



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 & Development
Department No.: 053
Agenda Date: July 15, 2025
Placement: Administrative Agenda
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s): Lisa Plowman
Contact: Travis Seawards
SUBJECT: Report on Case No. 25EMP-00002: Emergency Permit to repair damaged foundations of existing dwelling at 1546 Miramar Beach Drive in the Montecito Community Plan area, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Receive and file this report on Emergency Permit Case No. 25EMP-00002 (Attachment A), approved by the Director of Planning & Development on April 11, 2025, which authorized the repair of a damaged foundation of an existing single-family dwelling located at 1546 Miramar Beach Drive in the Montecito Community Plan area; and
- b) Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines 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:

This Board item is a report on the Emergency Permit to repair the damaged foundation of an existing single-family dwelling located in the Coastal Zone of the Montecito Community Plan area. Section 35-171.2 of Article II, the Coastal Zoning Ordinance (Article II) authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of Article II and issue an Emergency Permit when an emergency action is warranted. Pursuant to Section 35-171.6 of Article II, the Director of P&D is required to provide a written report to the Board of Supervisors describing the nature of the emergency and the work involved. This report satisfies that requirement.

Discussion:

The project site is a beach-front property located at 1546 Miramar Beach Drive in the Montecito Community Plan area. The existing single-family dwelling was permitted in 1988 under Case No. 89-CDP-056. Extensive damage to the foundation of the existing dwelling was identified by the applicant. On February 18, 2025, the applicant submitted an Emergency Permit (Case No. 25EMP-00002) application to allow repairs to the foundation.

The P&D Director (Director) verified the facts, including the existence and the nature of the emergency (per Article II Section 35-171.4) being a threat to property and to the health and safety of persons that utilize the existing dwelling, as well as to adjacent properties. Verbal authorization to repair the foundation was given by the Director on February 21, 2025. On April 11, 2025, the Director issued the Emergency Permit. Issuance of the Emergency Permit was consistent with Article II, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare.

Pursuant to Section 35-171.5.1 of Article II, a notice was mailed to surrounding property owners upon submittal of the Emergency Permit application. Additionally, three notice placards were placed on the subject property. Public comment by phone, email, and mail was accepted up until the date of the decision for the Emergency Permit. P&D reviewed public comment on the proposed emergency action.

Pursuant to Section 35-171.5.3 of Article II, an Emergency Permit does not constitute an entitlement to erect permanent structures, and an application for the applicable planning permit must be submitted within 30 days following the granting of the Emergency Permit. The Emergency Permit (Case No. 25EMP-00002) was issued on April 11, 2025. The applicant submitted a Coastal Development Permit with Hearing (CDH) application to permit the emergency repair work on May 8, 2025.

Issuance of the Emergency Permit was consistent with Article II, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare. The Department granted the Emergency Permit based on a statutory exemption for emergency situations (CEQA Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by the foundation damage. A copy of the filed CEQA Notice of Exemption is included herein as Attachment B to Attachment A (25EMP-00002 Emergency Permit) of this Board Letter. The Board's receipt and filing of this report on Emergency Permit Case No. 25EMP-00002 is an administrative activity under State CEQA Guidelines Section 15378(b)(5) that does not constitute a separate project for purposes of environmental review.

Background:

The applicant began construction to repair the damaged foundation of the existing single-family dwelling without permits. A complaint for the unpermitted construction was received on February 11, 2025. P&D enforcement, including Building and Safety (B&S) inspectors, conducted a site visit on February 13, 2025, and determined that violations existed for the unpermitted construction. Both B&S and Zoning Notice of Violations (NOV) were given to the property under Case Nos. 25BDV-00025 and 25ZEV-00031.

On February 18, 2025, the applicant submitted an Emergency Permit (Case No. 25EMP-00002) application to allow repair of the damaged foundation. B&S determined that a present danger exists and the project constitutes an emergency because the risk of foundation failure is an immediate threat to property and to the health and safety of persons that utilize the existing dwelling, as well

as to adjacent properties. B&S confirmed that emergency work to repair the damaged foundation must commence/continue as soon as possible. Verbal authorization to repair the foundation was given by the Director on February 21, 2025. The proposed emergency repair of the foundation includes underpinning the existing foundation with micropiles and installing new concrete jackets around existing concrete piers.

B&S inspectors confirmed that the emergency repair work was completed on May 13, 2025. P&D staff is currently processing the required follow on CDH application (Case No. 25CDH-00022).

Fiscal and Facilities Impacts:

County staff costs for preparing the Emergency Permit are fully reimbursed by the applicant in conformance with the current Board-adopted fee ordinance. The estimated total cost to process this Emergency Permit is approximately 25 staff hours, which equates to \$7,300.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on Page D-307 of the County of Santa Barbara Fiscal Year (FY) 2025-26 Recommended Budget. Future permitting costs associated with this project will be borne completely by the applicant.

Fiscal Analysis:

Funding Source	FY 2025-26	Total
General Fund		
State		
Federal		
Fees	7300	7300.00
[Other Source]		
Total		7300.00

Attachments:

Attachment A – Issued Emergency Permit 25EMP-002

Attachment B – CEQA Notice of Exemption - Section 15378(b)(5)

Contact Information:

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