

## ATTACHMENT 1: FINDINGS

### **1.0 CEQA FINDINGS**

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(a) [New Construction or Conversion of Small Structures]. Please see Attachment C, Notice of Exemption.

### **2.0 ADMINISTRATIVE FINDINGS**

#### **2.1 Findings required for all Coastal Development Permits. In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.**

The Board of Supervisors finds that the project is consistent with the finding that adequate services are available to serve the proposed development because the parcel is currently served by the Montecito Water District, the Summerland Sanitary District, the Carpinteria/Summerland Fire Protection District and the Santa Barbara County Sheriff. Access is available via a private easement off of Finney Ave. As discussed in Section 6.3 of the Planning Commission staff report dated October 7, 2021 (Attachment 5), the Planning Commission memo dated November 30, 2021 (Attachment 6), and as discussed in the Planning Commission hearing of December 8, 2021 there will be adequate services to serve the project. The Montecito Water District provided a Certificate of Water Service Availability, dated March 25, 2021 and included as Attachment 6. The Summerland Sanitary District provided a sewer availability letter dated March 22, 2021 and included as Attachment 6 to this Board Letter. The Carpinteria/Summerland Fire Protection District reviewed the project at the Special Problems Committee at the meeting of June 3, 2021 and conditioned the project to have an additional address for the accessory dwelling unit. Additionally, they confirmed in an email dated April 20, 2022 that there is adequate access to serve the project.

#### **2.2 In compliance with Section 35-169.5.1 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 35-169.4.1 the decision-maker shall first make all of the following findings:**

##### **a. The proposed development conforms:**

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

The Board of Supervisors finds that, as discussed in Section 6.3 and 6.4 of the Planning Commission staff report dated October 7, 2021 (Attachment 5), the Planning Commission memo dated November 30, 2021 (Attachment 6), and as discussed in the Planning Commission hearing of December 8, 2021, the proposed project conforms to all applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and Summerland Community Plan, and with all of the applicable provisions of Article II. There are adequate services on the subject parcel, there will be no impact on drainage from the proposed project, the accessory dwelling unit will be set back sufficiently from the bluff, and the project is consistent with the height, living area, and parking standards for accessory dwelling units.

**b. The proposed development is located on a legally created lot.**

The Board of Supervisors finds that the subject lot is a legally created lot, created by a Lot Line Adjustment (Case No. 00-LA-018) in 2003.

**c. 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 Board of Supervisors finds that the subject property and proposed development is in compliance with all applicable provisions of Article II because, as discussed in Section 6.4 of the Planning Commission staff report dated October 7, 2021 (Attachment 5), the Planning Commission memo dated November 30, 2021 (Attachment 6), and as discussed in the Planning Commission hearing of December 8, 2021, the proposed project is consistent with the height, living area, and parking standards for accessory dwelling units, there are no violations on the parcel, and all processing fees have been paid to date.

**d. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.**

The Board of Supervisors finds that the proposed accessory dwelling unit will not obstruct public views from a public road or public recreation area to, and along the coast. Finney Street is a private road and does not provide public views to the coast. The proposed accessory dwelling unit will not be visible from Highway 101 due to extensive screening along Wallace Avenue provided by existing hedges and due to topographical changes between the home and Highway 101. The proposed addition will not block views from the beach to the mountains or along the coast due to the location of the home on a coastal bluff elevated above the public beach.

**e. The development is compatible with the established physical scale of the area.**

The Board of Supervisors finds that the proposed development is compatible with the established physical scale of the area. The neighborhood primarily consists of two-story dwellings of similar massing and size as the subject single-family dwelling including the

proposed ADU. The proposed development on-site meets the Summerland floor area limit. Based on the gross lot area, the maximum square footage for structures allowed on the lot is 3,262 square feet. With the proposed accessory dwelling unit, the total square footage of structures is 2,310 square feet. The accessory dwelling unit is an accessory residential use on a residential property in a residential neighborhood, and meets all other zoning requirements such as height.

**f. 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 Board of Supervisors finds that the proposed project will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan. Existing public access to the coast is located approximately 600 feet away at Lookout Park. No existing public access will be impeded by the proposed development. The proposed ADU will be located on private property, and no public access or recreation opportunities exist or are proposed on the subject property.