

## ATTACHMENT 1: FINDINGS FOR APPROVAL

### ***Montecito Architectural Guidelines and Development Standards (Guidelines) Limited Update, Phase II and Amendments to the Montecito Land Use and Development Code (MLUDC) and Coastal Zoning Ordinance (CZO)***

#### **1.0 CEQA FINDINGS**

##### **1.1 CEQA EXEMPTION**

**1.1.1** The Montecito Planning Commission finds that the proposed amendments are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265. Please see Attachment 2, Notice of Exemption.

#### **2.0 ADMINISTRATIVE FINDINGS**

##### **2.1 AMENDMENTS TO THE MLUDC, CZO, AND *GUIDELINES***

In compliance with Section 35.494.060 of the MLUDC, and Section 35-180.6 of the CZO, prior to the approval or conditional approval of an amendment to the MLUDC, the CZO, Local Coastal Program, or the County Zoning Map, the review authority shall first make all of the following findings:

##### **2.1.1 The request is in the interest of the general community welfare.**

The Board of Supervisors adopted the *Guidelines* in 1995. The *Guidelines* were developed consistent with the policies and direction of the Montecito Community Plan (MCP, adopted in 1992) in consideration of the community's circumstances, needs, and desires to preserve, protect, and enhance the semi-rural environment and the natural mountainous setting of Montecito (MCP Policy LU-M-1.1). Since 1995, the *Guidelines* have provided guidance and direction to architects, property owners, and the Montecito Board of Architectural Review (MBAR) for the design and review of residential and commercial development and additions to existing buildings within the MCP area. They are intended to provide clear and concise standards and guidelines for the design process, and encourage the best professional design practices of architecture and landscape architecture to enhance the visual quality of the environment.

The *Guidelines*, MLUDC, and CZO do not regulate the total number or cumulative floor area of detached accessory buildings on a lot. The MLUDC and CZO contain standards that limit the size and height of individual detached accessory buildings, but some of these standards are unclear. As a result, some detached accessory buildings are relatively large and tall in comparison to surrounding development. This has led to community concern regarding neighborhood compatibility and the preservation of Montecito's semi-rural character. To address these concerns, the Board of Supervisors directed staff to consider new guidelines and/or zoning

standards to limit the size and/or number of detached accessory buildings on residential lots in Montecito.

As discussed below and in the staff report to the Montecito Planning Commission dated October 10, 2017, (Attachment 7) herein incorporated by reference, the amendments of the *Guidelines* and the accompanying amendments to the MLUDC and CZO are in the interest of the general community welfare. The amended *Guidelines* will limit the cumulative floor area of detached accessory buildings. Amendments to the MLUDC and CZO will clarify existing building footprint and rear setback regulations for detached accessory buildings and add a new 40 percent maximum lot coverage regulation. An additional amendment to the MLUDC will limit the maximum height of two-story detached accessory buildings in the Inland Area. Together, the amendments to the *Guidelines*, MLUDC, and CZO will provide greater (1) visual resource protection, (2) clarity to property owners regarding the regulations that apply to accessory structures, (3) preservation and protection of Montecito's semi-rural environment, and (4) project compatibility with existing development.

**2.1.2 The request is consistent with the Comprehensive Plan, the Local Coastal Program, including the Coastal Land Use Plan and the Montecito Community Plan, the requirements of State planning and zoning laws, the Montecito Land Use and Development Code and the Coastal Zoning Ordinance.**

As discussed in Section 8.0 of the staff report to the Montecito Planning Commission, dated October 10, 2017, (Attachment 7) herein incorporated by reference, the project is consistent with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and the Montecito Community Plan, the MLUDC, and the CZO. The *Guidelines* Limited Update, Phase II is focused in scope, addressing issues related to the size and number of detached accessory buildings on residential lots in Montecito. Amendments to the MLUDC and CZO clarify existing regulations related to the building footprint and rear setback regulations for detached accessory buildings, thus ensuring consistent application of the zoning ordinances. The amendments to the MLUDC and CZO also include a new 40 percent maximum lot coverage regulation that will limit detached accessory building development and thereby protect visual resources. The *Guidelines* amendments do not conflict with zoning ordinance provisions related to detached accessory buildings. In fact, the *Guidelines* amendments add references to zoning ordinance provisions related to the building footprint of detached accessory buildings. Therefore, the *Guidelines* amendments are consistent with the MLUDC and CZO. Amendments to the MLUDC that limit the maximum height of two-story detached accessory buildings in the Inland Area provide greater visual resource protection consistent with policies of the Comprehensive Plan, Local Coastal Program, and Montecito Community Plan, which are cited in Section 8.0 of the staff report to the Montecito Planning Commission, dated October 10, 2017, (Attachment 7) herein incorporated by reference, especially Montecito Community Plan Policy LU-M-1.1, Coastal Land Use Plan Policies 4-3 and 4-4, and Land Use Element Visual Resources Policies 2 and 3.

**2.1.3 The request is consistent with good zoning and planning practices.**

The project is consistent with sound zoning and planning practices that regulate land uses for the protection of the visual environment and community values. The project strengthens existing

zoning ordinance standards and adds new design guidelines to the *Guidelines* that are applicable to the development of future detached accessory buildings. These guidelines and standards provide guidance to architects, property owners, and decision makers for the design and review of projects within the Montecito Community Plan Area. The amended *Guidelines* will limit the cumulative floor area of detached accessory buildings. Amendments to the MLUDC and CZO will clarify existing building footprint and rear setback regulations for detached accessory buildings, and add a new 40 percent maximum lot coverage regulation. An additional amendment to the MLUDC will limit the maximum height of two-story detached accessory buildings in the Inland Area.

Together, the amendments to the *Guidelines*, MLUDC, and CZO strengthen the existing development procedures and provisions which promote consistency with Montecito Community Plan Policy LU-M-1.1 to "... preserve, protect and enhance the semi-rural environment of Montecito and the natural mountainous setting," and the *Guidelines* goal to "... ensure neighborhood compatibility of all projects." The amended *Guidelines* will help ensure that new development is compatible with the neighborhood in which the development is proposed, and the natural and built environments. Therefore, the amendments are consistent with good zoning and planning practices. In addition, as discussed in Section 8.0 of the staff report to the Montecito Planning Commission, dated October 10, 2017, (Attachment 7) herein incorporated by reference, the project is consistent with the Montecito Community Plan and, therefore, consistent with good zoning and planning practices.