applies to a "housing development", as defined in Government Code Section 65915(i), that comply with the following:
 - a. *The development is for the type of housing specified in Government Code Section 65915(b)(1), (b)(2) or (b)(3).*
 - b. *The land use designations in the Coastal Land Use Plan allow development of at least five residential units on a lot or lots where the project is located, and the project proposes a housing development of five or more dwelling units.*
2. ***Eligibility for Density Bonus, Incentives or Concessions.***
 - a. ***Residential units.*** The County shall grant a density bonus and other incentives or concessions to applicants for residential projects who agree to provide affordable or senior housing pursuant to the provisions of Government Code Sections 65915 through 65918, provided that the project (as modified to include a density bonus, incentives, or concessions) is found consistent with all applicable policies and provisions of the Local Coastal Program.

Consistent. The proposed project includes 16 dwelling units, including two very low income units. Pursuant to Government Code Section 65915, a density bonus shall be granted to a housing development where at least five percent of the total units are for rental to very low income households. Eighteen percent of the total units are proposed for rental to very low income households.

Section 35-144C.3 Allowed Density Bonuses

In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the Comprehensive Plan, Coastal Land Use Plan, and this Article. "Otherwise maximum allowable residential density" shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the Local Coastal Program.

1. **Bonus determination.** *The County may choose to grant a density bonus greater than provided in the provisions of Government Code Sections 65915 through 65918 or successor statute for a development that exceeds the requirements of State law, provided that the project (as modified to include a density bonus) is found consistent with all applicable policies and provisions of the Local Coastal Program and provided that the density bonus is no greater than 35 percent above the base zone density.*

Consistent: The proposed project includes two very low income units (18% of total units). Pursuant to Government Code Section 65915, the project is eligible for a 50% density bonus and three concessions/incentives, plus unlimited waivers/modifications as defined in Section 4.0 of the staff report. The applicant is requesting five additional units, a 45% density bonus and three concessions. These requests are analyzed below:

Section 35-144C.4 Allowed Incentives or Concessions

Applicant request and County approval. *An applicant may submit to the County a proposal for the specific incentives or concessions listed in Subsection 2. (Types of incentives) below, that the applicant requests in compliance with this Section. The County shall grant an incentive or concession request that complies with this Section unless the County makes a specific finding, pursuant to Government Code Sections 65915 through 65918, of any of the following:*

- a. *The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915(c).*
- b. *The development incentive or concession, requested by an applicant in compliance with this Section will have an adverse effect on coastal resources. If the County determines that the requested incentive or concession will have an adverse effect on coastal resources, the County shall consider all feasible alternative incentives and concessions and their effects on coastal resources. The County may grant one or more of those incentives or concessions that do not have an adverse effect on coastal resources.*

- c. *The concession or incentive would be contrary to State or Federal law, including implementation of the Coastal Act. The project (as modified to include a density bonus, incentives, or concessions shall be consistent with all applicable policies and provisions of the Local Coastal Program.*

Section 35-76.7 Bedroom Density.

Request to eliminate the requirement that there shall be not more than one bedroom for each 2,500 square feet of net lot area, provided however, that each lot is permitted at least three bedrooms. Dwelling unit area in excess of the following maximums shall be treated and counted as additional bedrooms for the purposes of this section, and for the purposes of Section 35-76.11, Parking, as follows: For each bedroom in excess of 160 square feet, for each studio dwelling unit in excess of 500 square feet, for each living room or dining room in excess of 400 square feet, and for each room other than the living room, dining room, kitchen, bathroom(s), and meeting room (if dwelling is occupied by a non-profit organization), each 80 square feet of excess area from all units on a site combined shall count as additional area for which additional parking spaces shall be required, and each 160 square feet of such excess area shall count as an additional bedroom for the bedroom density standard.

Consistent. Compliance with this section of Article II would necessitate a lower number of bedrooms allowed onsite. Pursuant to Section 35-76.7 of Article II, the allowed number of bedrooms on a 25,430 square foot lot is 10. The Article II standard would significantly reduce the number of residential units that could be proposed as part of the project and would not provide an adequate cost benefit to the project as a whole. The concession is not contrary to state or federal law and would not have a specific, adverse impact upon health and safety or an impact on a property listed in the California Register of Historical Resources. Therefore, this request is consistent with Gov. Code Section 65915.

Section 35-76.8 – Setbacks for Buildings and Structures

Request to reduce required front setback from 20 feet from the right-of-way line of any street to 15 feet 7 inches, the required 10-foot side setback to 5 feet on the east side parcel line, and the required rear setback of 25 feet to 10 feet to accommodate the three building, multi-unit, development.

Consistent: Compliance with the above Article II standard would result in limiting the available area for residential development, thus limiting the number of units that could be built and jeopardizing funding opportunities and cost reductions for the project. The concession is not contrary to state or federal law and would not have a specific, adverse impact upon health and safety or an impact on a property listed in the California Register of Historical Resources. Therefore, the request is consistent with Gov. Code Section 65915.

Section 35-76.10 – Height Limit

Request to waive the height standard that no building or structure shall exceed a height of 25 feet.

Consistent: Compliance with the 25-foot height limit for the SR-M Zone for development surrounded by areas zoned residential would physically preclude constructing the proposed development at the proposed density jeopardizing funding opportunities and cost reductions. In order to meet the height requirement, the buildings would have to be reduced by one-story, resulting in a loss of all third floor units and limiting the number of units that could be built. Additionally, if the square footage were expanded to have more first and second floor units, it would reduce the amount of landscaping and open space available on the lot. The concession is not contrary to state or federal law and would not have a specific, adverse impact upon health and safety or an impact on a property listed in the California Register of Historical Resources. Therefore, this request is consistent with Gov. Code Section 65915.

6.4 Subdivision /Development Review Committee

The proposed project was reviewed by the Subdivision/Development Review Committee on March 7, 2024. Condition letters and comments were received from the Flood Control District, Project Clean Water, Air Pollution Control District (APCD), Public Works Transportation, Waste Management, and the County Fire Department. Compliance with the condition letters is required pursuant to Attachment B-1, Condition No. 30. The County Surveyor and County Parks had no comments or conditions.

6.5 Development Impact Mitigation Fees

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment of various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

Board of Supervisors has also adopted ordinances and resolutions that provide for the reduction of certain fees for projects that are determined to be beneficial. Eligible projects located in the South Coast area may receive a reduction in park and recreation fees. Eligible projects located in the Goleta Planning Area may receive a reduction in transportation fees.

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s).

Estimated Goleta Development Plan Impact Mitigation Fees			
Fee Program	Base Fee (per unit or 1,000 sf)	Estimated Fee	Fee due at
Recreation (Parks)			Final Inspection
Quimby	N/A		Final Inspection
Develop. Mitigation	\$11,039.00 (Apartments)	\$11,039.00	Final Inspection
Transportation	\$12,347.00/Per Unit	\$197,552.00	Final Inspection
Fire	\$0.75/1,000sf	\$14,127.75	Final Inspection
Library	\$463.00	\$463.00	Final Inspection
Public Administration	\$1,978.00	\$1,978.00	Final Inspection
Sheriff	\$541.00	\$541.00	Final Inspection

7.0 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within ten calendar days of said action.

The action of the Board of Supervisors is not appealable to the Coastal Commission.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval
 - B-1. Conditions of Approval for Case No. 24DVP-00005
 - B-2. Conditions of Approval for Case No. 24CDP-00021
- C. CEQA Exemption
- D. Water and Sewer Availability letters
- E. Project Plans