



## Planning and Development

Lisa Plowman, Director  
Jeff Wilson, Assistant Director  
Elise Dale, Assistant Director

September 26, 2025

Kaitlyn Earnest  
SEPPS, Inc.  
1625 State Street, Ste. 1  
Santa Barbara, CA 93101

MONTECITO PLANNING COMMISSION  
HEARING OF SEPTEMBER 17, 2025

**RE: *Promise land LLC – As Built Wall; 23CDH-00027***

Hearing on the request of Robert Greene to consider the following:

- Case No. 23CDH-00027 for the validation of an “as-built” wall pursuant to Section 35-169.2 of Article II of the Coastal Zoning Ordinance; and
- Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15302 [Replacement or Reconstruction].

The application involves Assessor Parcel No. 007-280-012, located at 1690 San Leandro Lane, in the Montecito Community Plan area, First Supervisorial District.

---

Dear Ms. Earnest:

At the Montecito Planning Commission hearing of September 17, 2025, Commissioner Miller moved, seconded by Commissioner Kerns and carried by a vote of 3 to 0 to:

1. Make the required findings for approval of the project specified in Attachment A of the staff report dated September 10, 2025, including CEQA findings;
2. Determine the project is exempt from CEQA pursuant to State CEQA Guidelines Section 15302 of CEQA, as set forth in the Notice of Exemption included as Attachment C of the staff report dated September 10, 2025; and
3. Approve the project (23CDH-00027) subject to the conditions included as Attachment B of the staff report dated September 10, 2025.



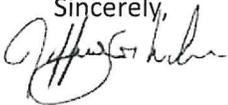
***The attached findings and conditions reflect the Montecito Planning Commission's actions of September 17, 2025.***

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 appellant, 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.

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, September 29, 2025 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,



Jeff Wilson  
Secretary to the Montecito Planning Commission

cc: Shana Gray, California Coastal Commission, 89 S. California Street, Suite 200, Ventura, CA 93001  
Montecito Association, P.O. Box 5278, Montecito, CA 93150  
Owner: Robert Greene, 1633 East Valley Road, Santa Barbara, CA 93108  
County Surveyor  
Fire Department  
Flood Control  
Community Services Department  
Public Works  
Environmental Health Services  
APCD  
Roy Lee, First District  
Kathleen Volpi, Planner

**Attachments:            Attachment A – Findings  
                                 Attachment B – Conditions of Approval**

JW/dmv

## ATTACHMENT A: FINDINGS OF APPROVAL

### 1.0 CEQA FINDINGS

#### 1.1 CEQA EXEMPTION

The Montecito Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section [15302]. Please see Attachment C, Notice of Exemption

The Montecito Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 [Replacement or Reconstruction], which exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Given that the project involves the validation of an as-built grouted sandstone boulder wall that was constructed within the same footprint of the existing creek wall, which was destroyed by the 2018 Montecito debris flow, the project is exempt from CEQA. For further details, please see Attachment C, Notice of Exemption.

### 2.0 ADMINISTRATIVE FINDINGS

#### 2.1 COASTAL DEVELOPMENT PERMIT FINDINGS

##### 2.1.1 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 Montecito Planning Commission finds that existing services are adequate and available to continue to serve the subject parcel. The validation of the as-built grouted sandstone boulder wall will not increase demand for public services and resources. The parcel is currently serviced by the Montecito Water District and the Montecito Sanitary District. Access to the parcel will remain via San Leandro Lane and the Montecito Fire Department and the Santa Barbara County Sheriff's Department will continue to provide emergency services.

##### 2.1.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. [CDPs that are appealable to the CCC and not processed in conjunction with a discretionary permit] In compliance with Section 35-169.5.2 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 35-169.4.2 the decision-maker shall first make all of the following findings:

###### 1. The proposed development conforms:

###### a. To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;

The Montecito Planning Commission finds that, as discussed in Section 6.2 of the staff report, dated September 10, 2025, and incorporated herein by reference, the proposed development conforms to all applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and the Montecito Community Plan, and with all of the applicable provisions of Article II. The as-built wall is in conformance with policies regarding adequate services, aesthetics, biological resources, cultural resources, hillside and watershed protection, and water resources. The project is consistent with the

purpose and intent, setbacks and height limit requirements of the E-1 Zone.

- b. With the applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 35-161 (Nonconforming Use of Land, Buildings and Structures).**

The Montecito Planning Commission finds that all existing development on the subject parcel is conforming as to use, therefore, this finding does not apply.

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

The Montecito Planning Commission finds that the subject lot is a legally created lot shown as Parcel A on Tract Map No. 12,235, created in July 1976. The property is developed with a single-family dwelling built around 1919, prior to current permitting requirements and various residential accessory structures. A guest house, originally permitted under Land Use Rider 23474 in 1963 as a barn, was later validated under Permit Nos. 86-SUP-44 & 86-CDP-275 in 1986. Other structures on the property, including a garage, carriage house, carport, and pool house, were also permitted under Permit Nos. 86-SUP-44 & 86-CDP-275 in 1986.

- 3. 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 Montecito Planning Commission finds the project complies with all applicable requirements of Article II, the Coastal Zoning Ordinance. The existing guest house located on the subject parcel is legal nonconforming as to setback requirements. The approval of this project will not exacerbate the nonconformity of this structure. As discussed in Section 4.0 of the staff report dated September 10, 2025, a violation does exist on the parcel for the repair and rebuilding of the as-built wall, however, with the validation of the as-built grouted sandstone boulder wall the violation will be abated and no violations will exist.

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

The Montecito Planning Commission finds that, as discussed in Section 6.2 of the staff report dated September 10, 2025, the project will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast. The wall is located within a creek, below the surrounding existing grade, which ensures that it is not visible from any public roads or viewpoints.

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

The Montecito Planning Commission finds that, as discussed in Section 6.2 of the staff report dated September 10, 2025, the as-built wall replicates the original in both design and materials and continues to be in conformance with the scale and character of the existing community. The location of the wall, within the San Ysidro Creek, will remain subordinate to the natural open space characteristics of the surrounding mountains due to the grouted sandstone construction of the as-built wall. The development is in compliance with all Montecito Community Plan area and Article II Development policies and standards and is compatible with the surrounding area in terms of size, height, and architectural style.

- 6. 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 Montecito Planning Commission finds the project complies with the public access and recreation policies of Article II and the Comprehensive Plan, including the Coastal Land Use Plan. No public access or recreation opportunities exist or are proposed on or adjacent to the subject property. Therefore, the as-built wall will not adversely impact recreational facilities and uses.

**2.1.3 Additional finding required for sites zoned Environmentally Sensitive Habitat (ESH) Overlay. In compliance with Section 35-97.6 of the Article II Coastal Zoning Ordinance, prior to the issuance of a Coastal Development Permit for sites designated with the ESH Overlay District the decision-maker shall first find that the proposed development meets all applicable development standards in Section 35-97.8 through Section 97.19.**

**Section 35-97.18 Development Standards for Native Plant Community Habitats.**

The Montecito Planning Commission finds the project is in compliance with Section 35-97.6 of the Article II Coastal Zoning Ordinance and the as-built wall meets all applicable development standards. As discussed in Section 6.3 of the staff report dated September 10, 2025, the subject parcel is located entirely within the riparian Environmentally Sensitive Habitat (ESH) overlay. The 2018 Montecito debris flow caused significant damage to numerous mature trees in the Montecito area, including those along San Ysidro Creek. Watershed Environmental, Inc. conducted a site inspection and prepared a Biological Report, dated August 2023, which identified 27 protected native trees within the as-built rock wall study area, 21 of which are coast live oak trees. Watershed Environmental, Inc. confirmed that no oak trees were removed or significantly disturbed during the reconstruction of the wall in February and March 2018 and grading was not a part of the reconstruction process. The analysis concludes that the construction of the as-built rock wall resulted in less-than-significant impacts to the ESH area.

**Section 35-97.19 Development Standards for Stream Habitats.**

The Montecito Planning Commission finds the project is in compliance with Section 35-97.19 of Article II. As discussed in Section 6.3 of the staff report dated September 10, 2025, the ESH surrounding San Ysidro Creek sustained extensive damage during the 2018 natural disaster resulting in the effective loss of sensitive habitat in the area. In response, the County Flood Control and Army Core of Engineers (ACOE) conducted significant cleanup operations within the creek bed to remove debris and restore water flow while the reconstruction of the rock wall was taking place. The creek was heavily obstructed by mud and debris, which impeded its natural hydrology. The as-built project was reviewed and authorized by CDFW, as documented in the letter dated September 4, 2024. The project did not involve dredging, filling, or grading within stream corridors, nor did it impede the upstream migration of anadromous fish. The reconstruction of the existing rock wall is necessary to ensure public safety and to protect existing development. Furthermore, County Flood Control reviewed the project to ensure safe and effective water conveyance through the channel, which will not result in increased runoff, sedimentation, biochemical degradation, or thermal pollution. The as-built project is designed and reviewed to ensure full compliance with environmental regulations and was reconstructed using techniques that avoided adverse impacts to the stream habitat.

**2.1.4 Additional findings required for sites within the Montecito Community Plan area.**

- 1. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to approval or conditional approval of an application for a Coastal Development Permit on sites with the Montecito Community Plan area, the decision-maker shall first find for all development projects (as development is defined 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 Montecito Planning Commission finds the project meets all applicable development standards and policies of the Comprehensive Plan, including the Local Coastal Plan and the Montecito Community Plan. As discussed in Sections 6.2 and 6.3 of the staff report dated September 10, 2025, the project is in conformance with the scale and character of the existing community and is consistent with all biological and hillside / watershed protection policies. It is consistent with the E-1 Zone District in regard to purpose and intent as well as setbacks; and meets the applicable development standards for Environmentally Sensitive Habitats.

- 2. In compliance with Section 35-215 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit on sites within the Montecito Community Plan area the decision-maker shall first find for projects subject to discretionary review that the development will not adversely impact recreational facilities and uses.**

The Montecito Planning Commission finds that the development will comply with the public access and recreation policies of Article II and the Comprehensive Plan, including the Coastal Land Use Plan. No public access or recreation opportunities exist or are proposed on or adjacent to the subject property. Therefore, the development will not adversely impact recreational facilities and uses.



COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT NO: 23CDH-00027

Project Name: PROMISE LAND LLC - AS-BUILT WALL
Project Address: 1690 SAN LEANDRO LN, SANTA BARBARA, CA 93108
A.P.N.: 007-280-012 Zone: 2-E-1

Project Description Summary: The project is a request for a Coastal Development Permit with Hearing to legalize an as-built construction of an approximately 110 ft. long sandstone boulder retaining wall within the San Ysidro Creek.

Associated Case Numbers: 23ZEV-00044, 23CDH-00027

Assigned Planner: Kathleen Volpi, volpik@countyofsb.org, (805)568-2033

Owner/Applicant Acknowledgment: Undersigned agrees to abide by all conditions and terms thereof.

Owner/Applicant Signature Print Name Date

Permit Approval: This permit is hereby approved in compliance with the required findings for approval and subject to the attached conditions.

[Handwritten Signature]

ROBERT KUPIEC

17 SEPT '25

Decision Maker (or designee) Signature Print Name Date

Appeals: This approval may be appealed to the Board of Supervisors by the applicant, owner, or any aggrieved person. Appeals must be submitted online at https://aca-prod.accela.com/sbco/Default.aspx and all applicable fees paid, on or before 9/29/2025.

Work Prohibited Prior to Permit Issuance: No work, development, or use authorized pursuant to this permit shall commence prior to issuance of this permit and any other required permit (e.g., building permit).

Permit Issuance: This permit may only be issued on or after the effective date, which is the day following the close of the appeal period, provided an appeal is not filed, or if appealed, following the date of final action on the appeal, provided that the permit is approved (Article II Section 35-57B). This permit shall also not be issued until all prior to issuance conditions have been satisfied.

Issuance Stamp

Planner Signature Issuance Date

**Permit Expiration:** This permit shall remain valid only as long as compliance with all applicable requirements of Article II and the permit continues, including the conditions of approval (Attachment A). Additionally:

1. The approval of this permit shall expire 12 months from the effective date unless the permit is either issued within the applicable period or a valid application for a Time Extension is submitted prior to the expiration of this 12-month period and is subsequently approved (Article II Section 35-169).
2. This permit shall expire two years from the date of issuance unless the use and/or structure for which the permit was issued has been lawfully established or commenced in compliance with the issued permit or an application for a Time Extension is submitted prior to the expiration of this two-year period and is subsequently approved (Article II Section 35-169).

**ATTACHMENT A: CONDITIONS OF APPROVAL****Project Description**

- 1. Proj Des-01 Project Description:** This Coastal Development Permit with Hearing is based upon and limited to compliance with the project description, the hearing exhibits marked A-E, dated September 17, 2025, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is a request for a Coastal Development Permit with Hearing to legalize an as-built approximately 110-foot-long grouted sandstone boulder wall within the San Ysidro Creek. The wall ranges in height from 2 to 12 feet tall and 7.5 to 15 feet wide. No grading or tree removal is proposed. The parcel will continue to be served by the Montecito Water District, the Montecito Sanitary District, and the Montecito Fire District. Access will continue to be provided off of San Leandro Lane. The property is a 4.01-acre parcel zoned 2-E-1 and shown as Assessor's Parcel Number 007-280-012, located at 1690 San Leandro Lane in the Montecito Community Plan Area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

- 2. Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

**County Rules and Regulations**

- 3. Rules-02 Effective Date-Appealable to CCC:** This Coastal Development Permit with Hearing shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
- 4. Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 5. Rules-23 Processing Fees Required:** Prior to issuance of Coastal Development Permit with Hearing, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 6. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
  1. Flood Control Water Agency dated 1/3/2025;
- 7. Rules-30 Plans Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
- 8. Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project.
- 9. Rules-35 Limits-Except DPs:** This approval does not confer legal status on any existing structures(s) or use(s) on the property unless specifically authorized by this approval.

10. **Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.



**Santa Barbara County Public Works Department  
Water Resources Division**

Flood Control ♦ Water Agency ♦ Project Clean Water  
130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101  
PH (805) 568-3440 FAX (805) 568-3434  
<https://www.countyofsb.org/189/Water-Resources>

**SCOTT D. MCGOLPIN**  
Director Public Works

**WALTER RUBALCAVA**  
Deputy Director Water Resources

January 3, 2024

Kathleen Volpi, Planner  
County of Santa Barbara  
Planning & Development Department  
123 E. Anapamu St.  
Santa Barbara, CA 93101

**Re: 23CDH-00027; Promise Land LLC As-built wall  
APN: 007-280-012; Montecito**

Dear Ms. Volpi

The Public Works Department Water Resources Division has the following conditions for the request to permit the as-built wall. The existing grouted sandstone boulder wall is approximately 110 ft. long, ranges in height from 2 to 12 ft. tall and 7.5 to 15 ft. wide. It was repaired in February and March of 2018 after the January 9, 2018 Montecito mud/debris flow. Repairs to the damaged wall were performed using an excavator to pick up sandstone boulders and replace them with grout. Repairs did not change the wall footprint. Hand labor crews used 5-gallon buckets of cement to grout the sandstone boulders in place (refer to photos enclosed in Biological Assessment).

**A. Flood Control & Water Conservation District**

The location for the proposed project is FEMA regulatory Floodplain Including the Floodway and within the FEMA Recovery Map High Hazard Area. The Flood Control District has the following conditions:

1. As required by the FEMA NFIP program, the applicant shall obtain a US Army Corps of Engineers 404 permit prior to permit issuance. Proof of a valid 404 permit shall be provided to the district
2. Notice shall be provided to the County of Santa Barbara should there be any additional applications for relevant permits.
3. The applicant shall submit a simple plan or study from a licensed engineer stating that the project is not expected to reduce the conveyance capacity of the creek.
4. A valid no-rise certificate, using the effective FIRM conditions, shall be provided to district.
5. The applicant must provide a statement from a licensed engineer that speaks to the stability of the wall, including the loose rocks placed on top of the wall.
6. Plans shall include cross sectional views of the bridge or wall that include the following:
  - a. The base flood elevation (BFE) vs. the heights of each section of the wall or bridge.
  - b. The slope of the wall with a 1.5 (horizontal) to 1 (vertical) ratio. If the slope is steeper than 1.5 to 1, then structural calculations may be required.

23CDH-00027; Promise Land LLC As-built wall  
January 3, 2024  
Page 2 of 2

**B. Project Clean Water**

Project Clean Water has no conditions on the subject project located inside the NPDES Permit Area as the project is not expected to meet any of the regulatory thresholds in the NPDES area and it is not expected to create a significant impact to stormwater quality.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By:   
Aurora Zemjanis  
azemjan@countyofsb.org | Flood Control Development Review

Cc: Kaitlyn Earnest | [kaitlyn@sepps.com](mailto:kaitlyn@sepps.com)  
Promise Land LLC Attn: Robert Greene | [bob@bobgreene.com](mailto:bob@bobgreene.com)