



COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
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May 4, 2021

Michelle McToldridge
Shelter Architecture
P.O. Box 5755
Santa Barbara, CA 93155

PLANNING COMMISSION
HEARING OF APRIL 28, 2021

RE: *Applicant Appeal of Williams ADU Project Denial; 20APL-00000-00030, 20APL-00000-00031, 20APL-00000-00032*

Hearing on the request of property owners George and Karen Williams, to consider the appeals, Case Numbers 20APL-00000-00030, 20APL-00000-00031, and 20APL-00000-00032, of the Director's denial of 20CDP-00000-00060, 20CDP-00000-00061, and 20CDP-00000-00062 for the conversion of three garages into Accessory Dwelling Unit's (ADUs), in compliance with Section 35-182 of Article II, the Coastal Zoning Ordinance. The applications involve Assessor Parcel Numbers 075-223-025, -024, and -023, located at 6513, 6515, and 6517 Del Playa Drive respectively in the Goleta Community Plan area (Isla Vista), Third Supervisorial District.

Dear Ms. McToldridge:

At the Planning Commission hearing of April 28, 2021, Commissioner Bridley moved, seconded by Commissioner Cooney and carried by a vote of 3 to 2 (Parke and Ferini no) to:

1. Deny the appeals, Case Numbers 20APL-00000-00060, 20APL-00000-00061, and 20APL-00000-00062;
2. Make the required findings for denial of the Coastal Development Permits (CDPs) included in Attachment A of the staff report dated April 13, 2021;
3. Determine that denial of the appeals and denial of the Coastal Development Permits is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15270(b) [Projects Which are Disapproved] as specified in Attachment B of the staff report dated April 13, 2021; and
4. Deny *de novo* the Coastal Development Permits, Case Nos. 20CDP-00000-00060, -061, and -062.

The attached findings and conditions reflect the Planning Commission's actions of April 28, 2021.

The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved

persons the appellant, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, May 10, 2021 at 5:00 p.m.**

Final action by the County on this project may be appealed to the Coastal Commission by the applicant, an aggrieved person, as defined above, or any two members of the Coastal Commission within the 10 working days following the date the County's Notice of Final Action is received by the Coastal Commission.

Sincerely,



Jeff Wilson
Secretary to the Planning Commission

cc: Case File: 20APL-00000-00030, 20APL-00000-00031, 20APL-00000-00032
Planning Commission File
Owner: George and Karen Williams, 173 Hot Springs, Santa Barbara, CA 93108
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Joan Hartmann, Third District Supervisor
John Parke, Third District Planning Commissioner
Jenna Richardson, Deputy County Counsel
Delaney Roney, Planner

Attachments: Attachment A – Findings for Denial

DMB/dmw

ATTACHMENT A: FINDINGS FOR DENIAL

1.0 CEQA FINDINGS

The County Planning Commission finds that the proposed projects are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved]. Please see Attachment B (CEQA Notice of Exemption) of this staff report dated April 13, 2021 and incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS

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

2.1 COASTAL DEVELOPMENT PERMIT FINDINGS

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

2.1.1 The proposed development conforms:

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

The Planning Commission finds that the projects do not conform to applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, and does not comply with applicable provisions of the Article II Coastal Zoning Ordinance, as detailed in Sections 6.1, 6.3, and 6.4 of the staff report dated April 13, 2021 and included herein by reference.

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

The Planning Commission finds that the properties will not comply with all law, rules, and regulations due to the lack of adequate parking if the projects were approved. Four vehicle parking spaces and two bicycle spaces are required for a three bedroom dwelling in the SR-M-8 zone district. The projects do not provide replacement vehicle and bicycle parking as required by Article II, as detailed in Section 6.4 of the staff report dated April 13, 2021 and included herein by reference.

2.1.3 The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

The Planning Commission finds that, as discussed in Sections 6.1, 6.3, and 6.4 of the Planning Commission staff report dated April 13, 2021 and herein incorporated by reference, the projects do not comply with the public access and recreation policies of the Coastal Zoning Ordinance and the Comprehensive Plan due to the lack of replacement parking for the converted garages.

