

Noyes/Woodall Appeal of Planning Commission Approval of Law New Residence

Case No. 24APL-00007

Board of Supervisors
October 15, 2024



County of Santa Barbara
Planning and Development
Tatiana Cruz

Site Vicinity

Subject property
(approximate)

Appellant
property

Subject
property
APN 023-
112-020

2630 Montrose
Place

(approx 0.23
miles to cross
street Tunnel
Road)

2634 Montrose
Place, Appellant
property

Palomino Road

Montrose Place

Montrose Place

Looking Southeast

Site Images

**2630 Montrose
Place**

**Project Site: 2632
Montrose Place**

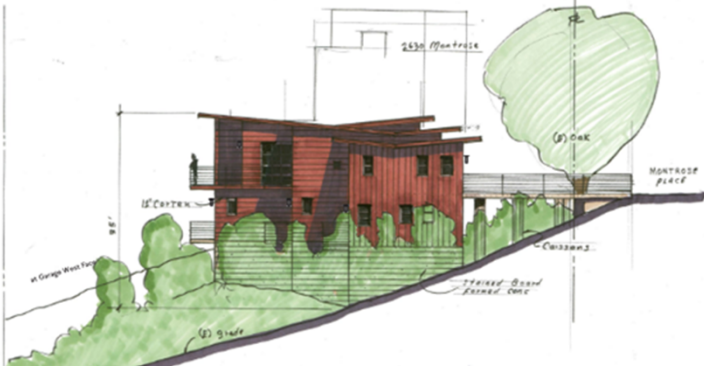
**Appellant
property: 2634
Montrose Place**

**1108
Palomino
Road**



Looking South from Palomino Road

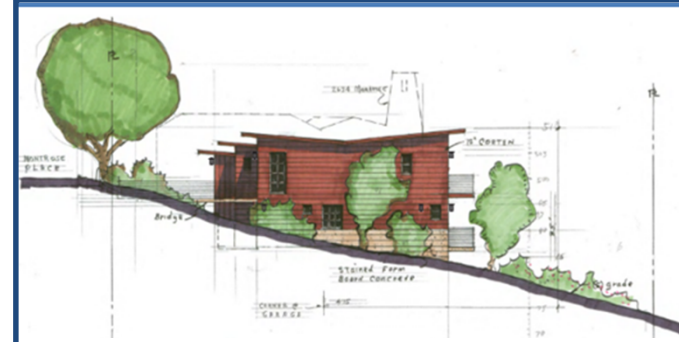
Law New Residence Plans



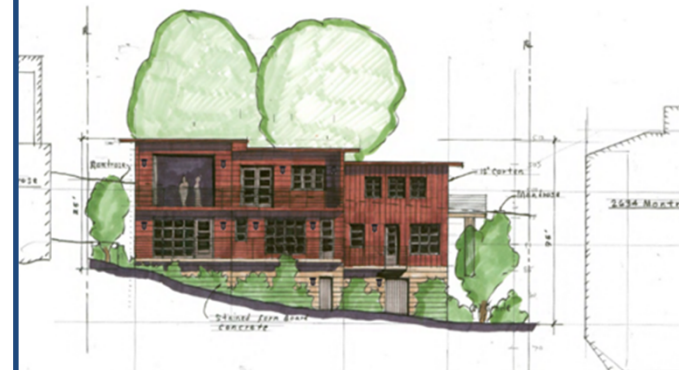
West (view at shared property line)



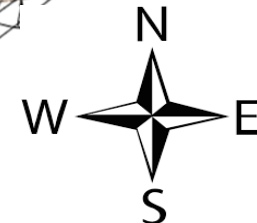
South (view at Montrose Pl.
beyond existing Oak trees)



East



North (view at rear)



Appeal Issue #1, #2, #3, #8, and #10

Appeal Issue: The site survey is inoperative

Staff Response:

- The 1929 record of survey is a valid document and the appellant has not provided evidence of any discrepancy
- A new record of survey is not required to be filed with the County surveyor
- Certificate of Compliance dated May 26, 1989 confirms the lot legality

Appeal Issue #4, #7, and #9

Appeal Issue: Dispute over site improvements

Staff Response:

- No development was permitted on 2632 Montrose in favor of the appellant
- The project does not encroach on the appellant's property
- The proposed development is set back from the property lines in compliance with LUDC requirements

Appeal Issue #5 and #6

Appeal Issue: Lack of fair and impartial hearing and communication

Staff Response:

- The Planning Commission hearing was fair and impartial and complied with the Brown Act and County procedures
- This hearing before the Board is *de novo*
- All neighbors were noticed of the project in compliance with LUDC requirements

Appeal Issue #11, #12 and #13

Appeal Issue: Oak tree protection and road access

Appeal Issue: Slope and Geologic Stability

Staff Response:

- Access is from Montrose Place, a paved public road
- No Oak tree removal is proposed
- Fire Department approved the plans on October 18, 2023

Staff Response:

- Elevations, slope study and topographic survey depict the slopes
- Soils Engineering Report prepared by a licensed professional engineer is valid

Consistency & Environmental Review

- Consistent with Comprehensive Plan policies, including the Mission Canyon Community Plan
- Compliant with County Land Use & Development Code (LUDC)
- Exempt from CEQA pursuant to Guidelines Section 15303 [New Construction or Conversion of Small Structures]

Recommended Actions

- Deny the appeal, Case No. 24APL-00007
- Make the required findings for approval of the project, Case No. 21LUP-00000-00401
- Determine the project is exempt from CEQA pursuant to State CEQA Guidelines Section 15303
- Approve the project, Case No. 21LUP-00000-00401