



# County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director  
Dianne Black, Assistant Director

March 29, 2016

Thiep Cung  
Warner Group Architects, Inc.  
1250 Coast Village Road #J  
Santa Barbara, CA 93108

MONTECITO PLANNING COMMISSION  
HEARING OF MARCH 23, 2016

**RE: *Olsten Trust Single-Family Dwelling Demo-Rebuild, Detached Garage & Pool; 14CDH-00000-00014***

Hearing on the request of Thiep Cung, agent for the property owner, Olsten Montecito Trust, to consider Case No. 14CDH-00000-00014, [application filed on June 10, 2014] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 1-E-1 to allow the demolition of an existing 3,802 square foot single family dwelling (SFD) and 520 square foot attached garage and the construction of a new 3,187 square foot single family dwelling with a 881 square foot basement, a new 680 square foot detached garage and a new detached pool cabana of approximately 570 square feet; and to determine the project is exempt pursuant to Sections 15301 and 15303 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 009-352-019, a 0.44-acre parcel zoned 1-E-1, located at 1154 Channel Drive in the Montecito Community area, First Supervisorial District. (Continued from 5/20/15, 1/20/16, and 2/17/16)

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Dear Mr. Cung:

At the Montecito Planning Commission hearing of March 23, 2016, Commissioner Brown moved, seconded by Commissioner Cole and carried by a vote of 3 to 2 (Phillips and Overall no) to:

1. Make the required findings for denial of the project, included as Attachment 4 of the staff memorandum, dated March 3, 2016, including CEQA findings;
2. Determine that the denial of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270, as specified in Attachment 5 of the staff memorandum, dated March 3, 2016; and
3. Deny the project, Case No. 14CDH-00000-00014.

***The attached findings reflect the Montecito Planning Commission's actions of March 23, 2016.***

The action of the Montecito Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellants, in person or through a representative, must have informed the Montecito Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

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Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Montecito Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, April 4, 2016 at 5:00 p.m.**

**Final action by the County on this project may be appealed to the Coastal Commission by the applicant, an aggrieved person, as defined above, or any two members of the Coastal Commission within the 10 working days following the date the County's Notice of Final Action is received by the Coastal Commission.**

Sincerely,

Dianne M. Black  
Secretary to the Montecito Planning Commission

cc: Case File: 14CDH-00000-00014 (to J. Ritterbeck, Planner)  
Montecito Planning Commission File  
Montecito Association, P.O. Box 5278, Montecito, CA 93150  
Owner: Olsten Montecito Trust, 6520 Meetinghouse Road, New Hope, PA 18938  
County Chief Appraiser  
County Surveyor  
Fire Department  
Flood Control  
Community Services Department  
Public Works  
Environmental Health Services  
APCD  
Supervisor Carbajal, First District  
Commissioner Cole  
Commissioner Keller  
Commissioner Phillips  
Commissioner Overall  
Commissioner Brown  
Johannah Hartley, Deputy County Counsel

**Attachments: Attachment 4 – Findings for Denial**

DMB/dmv

## **ATTACHMENT 4**

### **- FINDINGS FOR DENIAL -**

#### **1.0 CEQA FINDINGS**

Find that CEQA does not apply to the denial of the project pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved].

#### **2.0 ADMINISTRATIVE FINDINGS**

In order for a Coastal Development Permit for new development to be approved, the proposed development must comply with all applicable requirements of Article II of the Coastal Zoning Ordinance and with all policies of the County Comprehensive Plan, including the Coastal Land Use Plan and the Montecito Community Plan. As proposed, the following required findings of Article II cannot be made. Only findings that cannot be made are discussed below:

##### **2.1 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 and/or the project falls within the limited exception allowed under Section 35-161.**

The proposed project will not be in compliance with all applicable development policies of the Montecito Community Plan. The amount of glazing from the proposed windows would conflict with development policy LU-M-2.2, which states that lighting of structures, roads and properties shall be minimized to protect privacy, and to maintain the semi-rural, residential character of the community. In addition, the increased size, bulk, scale, and orientation of the proposed second story as compared to the current residence would increase the visibility of the residence from Channel Drive in conflict with Policy LU-M-2.1 of the Montecito Community Plan, which states that new structures shall be designed to minimize their visibility from public roads. Moreover, the impacts to public views of the Santa Ynez mountain range from the increased size, bulk, scale and orientation of the proposed second story of the new dwelling would conflict with development policy VIS-M-1.3, which states that development of property should minimize impacts to open space views as seen from public roads and viewpoints. Therefore, this finding cannot be made.

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

The project proposes to demolish the existing single-family dwelling and construct a new dwelling on the lot. As designed, the proposed second story of the new home would nearly double the size of the existing 666 square foot second story of the current dwelling on the lot. The increased size and configuration of the proposed 1,252 square foot second story will significantly obstruct public views of the Santa Ynez Mountains as seen from Channel Drive, a public road. Therefore, this finding cannot be made.

**2.3 In compliance with Section 35-215 of the Article II Zoning Ordinance, prior to approval or conditional approval of an application for a Coastal Development Permit on sites within the Montecito Community Plan area, the review authority shall first find for all projects defined as development in the Coastal Land Use Plan, that the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.**

The proposed project will not be in compliance with all applicable development policies of the Montecito Community Plan. The amount of glazing from the proposed windows would conflict with development policy LU-M-2.2, which states that lighting of structures, roads and properties shall be minimized to protect privacy, and to maintain the semi-rural, residential character of the community. In addition, the increased size, bulk, scale, and orientation of the proposed second story as compared to the current residence would increase the visibility of the residence from Channel Drive in conflict with Policy LU-M-2.1 of the Montecito Community Plan, which states that new structures shall be designed to minimize their visibility from public roads. Moreover, the impacts to public views of the Santa Ynez mountain range from the increased size, bulk, scale and orientation of the proposed second story of the new dwelling would conflict with development policy VIS-M-1.3, which states that development of property should minimize impacts to open space views as seen from public roads and viewpoints. Therefore, this finding cannot be made.