



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Submitted on:**  
**(COB Stamp)**

**Department Name:** Planning and Development  
**Department No.:** 053  
**Agenda Date:** September 9, 2025  
**Placement:** Departmental Agenda  
**Estimated Time:** 70 mins  
**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

Contact: Travis Seawards, Deputy Director, Planning and Development

**SUBJECT:** Hearing to Consider Soutar Appeal of the County Planning Commission Approval of the Mission Isla Vista Partners LP Housing Development, Case No. 25APL-00010, Goleta Community Plan Area, Second Supervisorial District

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: No

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

On September 9, 2025, staff recommends that the Board of Supervisors take the following actions:

- a) Deny the appeal, Case No. 25APL-00010;
- b) Make the required findings for approval of the project, Case Nos. 24DVP-00005 and 24CDP-00021, including CEQA findings (Attachment A);
- c) Determine the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 21159.25 (Attachment C); and
- d) Grant *de novo* approval of the project, Case Nos. 24DVP-00005 & 24CDP-00021, subject to the conditions of approval (Attachments B-1 & B-2).

**Summary Text:**

This item is a hearing on an appeal (Case No. 25APL-00010), filed by Pegeen and John Soutar (hereinafter Appellant) of the County Planning Commission's decision to approve the Mission Isla Vista Partners LP Housing Development project, Case Nos. 24DVP-00005 & 24CDP-00021 (Project).

On April 14, 2025, the Appellant filed a timely appeal of the County Planning Commission's decision to approve the Project in compliance with Section 35-182 of Article II. This hearing constitutes the fourth of five allowed public hearings for this project under Senate Bill 330. Staff recommends that Board deny the appeal and approve the Project.

**A. Discussion:**

Planning & Development recommends that Board of Supervisors deny the appeal, because staff finds the appeal issues are without merit. Additionally, staff reviewed the project in accordance with the permit requirements provided in Sections 35-169 (Coastal Development Permits) and 35-174 (Development Plans) of Article II. Findings for approval of the project application can be made (Attachment A) and the project will not have a specific, adverse impact upon the public health or safety, and the project is consistent with all objective standards.

The Appellant cited the following issues as the basis of the appeal:

1. The Project fails to provide adequate parking facilities or public transportation to serve the needs of residents in compliance with Local Coastal Plan Coastal Act Section 30252.
2. CEQA Exemption 21159.25 is not applicable because project is inconsistent with the Comprehensive Plan.
3. CEQA Exemption 21159.25 is not applicable because project is inconsistent with Article II Regulations.
4. CEQA Exemption 21159.25 is not applicable because project is inconsistent with the Local Coastal Plan Policies.
5. CEQA Exemption 21159.25 does not apply due to cumulative impacts.
6. The County Planning Commission abused their discretion and the findings for approval for this project should not have been made.
7. The County Planning Commission lacked evidence to make findings of compatibility with the Goleta Community Plan, the Local Coastal Plan, and the Coastal Zoning Ordinance.

Section A of this Board Agenda Letter contains background details related to the project, Section B contains a description of the project scope, and Section C contains the appeal issues and staff's responses.

**B. Background:**

The proposed Project is being processed pursuant to the Housing Accountability Act (HAA) because it is a housing development project consisting of multiple residential units. Under the HAA, a 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 would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the adverse impact. "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." Under the HAA, the County retains the authority to condition the project to require compliance with applicable standards and policies, but those must be "applied to facilitate and accommodate development at the density permitted on the site and proposed by the development."

Additionally, the project must comply with the Coastal Act, as implemented through the County's Local Coastal Plan.

The project is also being processed pursuant to the State Density Bonus Law (SDBL), which allows 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. The applicant is requesting a 45% density bonus and concessions from Article II development standards for bedroom density, setbacks, and height limit. The County must grant concessions to deviate from site development standards, zoning code requirements, or architectural design requirements when doing so would result in identifiable and actual cost reductions unless the County makes a written finding, based upon substantial evidence that 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, or the request would be contrary to state or federal law.

Additionally, the Applicant submitted a Preliminary Application pursuant to Senate Bill 330, which, among other things, vests the project with regard to code and policy requirements in place at the time of Preliminary Application submittal, and limits the project to a maximum of five hearings following submittal of a complete application. The project was originally heard on February 26, 2025, by the County Planning Commission. The project was continued to allow the Applicant to voluntarily present their project to the South Board of Architectural Review (SBAR) for comments regarding the project's aesthetics. The Project was heard by SBAR on March 21, 2025, and returned to the County Planning Commission on April 2, 2025, with a revised project description and plans that incorporated comments offered by SBAR, including a reduction of bedrooms within three of the units on the third level to reduce the overall massing. The County Planning Commission approved the project on April 2, 2025. The Board hearing on August 19, 2025, will constitute the fourth hearing.

Staff has reviewed the application materials and determined that the proposed Project is consistent with all applicable policies in the Santa Barbara County Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan, and with all objective standards set forth in Article II. The information included in the administrative record, including this Board Agenda Letter, supports approval of the Project.

### **Proposed Project:**

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 existing onsite development and construction of three new, 3-story multi-family buildings at 6737 Sueno Road. The project includes 13 three-bedroom units and 3 two-bedroom units (totaling 45 bedrooms), 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 5-10. 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, masonry wall along the southern property line and a portion of the western property line, hardscape improvements, and landscape improvements.

Public transit information, resources, and vouchers will be provided to all project tenants (unless the tenants already have a transit voucher through their school ID). The Applicant will evaluate the option to provide a car-share vehicle (such as zip-car) on-site. The Applicant will also voluntarily market the housing complex as a public-transit accessible site.

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 the maximum height limit for the SR-M Zone District. A detailed description is as follows:

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 as follows:
  - Front 50' from road centerline and 20' from road right-of-way setback to be reduced to 12' 7" from road right-of-way.
  - 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 complete project description is included as Condition No. 1 of Attachment B1.

#### **Appeal Issues and Staff Responses:**

The appeal application (Attachment D) includes a letter that outlines the appeal issues. The Appellant identified seven issues as the basis for the appeal. These appeal issues and Staff's analysis are provided in the following paragraphs.

#### **Appeal Issue No. 1: Inconsistency with Local Coastal Plan and Coastal Act Section 30252**

The Appellant contends that the Project fails to provide adequate parking facilities or public transportation to serve the needs of residents in compliance with Coastal Act Section 30252.

#### **Staff Response:**

The proposed Project is consistent with Coastal Act Section 30252, which is implemented through the County's Local Coastal Plan Policy 30252. Local Coastal Plan Policy 30252 states:

*The location and amount of new development should maintain and enhance public access to the coast by:... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; ... and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.*

As discussed at length in Sections 4.2 and 6.3 of the Planning Commission Staff Report dated February 19, 2025 (Attachment G), the Project measures demonstrate the Applicant's proactive efforts to promote alternative transportation.

In addition, the Project is not required to provide any parking. The Project is subject to the provisions of Assembly Bill 2097, which amends Government Code §66005.1. Under this statute, public agencies are prohibited from imposing minimum automobile parking requirements on residential, commercial, or other development projects located within one-half mile of a major transit stop. A major transit stop is defined as a location with peak-hour transit service intervals of 20 minutes or less. The subject property is located approximately 0.33 miles from the MTD El Colegio and Camino Corto transit stop, which meets the definition of a major transit stop. Accordingly, pursuant to Assembly Bill 2097, the project is not required to provide off-street automobile parking. Nonetheless, the Project voluntarily includes 24 automobile parking spaces.

Further, the Project provides 48 secure bicycle lockers and 52 bicycle racks to support alternative transportation options and reduce reliance on private vehicles. This is in alignment with local and state goals, including Local Coastal Plan Policy 30252, to promote sustainable mobility and public access to the coast.

Finally, supporting transit-oriented development, the project description includes the following commitments:

- Public transit information, resources, and transit vouchers will be provided to all tenants (unless tenants already receive a transit voucher through their student identification card);
- The Applicant will evaluate the feasibility of providing an on-site car-share vehicle (e.g., Zipcar); and,
- The project will be marketed as a transit-accessible housing development.

Consistent with Local Coastal Plan Section 30252, the Applicant actively promotes more sustainable commuting choices and demonstrates compliance with applicable statutory requirements, while also contributing to broader community and environmental objectives that help address the parking congestion in Isla Vista.

#### Appeal Issue No. 2: CEQA Exemption Not Applicable Because Project Inconsistent with Comprehensive Plan

The Appellant states that the CEQA exemption does not apply because the Project is inconsistent with the Comprehensive Plan, including the Goleta Community Plan, to the detriment of Isla Vista and the entire community. Specifically, the Appellant points out that the overarching goal of the Goleta Community Plan Public Facilities and Services Circulation Element (CIRC-GV-8 and Action CIRC-GV-8.1) is “to promote improvements in circulation, parking and other public facilities and services for commercial, industrial and residential areas for the benefit of the entire community.”

#### Staff Response:

The Project is consistent with all applicable policies and development standards of the Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan. As a project covered by the Housing Accountability Act, the Project is only subject to objective policies and development standards. CIRC-GV-8 and Action CIRC-GV-8.1 are not objective and therefore compliance is not required by the CEQA exemption (Pub. Resources Code § 21159.25). Nonetheless, the Project complies with CIRC-GV-8 and Action CIRC-GV-8.1. CIRC-GV-8 requires that developers be encouraged to “pursue innovative measures to fully mitigate the transportation impacts associated with their projects.” As discussed under Appeal Issue 1, the project will be marketed as a public transit accessible site, provides 24 parking spaces, 100 bicycle parking spaces, offers public transit resources and vouchers to all tenants who do not already have one through a school ID, and is evaluating on-

site ride-share vehicle options to reduce parking impacts. Action CIRC-GV-8.1 requires the County Public Works Department to work with the development community and interested agencies “to identify incentives to encourage the use of innovative measures to reduce project related traffic impacts.” This action is a directive to the County Public Works Department to identify incentives and is not applicable to individual residential development applications.

As discussed above in Appeal Issue 1, the proposed Project is also located within one-half mile of a major transit station and is therefore subject to the provisions of Assembly Bill 2097. Although no on-site parking can be required by the County pursuant to this bill, the Applicant is providing 24 automobile parking spaces, 48 secure bicycle lockers, and 52 bicycle racks to support active transportation options and reduce reliance on private vehicles.

The Comprehensive Plan policies raised in this appeal issue do not pertain to objective standards and therefore are not applicable to the HAA project. The project has been reviewed by Public Works Transportation, which found it consistent with applicable objective standards related to access. Additionally, the Project incorporates required sidewalk improvements and other conditions as identified by the Transportation Division. The Project actively promotes non-automobile transportation options and includes 24 on-site parking spaces, despite no parking being required under Assembly Bill 2097 due to the site’s proximity to a major transit stop.

*Appeal Issue No. 3: CEQA Exemption Not Applicable Because Project Inconsistent with Article II Regulations*

The Appellant states that the CEQA exemption does not apply because the project is inconsistent with Coastal Zoning Ordinance regulations. Specifically, the Appellant cites Article II Sections 35-76.7 (height limit), 35-76.8 (setbacks), and 35-76.10 (bedroom density).

*Staff Response:*

The proposed Project can be found exempt from CEQA pursuant to CEQA Guidelines Section 21159.25, which exempts in-fill residential projects located within urban areas. The exceptions to the exemption include a requirement that the Project be consistent with applicable objective zoning regulations. This project complies with the Article II Coastal Zoning Ordinance, and as discussed above, the Applicant is proposing to utilize SDBL and is requesting a 45% density bonus as well as three concessions to achieve consistency with height, setback, and bedroom density regulations. With the approval of the density bonus and these concessions, the project complies with all applicable objective standards in Article II. The legislature has made clear that housing development projects eligible for the HAA’s protections and SDBL’s incentives must be analyzed inclusive of these provisions and cannot be considered inconsistent with the Comprehensive Plan or zoning requirements when used to modify those standards. Therefore, this CEQA exemption correctly applies to the project.

*Appeal Issue No. 4: CEQA Exemption Not Applicable Because Project Inconsistent with Local Coastal Plan Policies*

The Appellant asserts that the CEQA exemption does not apply because the Project is inconsistent with Local Coastal Plan policies 2-12 (Land Use Plan Densities), 2-22 (Appearance and Quality of

Development), 5-3 (Demolition of Existing Low and Moderate Income Housing), 2-6 (Adequate Public or Private Services and Resources), and 7-12A (New Opportunities for Beach Access and Coastal Recreation).

Staff Response

The proposed Project is consistent with all applicable policies and development standards of the Coastal Land Use Plan, which makes it eligible for the CEQA exemption pursuant to CEQA Guidelines Section 21159.25. The proposed multi-family residential development is an allowable use in the SR-M Zone District. As discussed in Appeal Issue No. 3, housing development projects eligible for review under HAA and SDBL must be analyzed inclusive of the allowed increase in density and all project waivers and/or concessions. With the approval of the density bonus under SDBL and the incorporation of the requested bedroom density concession, the project is consistent with the allowable density of the SR-M Zone. The proposed Project was analyzed under the HAA and SDBL conditions and no exceptions to the exemptions were triggered.

With regard to the other referenced policies, the proposed Project has demonstrated that adequate public services are available to support the development. Intent to serve letters have been submitted by utility providers, and the project has been reviewed by County Public Works Transportation Division and County Fire, which identified no concerns regarding access, parking, or circulation. The proposed residential units are designed to maximize livability, with all bedrooms exceeding the minimum requirement of 80 square feet. The demolition of the existing single-family dwelling and garage is not subject to Coastal Plan Policy 5-3, which only pertains to demolitions of four or more dwellings.

Additionally, in support of alternative transportation to ensure beach access, the project includes 48 secure bicycle lockers and 52 bicycle racks. Finally, the project description includes commitments to provide tenants with public transit information, resources, and transit vouchers (unless already provided through student identification), and to market the development as a transit-accessible housing option.

Therefore, the proposed Project can be found to be consistent with all applicable Coastal Land Use Plan policies and the CEQA exemption applies.

Appeal Issue No. 5: The Cumulative Impacts from the Project are Significant.

The Appellant states the CEQA exemption does not apply because the proposed Project will have cumulative impacts on the environment. Specifically, the Appellant claims that the Project will have cumulative impacts due to existing parking conditions within the community of Isla Vista.

Staff Response:

The proposed Project has been analyzed for cumulative impacts pursuant to CEQA Guidelines Section 21159.25, and no cumulative impact was found related to parking congestion and coastal access parking. The existing parking condition the Appellant references in their appeal is the existing baseline condition under CEQA and cannot be used to demonstrate a cumulative impact.

Staff reviewed the Project against the County's Environmental Thresholds and Guidelines Manual in comparison to the existing baseline conditions and the Applicant has demonstrated that the Project will not result in project-specific or cumulatively significant environmental impacts. As discussed in the CEQA Notice of Exemption (Attachment C), the Project satisfies the requirements of CEQA

Guidelines Section 21159.25. As addressed in Appeal Issue No. 1, Assembly Bill 2097 amends Government Code §66005.1, prohibiting public agencies from imposing minimum automobile parking requirements on residential, commercial, or other development projects that are located within one-half mile of a major transit stop. Under CEQA, there is inherently no cumulative impact in these circumstances, as the Legislature has determined that such projects are not required to provide parking due to the proximity to public transportation major transit stops. Furthermore, while parking is not required pursuant to Assembly Bill 2097, the Applicant has responded to the baseline parking concerns in Isla Vista by voluntarily including 24 automobile parking spaces, 48 bicycle lockers, and 52 bicycle racks in the Project design.

*Appeal Issue No. 6: Findings Cannot Be Made and Planning Commission Abused Discretion*

The Appellant states that the findings for approval for the project cannot be made, citing Government Code Section 66589.5 of the HAA. The Appellant claims that the Project will have direct, significant and unavoidable impacts and given the lack of parking and consequent unsafe parking behavior, the Planning Commission abused their discretion in making the finding that streets, roads, police and fire services are adequate to serve the Project.

*Staff Response:*

The proposed Project will not have a direct, significant and unavoidable impact on Isla Vista's parking congestion. It is consistent with all objective standards in Article II and applicable policies within the County's Comprehensive Plan, including the Goleta Community Plan and the findings for approval can be made. As previously discussed, pursuant to the HAA, a housing development project that is consistent with objective general plan, zoning, and subdivision standards and criteria may not be disapproved or subjected to conditions that would reduce its density unless the decision-making body finds, based on a preponderance of evidence in the record, that the project would result in a specific, adverse impact on public health or safety, and that there is no feasible method to satisfactorily mitigate or avoid that impact. "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."

There is not a preponderance of evidence that the project's contribution to parking congestion will result in a specific impact, nor is there an objective public health and safety standard for street parking. The provision of adequate services was reviewed by Public Works Transportation in accordance with the County's Environmental Thresholds and Guidelines Manual. No issues related to access were identified. County Fire reviewed and cleared the Project, confirming that it provides adequate emergency access. The Fire Department issued an advisory letter with no comments or conditions related to access. The Project also incorporates the required sidewalk improvements and other conditions identified by the Transportation Division. Furthermore, language was added to the project description to emphasize support for transit-oriented development and access to public transportation.

There is no evidence in the record demonstrating that the project would result in a specific, adverse impact on public health or safety that cannot be feasibly mitigated or avoided, therefore, the Planning Commission did not abuse their discretion



**Appeal Issue No. 7: The County Planning Commission Lacked Evidence to Make Findings**

The Appellant states that the County Planning Commission lacked evidence to make findings of compatibility with the Goleta Community Plan, the Local Coastal Plan, and the Coastal Zoning Ordinance.

**Staff Response:**

The Planning Commission held an appropriately noticed public hearing and made their policy compatibility findings, for applicable policies, based on substantial evidence provided in Sections 6.2 and 6.3 of the Planning Commission Staff Report (Attachment G). The Project has been shown to provide adequate services and access, and with the application of the 45% density bonus provided by SDBL and the three requested concessions, the project meets all objective development standards of Article II and the Goleta Community Plan. The findings demonstrate that the proposed Project is located within an existing residential neighborhood in the community of Isla Vista and is surrounded by existing urban uses on more than 75% of the property boundary. Additionally, the site is zoned SR-M-8 (Medium Density Student Residential), which allows for multi-family residential uses. The proposed Project also complies with all objective standards within Article II and is consistent with applicable policies within the Comprehensive Plan, including the Goleta Community Plan.

The applicant has proactively addressed concerns raised by the Planning Commission, including continuing the hearing to allow for voluntary review by the SBAR, an inherently subjective process focused on aesthetics. In response to SBAR feedback, the applicant made revisions such as reducing unit sizes to two bedrooms to enhance aesthetic compatibility, even though those changes were not required. Therefore, under the HAA, the required findings of compatibility with the Goleta Community Plan, the Local Coastal Plan, and the Coastal Zoning Ordinance can be made.

**C. Summary:**

In summary, the proposed Project is being processed under the HAA as a residential housing development project and is only subject to objective standards and policies. The project can only be disapproved or conditioned to a lower density if there is a “specific adverse impact” to public health or safety based on existing, objective standards and policies that cannot be otherwise mitigated or avoided. The Project has been reviewed and approved by all applicable County departments. With the application of the allowed density bonus and the requested concessions for height, setbacks, and bedroom density, the Project is consistent with Article II and the Comprehensive Plan, including the Goleta Community Plan and the Coastal Land Use Plan.

**D. Fiscal and Facilities Impacts:**

Budgeted: Yes

The total cost for processing the Project is approximately \$44,092.00 (146 hours of staff time). The total cost charged to the Applicant to process the zoning permit prior to filing the appeal was \$33,522.00 (111 hours of staff time). Planning and Development staff fees to process the appeals to the Board of Supervisors are approximately \$11,000.00 (35 hours of staff time). The appeal fees are paid by a General Fund subsidy in Planning and Development’s Adopted Budget (Page 307).

<b>Funding Source</b>	<b>FY 2025-26</b>	<b>Total</b>
General Fund	10,570.00	<b>10,570.00</b>
State		
Federal		
Fees		
<b>Total</b>		<b>10,570.00</b>

**Special Instructions:**

The Planning and Development Department Hearing Support shall publish a legal notice in the Santa Barbara News-Press or equivalent at least 10 days prior to the hearing on August 19, 2025. The Planning and Development Department Hearing Support shall also fulfill mailed noticing requirements. The Clerk of the Board shall forward the minute order of the hearing as well as a copy of the notice and proof of publication to the Planning and Development Department, Hearing Support, Attention: David Villalobos.

**Attachments:**

**Attachment A – Findings**

**Attachment B1 – COA Development Plan**

**Attachment B2 – COA Coastal Development Permit**

**Attachment C – CEQA Notice of Exemption**

**Attachment D – Appeal Application for Case No. 25APL-00010**

**Attachment E – Planning Commission Revised Memo 3-26-2025**

**Attachment F – Planning Commission Action Letter, dated 4-02-2025**

**Attachment G – Planning Commission Staff Report, dated 2-29-2025**

**Attachment H – Project Plans**

**Contact Information:**

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