

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT
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**W18a**

Appeal Filed: 5/9/19
 49th Day: 7/19/19
 Staff: W. Horn - V
 Staff Report: 6/20/19
 Hearing Date: 7/10/19

STAFF REPORT: APPEAL- NO SUBSTANTIAL ISSUE

APPEAL NUMBER: A-4-CPN-19-0029

APPLICANT: Karen Hawkins

APPELLANT: John Barrison

LOCAL GOVERNMENT: City of Carpinteria

LOCAL DECISION: Approval with Conditions of Coastal Development Permit 15-1804-CDP

PROJECT LOCATION: 5567 Calle Arena, Carpinteria, Santa Barbara County (APN: 003-382-014)

PROJECT DESCRIPTION: Construction of a new 2,313 sq. ft. single-family residence with an attached 537 sq. ft. two-car garage on an undeveloped lot, 160 cu. yds. of grading (70 cu. yds. cut, 90 cu. yds. fill), drainage improvements, landscape and hardscape improvements, new underground utilities and new side and rear perimeter fencing.

STAFF RECOMMENDATION: No Substantial Issue

MOTION & RESOLUTION: Pages **5 and 6**

NOTE: This is a substantial issue only hearing. Testimony will be taken only on the question of whether the appeal raises a substantial issue. Generally, and at the discretion of the Chair, testimony is limited to 3 minutes total per side. Please plan your testimony accordingly. Only the applicant, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify. Others may submit comments in writing. If the Commission determines that the appeal does raise a substantial issue, the *de novo* phase of the hearing will occur at a future Commission meeting during which it will take public testimony.

SUMMARY OF STAFF RECOMMENDATION

The Commission's role at the "substantial issue" phase of an appeal is to decide whether the appeal of the local government action raises a substantial issue with respect to the grounds on which the appeal was filed, which can include a claim that the approved development is not in conformity with the applicable provisions of the certified Local Coastal Program (LCP) or with the public access policies of the Coastal Act (Pub. Res. Code §§ 30210-14). Staff recommends that the Commission, after public hearing, determine that **no substantial issue exists** with respect to the grounds on which the subject appeal has been filed. The motion and resolution for a "no substantial issue" finding is found on **pages 5 and 6**.

The subject coastal development permit (CDP) was approved by the City of Carpinteria (City) Planning Director on December 18, 2018. The project was then appealed to the City Planning Commission and City Council by John Barrison. Ultimately, the City Council upheld the Planning Commission's action, thereby approving the construction of a new 2,313 square foot single-family residence with an attached 537 square foot two-car garage and associated development on a 7,475 square foot rectangular shaped, undeveloped parcel within a developed residential area in the City's Concha Loma Neighborhood. The appellant contends that the project, as approved by the City, is inconsistent with the standards of the LCP regarding residential design and neighborhood compatibility. Specifically, the appellant asserts that the approved single-family residence is not sensitive to the scale and character of the existing neighborhood and that it is not consistent with the City's "small beach town" image.

In its action on the subject CDP, the City found that the project is consistent with all of the certified LCP's policies and standards for development on a lot zoned 6-R-1 (Single-Family Residential) including height, setbacks, total square footage, and Floor Area Ratio (FAR). Prior to approving the CDP the applicant worked cooperatively with the City's Architectural Review Board (ARB) over the course of seven ARB meetings to address the concerns of ARB members and neighbors regarding the design of the project. As a result, the project has been redesigned from the original proposal of a two-story residence to instead incorporate a split-level design as a means to reduce the overall height of the second story. Additionally, the size of the second story has been reduced to include only a master suite measuring 467 square feet in size and is also set back so as to reduce the mass of the residence as viewed from Calle Arena. With those changes the City found that the project is consistent with other properties within the Concha Loma Neighborhood, and the project is in conformity with the "small beach town" image of the City.

Commission staff's review of the decision indicates that the project, as approved by the City, conforms to the residential design and neighborhood compatibility policies and provisions of the LCP. The City's record includes extensive factual evidence and legal support for the City's findings that the project is consistent with the policies and provisions of the certified LCP. Moreover, the extent and scope of the development is relatively minor, does not have a significant adverse effect on significant coastal resources, has little precedential value and does not raise issues of regional or statewide significance. Therefore, staff recommends that the Commission find that the appellant's contentions raise no substantial issue with regard to the approved project's consistency with the policies and provisions of the City of Carpinteria's certified LCP.

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EXHIBITS

Exhibit 1.	Vicinity Map
Exhibit 2.	Aerial Overview
Exhibit 3.	Appeal by John Barrison
Exhibit 4.	Notice of Final Local Action
Exhibit 5.	Project Plans
Exhibit 6.	Table Summarizing Existing Development Along Calle Arena

I. APPEAL JURISDICTION AND PROCEDURES

A. APPEAL PROCEDURES

The Coastal Act provides that after certification of a local government's Local Coastal Program (LCP), the local government's actions on Coastal Development Permit applications for development in certain areas and for certain types of development may be appealed to the Coastal Commission. Local governments must provide notice to the Commission of their coastal development permit actions. During a period of ten working days following Commission receipt of a notice of local permit action for an appealable development, an appeal of the action may be filed with the Commission.

1. Appeal Areas

Approvals of CDPs by cities or counties may be appealed if the development authorized is to be located within the appealable areas, which include the areas between the sea and the first public road paralleling the sea; within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is greater; on state tidelands; or along or within 100 feet of natural watercourses and lands within 300 feet of the top of the seaward face of a coastal bluff. (Coastal Act Section 30603(a)). Any development approved by a County that is not designated as a principal permitted use within a zoning district may also be appealed to the Commission irrespective of its geographic location within the Coastal Zone. (Coastal Act Section 30603(a)(4)). Finally, developments that constitute major public works or major energy facilities may be appealed to the Commission. (Coastal Act Section 30603(a)(5)).

In this case, the project site is located on Calle Arena in the City of Carpinteria ([Exhibit 2](#)). The Post LCP Certification Permit and Appeal Jurisdiction map certified for the City of Carpinteria (Adopted November 17, 1993) indicates that the subject property is located in the area between the sea and the first public road paralleling the sea. As such, the City's CDP for the subject project is appealable to the Commission.

2. Grounds for Appeal

The available grounds for an appeal of a local government approval of development are limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in the Coastal Act. (Coastal Act Section 30603(b)(1)).

3. Substantial Issue Determination

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which the appeal was filed. When Commission staff recommends that no substantial issue exists with respect to the grounds of the appeal, the Commission will hear arguments and vote on the "substantial issue" question. A majority vote of the Commissioners present is required to determine that an appeal raises no substantial issues and that the Commission will therefore not review the merits of the appeal *de novo*. If the Commission determines that no substantial issue exists, then the local government's coastal development permit action will be considered final.

4. De Novo Permit Hearing

Should the Commission determine that a substantial issue exists, the Commission will consider the CDP application de novo. The applicable test for the Commission to apply in a de novo review of the project is whether the proposed development is in conformity with the certified Local Coastal Program and, if the development is between the sea and the first public road paralleling the sea, the public access and recreation policies of the Coastal Act. (Coastal Act Section 30604(b) & (c)).

B. LOCAL GOVERNMENT ACTION AND FILING OF APPEAL

The project that is the subject of this appeal was approved by the City of Carpinteria (City) Community Development Director (Director) on December 18, 2018. City planning staff provided notice of the 10-day local appeal period for the Director's determination, and prior to the close of the appeal period two appellants, Susan Skenderian and John Barrison, submitted separate written appeals. The City's Planning Commission considered the two appeals at the March 4, 2019 meeting and voted to deny both appeals. City planning staff provided notice of the 10-day local appeal period of the Planning Commission's determination, and prior to the close of the appeal period John Barrison submitted a written appeal. The City Council considered the appeal at the April 22, 2019 meeting and voted to deny the appeal.

The City's Notice of Final Action for the project was received by Commission staff on April 25, 2019 ([Exhibit 4](#)). Commission staff provided notice of the ten working day appeal period, which began on April 25, 2019 and ended on May 9, 2019. John Barrison filed the subject appeal on May 9, 2019, during the Commission's appeal period ([Exhibit 3](#)). Commission staff notified the City, the applicant, and all interested parties that were listed on the appeal and requested that the City provide its administrative record for the permit. Pursuant to Section 30621(a) of the Coastal Act, a hearing on an appeal must be set no later than 49 working days after the date on which the appeal was filed with the Commission, which would be July 19, 2019; however, according to Section 30625(a), the applicant can waive that time limit.

II. STAFF RECOMMENDATION FOR NO SUBSTANTIAL ISSUE

MOTION: *I move that the Commission determine that Appeal No. A-4-CPN-19-0029 raises NO substantial issue with respect to the grounds on which the appeal has been filed under §30603 of the Coastal Act.*

STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE:

Staff recommends a **YES** vote. Passage of this motion will result in a finding of **No Substantial Issue** and adoption of the following resolution and findings. If the Commission finds **No Substantial Issue**, the Commission will not hear the application de novo, and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

RESOLUTION TO FIND NO SUBSTANTIAL ISSUE:

The Commission finds that Appeal No. A-4-CPN-19-0029 does not present a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

III. FINDINGS AND DECLARATIONS FOR NO SUBSTANTIAL ISSUE

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND SETTING

The subject coastal development permit (CDP) approved by the City of Carpinteria consists of the construction of a new 2,313 square foot single-family residence with an attached 537 square foot two-car garage. The residence consists of a “split-level” design with a maximum height of 18 feet 1 inch as measured from the finished grade at the front of the garage, and a maximum height of 21 feet 8 inches as measured from finished grade at the rear ([Exhibit 5](#)). Additionally, the approved project includes 160 cu. yds. of grading (70 cu. yds. cut, 160 cu. yds. fill), a new driveway, walkways and patio, drainage improvements, new underground utilities, side/rear perimeter fencing, and site landscaping.

The approved project is located on a 7,475 square foot rectangle-shaped parcel zoned “6-R-1” (Single-Family Residential) that is situated along the south side of Calle Arena within the Concha Loma Neighborhood ([Exhibit 2](#)). The Concha Loma Neighborhood is a residential community that is developed with both single and multi-story residences and is located on the south side of the City, bounded by Carpinteria Creek on the west, by Carpinteria Avenue on the north, and by railroad tracks and the beach on the south. The project site slopes gently toward the rear of the property with an approximate two-foot vertical height difference between the front of the lot at the Calle Arena right-of-way and the rear of the lot along the railroad right-of-way. The site is currently undeveloped and covered in ice plant. Immediately adjacent development consists of single-story houses situated on similarly sized lots and within the vicinity of the property there are multiple two-story and multi-story residences.

B. APPELLANT’S CONTENTIONS

The City’s final action on the subject CDP was appealed to the Commission by John Barrison on May 9, 2019, and the appeal is included as [Exhibit 3](#). The appeal filed by the appellant contends that:

- 1) The project has been vociferously appealed from its initial proposal at the Architectural Review Board (ARB), through the City Council hearing of the appeal, by over 51% of neighbors;
- 2) The appeal heard by the City Council was only voted upon by 3 of the 5 voting members. If all of the voting members had been able to voice their opinions, it is likely that the other voting Council members would have changed their opinion;
- 3) The proposed project does not meet the General Plan/Coastal Plan Neighborhood, nor the Concha Loma Neighborhood Residential Design Guidelines. These were put in place by the City to ensure that new development is sensitive to the scale and character of the

existing neighborhoods and consistent with the City’s “small beach town” image. These are the City’s guidelines and this project does not meet these criteria.

The first two contentions raised by the appellant do not include any specific allegation of the approved development’s inconsistency with any specific policy or provision of the certified City of Carpinteria LCP or the public access policies of the Coastal Act, and as such are not valid grounds for appeal. The third contention from the appellant regarding the project’s conformity with the General Plan/Coastal Plan and residential design guidelines is discussed in Section C.1., below.

C. ANALYSIS OF SUBSTANTIAL ISSUE

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for an appeal is whether a substantial issue exists with respect to the grounds raised by the appellants relative to the locally-approved project’s conformity to the policies contained in the certified Local Coastal Program (LCP) or the public access policies of the Coastal Act. In this case, the appellant only raises issues pertaining to the residential design and neighborhood compatibility policies of the certified Carpinteria LCP and therefore does not include the public access policies of the Coastal Act as grounds for appeal.

The term “substantial issue” is not defined in the Coastal Act or its implementing regulations. The Commission’s regulations indicate simply that the Commission will hear an appeal unless it “finds that the appeal raises no significant question” (Cal. Code Regs., Title 14, Section 13115(b)).

In evaluating the issue of whether the appeal raises a substantial issue, the Commission considers the following factors:

1. The degree of factual and legal support for the local government’s decision that the development is consistent or inconsistent with the certified LCP;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of coastal resources affected by the decision;
4. The precedential value of the local government’s decision for future interpretation of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significant.

In this case, for the reasons discussed below, the Commission determines that the appeal raises no substantial issue with regards to the grounds on which the appeal has been filed.

1. Residential Design and Neighborhood Compatibility

The appellant only made general assertions about the residential design and neighborhood compatibility standards of the LCP. However, based upon the appellant’s contentions, the following policies and provisions of the City’s certified LCP are applicable.

Land Use Plan (LUP) Objective CD-1 states:

The size, scale and form of buildings, and their placement on a parcel should be compatible with adjacent and nearby properties, and with the dominant neighborhood or district development pattern.

Land Use Plan (LUP) Objective CDS5-3 states:

Ensure that new development is sensitive to the scale and character of the existing neighborhoods and consistent with the City's "small beach town" image.

Coastal Zoning Ordinance (CZO) Section 14.12.060 states:

No building or structure shall exceed a height of thirty (30) feet.

Coastal Zoning Ordinance (CZO) Section 14.12.070 states (in relevant part):

- 1) For all R-1 districts except 4-R-1, the minimum setbacks shall be as follows:*
 - a) Front. No building or structure shall be located within fifty (50) feet of the centerline of any street nor twenty (20) feet of the property line, whichever is greater.*
 - b) Side. There shall be a side yard setback on each side of the parcel equal to ten percent (10%) of the width of the parcel. In no case shall the minimum required side yard setback be less than five (5) feet. In order to preserve architectural integrity, the side yard setback required for an addition to an existing building or structure may be permitted to utilize the established setback, provided that the established side yard setback is not less than five (5) feet.*
 - c) Rear. There shall be a rear yard setback of not less than fifteen (15) feet...*

Coastal Zoning Ordinance (CZO) Section 14.12.082 states:

- 1) Maximum building coverage. Thirty-five percent (35%) of the net lot area is the maximum which may be covered by all enclosed buildings or structures located thereon. For the purpose of this section, "building coverage" is defined as the relationship between the ground floor area of enclosed buildings and the net area of the site, expressed in percent form. This definition excludes pools, spas, patios (enclosed on two (2) sides or less) and similar uses as determined by the city manager.*
- 2) Maximum Floor Area Ratio. Floor area ratio shall not exceed forty percent (40%) for all enclosed building or structures. For the purpose of this section "floor area ratio (FAR)" is defined as the total floor area of enclosed buildings on a lot divided by the net area of the site expressed in a percent*

form. This definition excludes pools, spas, patios (enclosed on two (2) sites or less), and similar uses as determined by the city manager.

In addition to raising issue with the residential design and neighborhood compatibility standards of the LCP, the appellant contends that the project does not conform with the Concha Loma Neighborhood Residential Guidelines. However, the Concha Loma Neighborhood Residential Guidelines have not been certified by the Commission and therefore are not part of the LCP. Thus, any contentions raised with respect to these guidelines cannot be considered as valid grounds for an appeal of the City's CDP. Regarding the residential design guidelines of the LUP, Objective CD-1 and Objective CDS5-3 require that new development is of a size, scale and form that is compatible with adjacent and nearby properties, and with the dominant neighborhood pattern, while also being consistent with the City's "small beach town" image. Section 14.12.060 of the Coastal Zoning Ordinance (CZO) limits the maximum building height or structure of new development on properties zoned 6-R-1 "Single-Family Residential" to 30 feet and also defines the required setbacks from the front, side and rear property lines. Section 14.12.082 specifies the maximum allowable building coverage and maximum Floor Area Ratio (FAR) for a property zoned 6-R-1.

The appellant contends that the project, as approved by the City, does not meet the standards of the LCP relating to residential design and neighborhood compatibility. Specifically, the appellant asserts that the approved development is not sensitive to the scale and character of the existing neighborhood and that it is not consistent with the City's "small beach town" image.

As described above, the project includes construction of a new single-family residence on a vacant lot in the Concha Loma neighborhood of the City. This neighborhood is located in a residential area of the City that is developed with both single-story and multi-story residences. The size, height, and bulk of structures in this neighborhood are similar to the subject residence, and the City staff reports find that the subject residence is compatible in scale and character with surrounding residences.

The Commission is guided by the certified LCP and past Commission actions which utilize height and setbacks as the most common methods for measuring neighborhood compatibility. As evidenced in Table 1 below, the subject residence is consistent with the all applicable LCP standards for allowable height limit; front, side and rear setbacks; building coverage; and Floor Area Ratio (FAR) pursuant to CZO Sections 14.12.060 and 14.12.082. Additionally, it should be noted that the tallest point of the second level of the subject residence is 21 feet 8 inches, which is more than 8 feet below the allowable maximum height of 30 feet for this zone. Furthermore, the second level of the residence only covers a portion of the first level and has an increased front setback of 53 feet six inches from the front property line, which results in an articulated design as viewed from Calle Arena.

Table 1 Standards for Single Family Residence in 6-R-1 Zone

Standard	Requirement/Allowance	Proposed Project
Setbacks		
Front	50 feet min. from centerline of street or 20 feet min. from property line, whichever is greater	First Floor: 25 feet from property line Second Floor: 53 feet six inches from property line.
Side (East)	6 feet 6 in. min. (equal to 10% of average lot width)	8 feet
Side (West)	6 feet 6 in. min. (equal to 10% of average lot width)	6 feet 6 in.
Rear	15 feet min.	19 feet 6 in.
Height	30 feet max.	18 feet 1 in. from finished grade at face of garage; 21 feet 8 in. from rear finished grade
Building Coverage	35% max. (2,608 sq. ft.)	32% (2,383 sq. ft.)
Floor Area Ratio	40% max. (2,981 sq. ft)	38.2% (2,850 sq. ft.)

In addition to development standards, the Commission also utilizes streetscape analyses, plans, project renderings and other such simulations of surrounding structures to analyze visual compatibility. In order to determine whether or not a proposed project is compatible with community character, the Commission looks at all of the development in the surrounding area to determine whether or not a proposed project is appropriate with regard to mass and scale for a specific project in a specific area.

The Concha Loma subdivision contains approximately 128 lots which were created as part of the original subdivision in 1948. The neighborhood was originally developed with small, single-story residences; however, over time, as existing homes have been remodeled or new homes have been constructed, the style and sizes of homes has changed. In addition to the construction of several multi-story residences, a number of larger, single-story homes with heights as tall, and sometimes taller, than some of the two-story or multi-story homes have also been constructed within the Concha Loma Neighborhood.

Calle Arena is approximately 1,200 feet, or a quarter of a mile long. As part of their review of the proposed single-family residence and its conformance with the community character, City staff prepared a table summarizing the existing development along Calle Arena ([Exhibit 6](#)). Pursuant to that table, of the 36 lots on Calle Arena, 9 lots contain two-story or multi-level structures and 26 contain one-story structures, not including the subject site. Heights of houses along this street range from 11 feet two inches to 24 feet seven inches and floor areas vary from 1,315 square feet to 3,404 square feet. The subject residence is a split level design measuring 18 feet one inch from the finished grade at the front of the garage (immediately adjacent to Calle Arena) to 21 feet eight inches as measured from the finished grade at the rear of the residence,

and has a total floor area of 2,850 square feet. As such, the approved height and size of the subject residence are consistent with other homes along Calle Arena. Additionally, City staff also surveyed the existing residences in the rest of the Concha Loma Neighborhood and determined that there are eight other two-story and multi-story homes that have been permitted and constructed. This equates to a total of 17 two-story or multi-level homes throughout the Concha Loma Neighborhood.

Two-story and multi-story homes are permissible pursuant to the LCP provided such homes are designed in a manner that is sensitive to the scale and character of the neighborhood and consistent with the City's "small beach town" style. In the process of permitting the subject single-family residence, the project was reviewed by the City's Architectural Review Board (ARB) over the course of seven meetings to redesign the residence consistent with the mandate to maintain community character and to respond to issues raised by neighbors. The final split level design approved by the ARB allows for a two-story interior space to appear as a one-and-a-half story house from the street with a maximum height of 18 feet one inch, which is lower in height than all or most of the other two-story or multi-level homes in the neighborhood and even lower in height than some of the neighborhood's single-story homes. With the split level design, the rear of the house will be higher in elevation than the front at 21 feet 8 inches; however, this is still more than 8 feet below the allowable height limit of 30 feet. Additionally, the relatively small size of the second level (467 square feet master suite) in conjunction with the increased front setback of 53 feet six inches from the front property line significantly reduces the visibility and prominence of the second level, thus reducing the size and mass of the single-family residence as viewed from Calle Arena. The overall height and mass of the proposed development is generally consistent with the surrounding single-family residences in the area. By incorporating a split level design to lessen the height, and using increased setbacks with a reduced square footage of the second floor, the project reduces the size and mass of the residence compatible with the adjacent properties and Concha Neighborhood and helps to maintain the "small beach town" aesthetic of Carpinteria.

Therefore, the project, as approved by the City, conforms to the residential design and neighborhood compatibility policies and provisions of the LCP, including the size, scale and community character requirements of Policy CD-1 and Policy CDS5-3. The subject residence is sufficiently sited and designed to be compatible with the existing residential development in the Concha Loma Neighborhood.

For all of these reasons, the Commission finds that the project, as approved by the City, is consistent with the applicable residential design and neighborhood compatibility policies and provisions of the certified LCP.

2. Factors Considered in Substantial Issue Analysis

The standard of review for the subject appeal is whether a substantial issue exists with respect to the grounds raised by the appellant relative to the appealable development's conformity to the policies contained in the certified LCP or the public access policies of the Coastal Act. In this case, the appeal alleges inconsistencies between the City's approval and the residential design and neighborhood compatibility policies of the LCP. The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate

simply that the Commission will hear an appeal unless it “finds that the appeal raises no significant question.” (Cal. Code Regs., Title 14, Section 13115(b).) In previous decisions on appeals, the Commission has been guided by the following five factors that are addressed below.

The first factor in evaluating the issue of whether the appeal raises a substantial issue is the degree of factual and legal support for the local government’s decision that the development is consistent with the subject provisions of the certified LCP. In this case, as discussed in detail above, the issue of community character was addressed in the City’s staff reports. The City’s record includes extensive factual evidence and legal support for the City’s findings that the project is consistent with all of the applicable residential development and neighborhood compatibility policies and provisions of the certified LCP.

The second factor in evaluating the issue of whether the appeal raises a substantial issue is the extent and scope of the development as approved. As described above, the project consists of a single-family residential development on a 7,475 square foot, undeveloped parcel located within a residentially developed area. Given that maximum allowable development is limited by the City’s development standards and the subject development is consistent with those standards and compatible with development located on adjacent properties and the surrounding area, the extent and scope of the subject development is not significant.

The third factor in evaluating the issue of whether the appeal raises a substantial issue is the significance of coastal resources affected by the decision. In this case, the project site is a residentially zoned infill lot located in a developed residential community. There is no Environmentally Sensitive Habitat Area (ESHA) on the site. The project is consistent with all applicable development standards including height, setbacks, and square footage, and will be compatible with the character of the surrounding area. Thus, no significant coastal resources will be affected by the decision.

The fourth factor in evaluating the issue of whether the appeal raises a substantial issue is the precedential value of the local government’s decision for the future interpretation of its LCP. In this case, the approved project is consistent with the policies and provisions of the LCP and is compatible in scale and character with surrounding residences. As such, the City’s decision will have no adverse precedential value for future CDP decisions.

The final factor in evaluating the issue of whether the appeal raises a substantial issue is whether the appeal raises only local issues, or those of regional or statewide significance. In this case, the approved project is consistent with the policies and provisions of the LCP, will not result in any adverse impacts to neighborhood character or other coastal resources, and does not present issues of regional or statewide significance.

In conclusion, the Commission finds that none of the factors listed above, used to evaluate whether a substantial issue exists, favor a finding that a substantial issue exists. For the reasons discussed above, the Commission finds that the appeal raises no substantial issue with respect to the consistency of the approved development with the policies of the City’s certified LCP. Applying the five factors identified above, the Commission finds the City’s record adequately supports its position that the proposed project is consistent with the applicable LCP policies. In addition, the development is relatively small in scope, does not have a significant adverse effect

on significant coastal resources, would not be an adverse precedent for future coastal development permits, and doesn't raise issues of regional or statewide significance. Therefore, the Commission finds that the appeal does not raise a substantial issue with respect to the grounds on which it was filed.

APPENDIX 1

Substantive File Documents

City of Carpinteria Planning Commission Hearing Package CDP No. 15-1804-CDP dated March 4, 2019; City of Carpinteria City Council Hearing Package CDP No. 15-1804-CDP dated April 22, 2019; City of Carpinteria Local Coastal Program, Certified by the California Coastal Commission January 1980.