



# SANTA BARBARA COUNTY ZONING ADMINISTRATOR STAFF REPORT

October 21, 2011

**PROJECT:** Gilson Move Dwelling  
**HEARING DATE:** November 7, 2011  
**STAFF/PHONE:** J. Ritterbeck, (805) 568-3509

## GENERAL INFORMATION

**Case No.:**  
11CDH-00000-00020

**Applicant / Phone:**

Michael Gilson  
2409 Calle Linares  
Santa Barbara, CA 93109  
(805) 965-1335

**Architect / Phone:**

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Santa Barbara, CA 93130  
(805) 729-2143

**Agent / Phone:**

Sarah Kennelly  
(805) 451-1243



## 1.0 EXECUTIVE SUMMARY

This project is for a Coastal Development Permit (w/ Hearing) to allow the existing 1,247 [net] square foot two-story single-family dwelling to be moved approximately 30-feet north of its current location to be further away from the eroding bluff-face. No grading and no tree removal would be required as a part of this project. Approval of the proposed project would resolve an existing health and safety hazard that has been created by the continued bluff erosion at this location. This project is just one of several similar projects along Del Playa Drive on nearby lots all under different ownership that are obtaining development permits to move, cut-back or otherwise alter the existing dwellings in order to address the bluff erosion issue. These alterations are necessary both to meet the applicable Building & Safety standards relating to the health and safety of occupants of bluff-top structures as well as to comply with all applicable zoning requirements and policies of the Coastal Plan.

## 2.0 REQUEST

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Hearing on the request of Sarah Kennelly, agent for Michael Gilson, property owner, to consider case number 11CDH-00000-00020, [application filed on May 24, 2011] for a Coastal Development Permit (*w/Hearing*) in compliance with Section 35-169 of the Coastal Zoning Ordinance, on property zoned SR-M-8: Multiple / Student Residential, to relocate the existing 1,247 [*net*] sq. ft. single-family dwelling 30-feet north of its current location to be further away from the eroding bluff-face; and to determine the project is exempt pursuant to section 15301 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 075-193-030, located at 6709 Del Playa Drive, Goleta, CA 93117, in the Isla Vista area, Third Supervisorial District.

## 3.0 RECOMMENDATION

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Follow the procedures outlined below and conditionally approve Case No. 11CDH-00000-00020, as depicted on the site plans (Attachment D), based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan, and based on the ability to make the required findings.

The Zoning Administrator's action should include the following:

- Make the required findings for approval of the project as specified in Attachment A of this staff report, including CEQA findings;
- Determine the project is exempt from CEQA, pursuant to CEQA Guidelines Section 15301, included as Attachment C;
- Approve the project, case number 11CDH-00000-00020 subject to the conditions of approval included as Attachment B.

Please refer back to staff if the Zoning Administrator takes other than the recommended action for appropriate findings and conditions.

## 4.0 PROJECT SPECIFICATIONS

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<b>Site Size:</b>	0.33-acres [ <i>gross</i> ]
<b>Comprehensive Plan Designation:</b>	California Coastal Commission Appeal Jurisdiction, Coastal, Urban Res-8.0: (Maximum density: eight dwelling units / acre)
<b>Ordinance/Zoning:</b>	Student Residential, SR-M-8: Multiple/Student Residential
<b>Surrounding Use, Zoning:</b>	<b>North:</b> SR-M-18 - Multiple/Student Residential <b>South:</b> Pacific Ocean <b>East:</b> SR-M-8 - Multiple/Student Residential <b>West:</b> SR-M-8 - Multiple/Student Residential
<b>Existing Services:</b>	<b>Water:</b> Goleta Water District <b>Sewer:</b> Goleta West Sanitary District <b>Fire:</b> Santa Barbara County Fire Department <b>Access:</b> Del Playa Drive
<b>Present Use and Development:</b>	The parcel is presently developed with a 1,247 sq. ft. two-story single-family dwelling that is student occupied and a 326 sq. ft. detached garage

## 5.0 PROJECT ANALYSIS

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### 5.1 Background

On March 28, 2011 and again on May 16, 2011, Building & Safety officials conducted site visits to the subject property to respond to complaints about the existence of substandard conditions within the house and the unsafe proximity to the bluff's edge due to the continued retreating bluff-face. During the first site visit property owner was informed that the existing structure did not meet the required bluff setback standard and was advised that he would soon be required to either move or cutback the dwelling to bring it into compliance with the current safety standards. On May 24, 2011 the applicant submitted an application to voluntarily move the existing dwelling 30-feet further north and away from the bluff before it became an emergency. To follow-up on the complaint that was filed regarding substandard conditions, Building & Safety issued a Notice of Violation to the property owner on July 11, 2011 requiring abatement of two other immediate hazards on the property (an incomplete bluff-top fence and leaking skylights) within 30-days. The hazards identified in that letter have since been abated. Approval of the current project to relocate the existing dwelling would abate the final documented hazard on the subject property.

### 5.2 Current Project

The project is for a Coastal Development Permit (with Hearing) to allow for the relocation of the existing 1,247 [net] sq. ft. single-family dwelling 30-feet north and further away from the bluff-face. No grading or tree removal would be required as a part of this project other than minor site disturbance required for the installation of new footings. The parcel will be served by the Goleta Water District, the Goleta-West Sanitary District, and the Santa Barbara County Fire Department. Access will continue to be provided off of Del Playa Drive. The property is a 0.33-acre parcel zoned SR-M-8 and shown as Assessor's Parcel Number 075-213-003, located at 6589 Del Playa Drive in the Goleta area, Third Supervisorial District.

### 5.3 Design Review

The proposed project would not include any new additions or structural alterations to the existing dwelling. As such, the Design Review was waived as a requirement for this project

### 5.4 Environmental Review

The project can be found exempt from environmental review based upon Section 15301 [Existing Facilities] of the California Environmental Quality Act (CEQA) Guidelines.

Specifically, Section 15301(d) exempts the restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood. The current project proposes to relocate an existing dwelling due to the structural deterioration of footings and caissons at the bluff's edge. The relocated structure would be restored to a new foundation approximately 30-feet north of the current location, pursuant to current standards of public safety. Therefore, the proposed project falls within the limits of this exemption.

### 5.5 Comprehensive Plan Consistency: Coastal Land Use Plan and Goleta Community Plan

**C.L.U.P. Policy 2-6:** *Prior to issuance of a land use 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...*

**Policy FIRE-GV-4:** *Emergency access shall be a consideration in the siting and design of all new development.*

**Policy CIRC-GV-3:** *A determination of project consistency with the standards and policies of this [Goleta] Community Plan Circulation Section shall constitute a determination of consistency with Local Coastal Plan Policy #2-6 and LUDP #4 with regard to roadway and intersection capacity.*

**Policy WAT-GV-1:** *For discretionary projects which would result in a net increase in water use, there shall be a sufficient supply of water to serve known existing commitments plus the proposed project.*

**Consistent:** The project site currently enjoys adequate services and resources to serve the existing residence and medium-density student residential use. The existing dwelling and appurtenant structures would continue to be served by the Goleta Water District, the Santa Barbara County Fire Department, and the Goleta West Sanitary District. The proposed project would not generate new traffic beyond what is envisioned for a single parcel within the SR-M zone district and the surrounding roads in Isla Vista are adequate to serve both the existing and proposed development.

**Policy VIS-GV-1:** *The County shall through its discretionary and design review process, ensure the maintenance and where necessary the improvement of the quality in the design and landscaping of industrial, commercial, institutional, and residential facilities.*

**Policy VIS-GV-6:** *Outdoor lighting in Goleta shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.*

**Goleta Community Plan, Appendix B.II.G.:** *Site layout (location of structures, signs, parking, etc.) shall be designed to respect and enhance adjacent neighborhood areas. Project facilities such as [...] trash storage areas shall be located in consideration for neighborhood uses, and screened where appropriate.*

**C.L.U.P. Policy 4-4:** *In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.*

**Consistent:** The proposed project would relocate the existing SFD onsite with no design changes. The project would also fill in the existing landscaping as indicated on the project plans to accommodate the relocation of the existing dwelling, and would make no changes to the overall existing lighting on the site. A final landscape plan would be required prior to issuance of the Coastal Development Permit.

**C.L.U.P. Policy 3-14:** *All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.*

**Consistent:** The proposed project was designed to require very little site alteration to accommodate the relocation of the existing structure. Moving the dwelling 30-feet to the north would require grading only to construct new footings. Natural features and landforms, including the bluff and any native vegetation would be preserved.

## **5.6 Zoning Compliance: Article II, Coastal Zoning Ordinance**

### **5.6.1 Section 35-169.1 – Purpose and Intent** [of Coastal Development Permits] in the Coastal Zoning Ordinance states:

*This section establishes procedures and findings for approval, issuance and effective time periods for Coastal Development Permits that are required by this Article. The intent of this section is to ensure that development is in conformity with the provisions of this Article, the Comprehensive Plan, including the Coastal Land Use Plan and any applicable Community Plan and any permit conditions established by the County, and to provide public hearing opportunities for development that is defined as appealable to the Coastal Commission in compliance with Section 35-182.*

**Compliant:** The proposed relocation of the existing two-story single-family dwelling would be compliant with the purpose and intent of the Coastal Development Permit and would also be in conformance with the applicable provisions of Article II, the County Comprehensive Plan, including the Coastal Land Use Plan and the Goleta Community Plan. The project is also subject to a public hearing before the Zoning Administrator and is appealable to the Coastal Commission in compliance with Article II, Section 35-182 (Appeals).

### **5.6.2 Section 35-76 – Intent & Purpose of the SR-M Zone District**

As stated in Section 35-76 of the Article II, the intent and purpose of the SR-M zoning 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.”*

**Compliant:** The existing two-story five-bedroom student-residential dwelling in the SR-M district would be relocated approximately 30-feet north of its current location. Relocating the structure would maintain existing housing stock in the Isla Vista area and would not require a lengthy displacement of the student tenants that would otherwise be created if the dwelling were to be demolished and reconstructed. Additionally, relocating and rehabilitating the existing dwelling would mitigate adverse impacts on traffic (due to fewer construction vehicle trips), would not increase density or parking demand and would maintain the present aesthetic of the existing dwelling. Furthermore, moving the two-story dwelling 30-feet further from the bluff would provide an overall improvement to the health and safety of the occupant of the dwelling as it relates to the continued erosion of the bluff-face.

### **5.6.3 Section 35-76.11 – Parking**

Section 35-76.11.1.(a) of Article II requires that parking for a single-family dwelling in the SR-M zone have two spaces per bedroom and Section 35-76.11.7 allows parking in the front setback on parcels located on the bluff, so long as a minimum of 5'-0" is maintained between the right-of-way and the parking area.

**Compliant:** The ten required parking spaces for the existing five-bedroom dwelling would be provided on-site and would be located outside of the required 5'-0" front parking area setback for the bluff top site. Additionally, all proposed parking that would accommodate the required number of parking spaces would be consistent with the requirements of Article II, Section 35-114 pertaining to the size, location and design of residential parking stalls.

Additionally, Section 35-76.12 of Article II states that: *“All development within [the SR-M] district shall provide one unenclosed and one enclosed, permanently maintained, and secure bicycle storage space for each bedroom...within the development.”*

**Compliant:** As a condition of approval, a total of five enclosed secure bicycle parking spaces and five additional unenclosed secure spaces would be located in a separate bike area within the rear of the property.

## **6.0 APPEALS PROCEDURE**

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The action of the Zoning Administrator may be appealed to the Planning Commission within ten (10) calendar days following the date of the Zoning Administrator's decision by the applicant, an aggrieved person, or any two members of the Coastal Commission. There is no appeal fee as the project is appealable to the Coastal Commission.

The action of the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days following the date of the Planning Commission's decision by the applicant, an aggrieved person, or any two members of the Coastal Commission. There is no appeal fee as the project is appealable to the Coastal Commission.

The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's Notice of Final Action.

## **7.0 ATTACHMENTS**

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- A. Findings for Approval
- B. Conditions of Approval
- C. Environmental Document: Notice of Exemption
- D. Reduced Plan Sheets