

## ATTACHMENT A: FINDINGS

### 1.0 CEQA FINDINGS

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 15301(e). Please see Attachment-C, Notice of Exemption.

### 2.0 COASTAL DEVELOPMENT PERMIT FINDINGS

**2.1 Finding required for all Coastal Development Permits. In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit the review authority shall first find, 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 subject property is currently, and would continue to be, served by the Montecito Water District, Montecito Sanitary District and Montecito Fire District. Access is provided off of Fernald Point Lane. Additionally, the Montecito Water District issued a Certificate of Water Service Availability acknowledging existing service to the site and acceptance of the proposed site and water usage changes. Therefore, this finding can be made.

**2.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II 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 review authority shall first make all of the following findings:**

**2.2.1 The proposed development conforms:**

- a. **To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;**
- 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).**

As discussed in Sections 6.2 and 6.3 of this Staff Report dated August 5, 2011, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Montecito Community Plan and Coastal Land Use Plan, and with all requirements of the Article II Coastal Zoning Ordinance. Therefore, this finding can be made.

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

The subject property is shown as Lot B on Record of Survey Book 69, Page 57, dated May 1965. Therefore this finding can be made.

**2.2.3 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).**

As discussed in Sections 6.2 and 6.3 of the staff report, and incorporated herein by reference, the property would be in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of the Article II Coastal Zoning Ordinance. The existing property is legal-nonconforming as to size. There are no zoning violations on the subject property. Therefore this finding can be made.

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

The subject property does not abut the sandy beach because there is another parcel (1711 Fernald Point Lane) located between the subject parcel and the beach. Therefore, the project would not have the potential to block views along the beach. Currently, there are no significant public views to the beach from Fernald Point Lane through the subject property or adjacent properties as a result of dense vegetation and natural topography. This condition would remain unchanged and therefore the project would not result in the obstruction of public views from any public road or public recreation area to the coast. Therefore this finding can be made.

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

The surrounding neighborhood is comprised of both one and two story residences. Most residences are minimally visible from Fernald Point Lane due to existing dense vegetation, walls and entry gates. The proposed project would include a moderate expansion of the residence including a 422 square foot second floor residential addition and 130 square foot garage addition. These additions would be minimally visible from Fernald Point Lane, consistent with surrounding properties. The proposed entry gates, wall and dense screening vegetation would be typical of residences in the Fernald Point Lane area. The project was reviewed by the Montecito Board of Architectural Review (MBAR), who found that the proposed increase in height due to the second story addition was "fairly modest." The MBAR also indicated that they were "comfortable with mass, scale and height" of the

structure. Therefore, the proposed development will be compatible with the established physical scale of the area, and this finding can be made.

**2.2.6 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 proposed project would in no way interfere with the public's right of access to the sea where acquired through use, custom, or legislative authorization. Public beach access would continue to be available via Posilipo Lane, located approximately .2 miles west of the subject property. Therefore this finding can be made.

**2.3 In compliance with Section 35-215 of the Article II 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 review authority shall first find for projects subject to discretionary review that the development will not adversely impact recreational facilities and uses.**

The proposed project would in no way interfere with the public's right of access to the sea (as discussed in Finding 2.2.6 above) and would not interfere with any trails or other recreational areas. Nearby public beach access would continue to be available via Posilipo Lane, located approximately .2 miles west of the subject property. Therefore this finding can be made.

**2.4 In addition to the findings that are required for approval of a development project (as development is defined in the Santa Barbara County Coastal Plan), as identified in each section of Division 11 - Permit Procedures of Article II, a finding shall also be made that the project meets all the applicable development standards included in the Montecito Community Plan of the Coastal Land Use Plan.**

As discussed in Section 6.2 of this Staff Report, dated August 5, 2011, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Montecito Community Plan and Coastal Land Use Plan. Therefore, this finding can be made.

**ATTACHMENT B: CONDITIONS OF APPROVAL**

1. **Proj Des-01 Project Description.** This permit is based upon and limited to compliance with the project description, the hearing exhibits dated August 24, 2011, 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 proposed project is a Coastal Development Permit to allow three areas of first floor residential additions totaling 29 square feet, a 422 square foot second floor residential addition, two areas of garage additions totaling 130 square feet, demolition of approximately 83 square feet of the existing residence, demolition and reconstruction of a pool, construction of a new wall and entry gates, installation of new landscape and hardscape materials and approximately 72 cubic yards of cut and 26 cubic yards of fill. No trees or native vegetation would be removed. The application involves AP No. 007-380-021, located at 1717 Fernald Point Lane, in the Montecito 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.
3. **Special-Construction Parking Plan.** Prior to Coastal Development Permit issuance the applicant shall prepare a Construction Parking Plan.  
**PLAN REQUIREMENTS:** The Construction Parking Plan shall include a construction timeline that indicates each phase of work to be completed, the location of construction parking during each phase of construction, the number of vehicles required for each construction phase and the estimated timeframe for each phase of construction. The timeline shall be accompanied by a site plan that graphically illustrates the location of each parking area. Construction parking shall occur on-site to the maximum extent feasible. If construction parking cannot be accommodated during any phase of construction, the parking plan shall note the location of the proposed offsite parking. Offsite parking locations shall be reviewed and approved by P&D staff. Offsite parking shall not impede

the flow of traffic along Fernald Point Lane. Traffic flaggers may be required if determined necessary by P&D staff upon review of the Parking Plan.

**TIMING:** The Construction Parking Plan shall be reviewed and approved prior to Coastal Development Permit issuance. Construction personnel shall comply with the requirements of the Parking Plan throughout all phases of construction.

**MONITORING:** P&D planner shall review and approve the Construction Parking Plan prior to permit issuance. Building inspectors shall spot check and respond to complaints.

- 4. Noise-02 Construction Hours.** The Owner /Applicant, all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:30 p.m., Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels) are not subject to these restrictions.

**PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post 2 signs stating these restrictions at construction site entries.

**TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction.

**MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors shall spot check and respond to complaints.
- 5. WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site on a regular basis. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

**PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all building plans.

**TIMING:** The Owner/Applicant shall install the area prior to commencement of construction.

**MONITORING:** Building and Safety staff shall ensure compliance throughout construction.
- 6. Aest-06 Building Materials.** Natural building materials and colors shall be compatible with surrounding environment and neighborhood (materials shall be non-reflective).

**PLAN REQUIREMENT:** Materials shall be denoted on building plans.

**TIMING:** Structures shall be painted prior to Final Building Inspection Clearance.

**MONITORING:** Building and Safety staff shall inspect prior to Final Building Inspection Clearance.
- 7. Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent

lots. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m.

**PLAN REQUIREMENTS:** The Owner/Applicant shall include these items on design and construction plans, including electrical details.

**TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

**MONITORING:** P&D planner shall review lighting cut sheets for compliance with this measure prior to permit issuance.

8. **SolidW-03 Solid Waste-Construction Site.** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.

**PLAN REQUIREMENTS:** All plans shall contain notes that the site is to remain trash-free throughout construction.

**TIMING:** Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

**MONITORING:** Building and safety staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

9. **Rules-10 CDP Expiration-No CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the Montecito Planning Commission. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. Prior to the expiration of such two year period the Director may extend such period one time for one year for good cause shown, provided that the findings for approval required in compliance with Section 35-169.5, as applicable, can still be made.

10. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:

1. Air Pollution Control District dated March 4, 2011
2. Montecito Water District with date of application February 15, 2011

11. **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. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

12. **Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.



**Santa Barbara County  
Air Pollution Control District**

March 4, 2011

Nicole Lieu  
Santa Barbara County  
Planning and Development  
123 E. Anapamu Street  
Santa Barbara, CA 93101

**Re: APCD Comments on Van Vliet SFD Addition, 11CDH-00000-00008**

Dear Ms. Lieu:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of a 450 square foot addition to an existing 3,302 square foot single-family dwelling, and a 130 square foot addition to an existing 450 square foot garage. Also proposed are changes to the siding and roof materials, and demolition of an existing pool and construction of a new pool. Grading for the project consists of 72 cubic yards of cut and 72 cubic yards of fill. The subject property, a 0.42-acre parcel zoned 1-E-1 and identified in the Assessor Parcel Map Book as APN 007-380-021, is located at 1717 Fernald Point Lane in the unincorporated community of Montecito.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities*, became effective on July 21, 2010 and establishes new limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at [www.sbcapcd.org/rules/download/rule345.pdf](http://www.sbcapcd.org/rules/download/rule345.pdf).
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
4. Advisory: The applicant should determine whether any structure(s) proposed for demolition or renovation contains asbestos that is friable or has the potential to become friable during demolition or disposal. If any structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal. For additional information regarding asbestos in construction, please refer to APCD's website at [www.sbcapcd.org/biz/asbestos.htm](http://www.sbcapcd.org/biz/asbestos.htm).

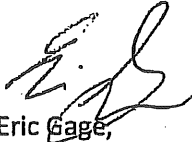


March 4, 2011

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If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at [edg@sbcapcd.org](mailto:edg@sbcapcd.org).

Sincerely,



Eric Gage,

Air Quality Specialist

Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures  
Diesel Particulate and NO<sub>x</sub> Emission Measures

cc: Jennifer Foster  
Project File  
TEA Chron File



**ATTACHMENT A**  
**FUGITIVE DUST CONTROL MEASURES**

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

**Plan Requirements:** All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

**MONITORING:** Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B  
DIESEL PARTICULATE AND NO<sub>x</sub> EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at [www.arb.ca.gov/msprog/ordiesel/ordiesel.htm](http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm).
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

**Plan Requirements:** Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

**MONITORING:** Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.



583 San Ysidro Road  
Santa Barbara, CA 93108  
(805) 969-2271

**MONTECITO WATER DISTRICT  
CERTIFICATE OF WATER SERVICE AVAILABILITY**

RECEIVED

To the County Planning Department of Santa Barbara:

Montecito Water District has received the following application for water service availability:

|  |  |
|--|--|
| Date of Application                          | 02/15/11   |
| Name of Applicant                            | Jennifer Foster  |
| Property Owner (if different from applicant) | Alan & Kathryn Van Vliet   |
| Water Service Address                        | 1717 Fernald Point Lane  |
| Assessor's Parcel Number                     | 007-380-021  |
| Parcel/property size                         | 0.42   |
| Brief Project description                    | SFR addition of 450 sq ft; garage addition of 130 sq ft; demo pool; new covered pool & spa |
| Permit(s) applied for                        | B/P  |

MAR 24 2011


S.B. COUNTY  
PLANNING & DEVELOPMENT

Having reviewed application and architectural plans by Cary W Gepner & Assoc, Architects, dated 02/10/11 and having considered the District's available water supply the District hereby notifies your office that the District can and will serve the subject property in accordance with Montecito Water District Ordinance 89 and the following limitations:


1. The available quantity of water shall be in accordance with the terms and conditions in paragraph 3 of Ordinance 89.
2. Service to be provided through **existing 1-inch water service.**
3. Property owner must enter into agreement with District to install the following facilities to connect with District's existing service: **None**
4. Applicant shall be responsible for the following fees, payable immediately upon issuance of this Certificate: **None**
5. Applicant must provide the following additional documents for District approval: **None**
6. Applicant agrees to install state-of-the-art water-saving technologies and to use no more water than is authorized under this Certificate. Applicant acknowledges that the District may increase the rate for all water delivered in excess of the property's Maximum Available Quantity and/or limit service to the property to no more than the Maximum Available Quantity, but the District shall provide at all times a supply of water sufficient to meet the health and safety needs of the property's occupants.
7. The Maximum Available Quantity of water has been determined pursuant to District Ordinance 89. Ordinance 89 provides that, under certain circumstances, a property owner may request a redetermination of the Maximum Availability Quantity. Should such a redetermination result in an increase in the Maximum Available Quantity, the District will issue an Amended Certificate.
8. This Certificate represents a determination of water availability as of the date of the Application. The District's provision of water shall be contingent upon the property owner's completion of all obligations to the District associated with the Project identified herein and shall remain subject, at all times, to the District's ordinances and requirements.

Dated March 2, 2010

MONTECITO WATER DISTRICT

By   
Tom Mosby, General Manager

PROPERTY OWNER / APN 007-380-021

By   
Alan & Kathryn Van Vliet

**ATTACHMENT-C  
NOTICE OF EXEMPTION**

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Nicole Lieu, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

**APN:** 007-380-021

**Case No.:** 11CDH-00000-00008

**Location:** 1717 Fernald Point Lane

**Project Title:** Van Vliet Addition

**Project Description:** The proposed project is a Coastal Development Permit to allow three areas of first floor residential additions totaling 29 square feet, a 422 square foot second floor residential addition, two areas of garage additions totaling 130 square feet, demolition of approximately 83 square feet of the existing residence, demolition and reconstruction of a pool, construction of a new wall and entry gates, installation of new landscape and hardscape materials and approximately 72 cubic yards of cut and 26 cubic yards of fill. No trees or native vegetation would be removed.

Name of Public Agency Approving Project: County of Santa Barbara  
Name of Person or Agency Carrying Out Project: Jennifer Foster

**Exempt Status:** (Check one)

- Ministerial  
 Statutory Exemption  
 Categorical Exemption  
 Emergency Project

**Cite specific CEQA and/or CEQA Guideline Section:** 15301(e)

**Reasons to support exemption findings:** State CEQA Guidelines Section 15301(e) [existing facilities] exempts: "*Additions to existing structures that will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.*" The proposed 29 square foot first floor residential addition, 422 square foot second floor residential addition and 130 square foot garage addition (for a total of 580 additional square feet) would be less than 50 percent of the existing 3,302 square foot residence and less than 2,500 square feet. There is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment. There is no substantial evidence

that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment. The applicable exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (b) Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed 29 square foot first floor residential addition, 422 square foot second floor residential addition and 130 square foot garage addition. The cumulative impact of construction of similar additions within the project neighborhood would not be significant. Successive construction further additions to the subject residence would be limited by applicable ordinance provisions for setbacks, accessory structures, etc. Therefore the overall impact of successive projects of the same type in the same place, over time would not be significant.

- (c) Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed additions would not be located in a sensitive resource area and would not block significant public views. There is no reasonable possibility that the proposed additions will result in a significant effect on the environment due to unusual circumstances.

- (d) Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The subject property is not visible from an officially designated state scenic highway. Therefore, there is no potential for the project to result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

- (e) Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

**(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

There are no known historical resources on the subject property. Therefore, the project would not have the potential to cause a substantial adverse change in the significance of a historical resource.

Lead Agency Contact Person: Nicole Lieu Phone #: (805) 884-8068

Department/Division Representative: \_\_\_\_\_ Date: \_\_\_\_\_

Acceptance Date: \_\_\_\_\_

distribution: Hearing Support Staff

Project file (when P&D permit is required)  
Date Filed by County Clerk: \_\_\_\_\_.





ATTACHMENT-D

Montecito Board of Architectural Review Minutes

4-25-11

|                          |                                       |                                |
|--------------------------|---------------------------------------|--------------------------------|
| <b>11BAR-00000-00024</b> | <b>Van Vliet Addition and Remodel</b> | <b>1717 Fernald Point Lane</b> |
| 11CDH-00000-00008        | (Nicole Lieu, Planner 884-8068)       | Ridgeline: N/A                 |

Request of Jennifer Foster, agent for the owners, Alan & Kathryn Van Vliet, to consider Case No. 11BAR-00000-00024 for a further **conceptual review of an addition of 10 square feet to the existing one story single family dwelling, a second story addition of approximately 396 square feet, an addition to the attached garage of approximately 119 square feet. New fencing, walls and entry gates are proposed as well.** The following structures currently exist on the parcel: a one story single family dwelling of approximately 3,302, an attached garage of approximately 658 square feet, and an attached carport of approximately 119 square feet. The proposed project will require approximately 72 cubic yards of cut and approximately 26 cubic yards of fill. The property is a .42 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 007-380-021, located at **1717 Fernald Point Lane** in the Montecito area, First Supervisorial District. (Continued from 3/14/11)

**Public Comment:**

Charles Bargiel - Letter  
Mark and Lynda Schwartz -Letter

**MBAR Comments:**

- 1. Proposed increase in height is fairly modest, as proven by story poles. Comfortable with mass, scale and height.**
- 2. Project is fairly self contained and improves access across easement to neighbor.**
- 3. Some concern about functionality of the proposed motor court.**
- 4. Re., land use: architect and owner confirmed that parking during construction will not burden the easement to the neighbor.**

The project received comments only. The project may return for preliminary/final approval.  
(Spann, Maphis & Zilles absent from the discussion)

3-14-11

|                          |                                       |                                |
|--------------------------|---------------------------------------|--------------------------------|
| <b>11BAR-00000-00024</b> | <b>Van Vliet Addition and Remodel</b> | <b>1717 Fernald Point Lane</b> |
| 11CDH-00000-00008        | (Nicole Lieu, Planner 884-8068)       | Ridgeline: N/A                 |

Request of Jennifer Foster, agent for the owners, Alan & Kathryn Van Vliet, to consider Case No. 11BAR-00000-00024 for a **conceptual review of an addition of 10 square feet to the existing one story single family dwelling, a second story addition of approximately 396 square feet, an addition to the attached garage of approximately 119 square feet. New fencing, walls and entry gates are proposed as well.** The following structures currently exist on the parcel: a one story single family dwelling of approximately 3,302, an attached garage of approximately 658 square feet, and an attached carport of approximately 119 square feet. The proposed project will require approximately 72 cubic yards of cut and approximately 26 cubic yards of fill. The property is a .42 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 007-380-021, located at

**1717 Fernald Point Lane** in the Montecito area, First Supervisorial District. (Appearing: Jennifer Foster, Alan Van Vliet, Cary Gepner)

**Public Comment:**

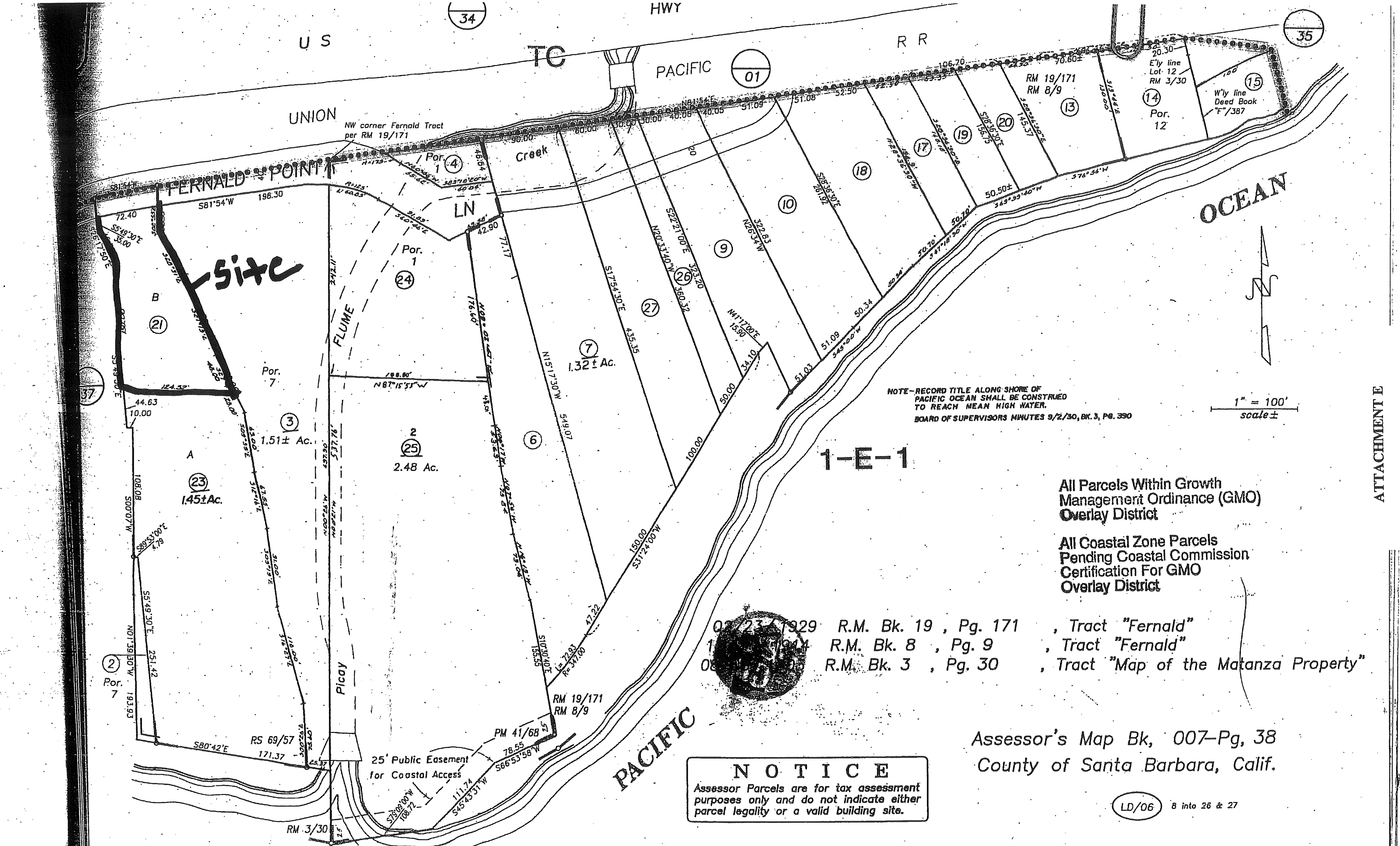
Kellem de Forest

Letters: Peggy Dent, Mullen & Henzell, LLP, Mark & Linda Schwartz

**MBAR Comments:**

1. **Project changes to driveway and garage appear to be an improvement over the existing situation.**
2. **Set back new wall/fence enough from driveway easement to provide room for plantings to screen/soften the wall/fence.**
3. **Provide details for the concrete pilasters of the wall/fence.**
4. **Might be nice if second story set back further from the south; story poles will help determine.**
5. **Relation of the new addition height and deck to the south property important.**
6. **Site visit and provide story poles for the second floor.**

**Project received comments only. Nulty absent from discussion. The project may return for preliminary approval with of the approval of the planner.**



1-E-1

All Parcels Within Growth Management Ordinance (GMO) Overlay District

All Coastal Zone Parcels Pending Coastal Commission Certification For GMO Overlay District

07/23/1929 R.M. Bk. 19 , Pg. 171 , Tract "Fernald"  
 1/15/1944 R.M. Bk. 8 , Pg. 9 , Tract "Fernald"  
 08/11/1908 R.M. Bk. 3 , Pg. 30 , Tract "Map of the Matanza Property"

Assessor's Map Bk, 007-Pg, 38  
 County of Santa Barbara, Calif.

**NOTICE**  
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

LD/06 8 into 26 & 27

ATTACHMENT E



Day W. Gagner & Associates,  
Architects, P.C.  
2731 Industrial Highway - Ste. 113  
Culver City, California - 91302  
310-303-7645/310-303-7646  
www.gagnerarchitects.com

Sheet Title  
**SITE PLAN**  
1/8" = 1'-0"

Job Name  
**VAN YLIET  
MONTECITO**

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Date-Revs.  
8-2-11  
7-25-11

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**A-1**  
of 6

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|---|---|
| <p><b>MBAR STRUCTURE APPLICATION</b> (P-0553 11-03)</p> <p><b>VICINITY MAP</b></p>  | <p><b>PROJECT STATISTICS</b></p> <p>OWNER: ALAN I. KATZMAN VAN YLIET ARCHITECTS, P.C., MONTECITO, CA 91357</p> <p>JFN: 0071350-001</p> <p>SCOPE OF WORK: ADDITION / REMODEL</p> <p>ZONE: I-2-1</p> <p>OCCUPANCY: RESIDENCE R-3</p> <p>CONSTRUCTION TYPE: V-B</p> <p>BUILDING CODES: 2006 CBC</p> <p>SUBJECT: BENCHMARKS, BRASS CIRCULAR DATED 1940, ELEVATION 324.5 FT. NAVD 83 ADJUSTED.</p>   |
| <p><b>GRADING VOLUME</b></p> <p>CUT AT DRIVEWAY AREA: 38.00</p> <p>FILLING OF EXISTING POOL: 36.00</p> <p>EXCAVATION OF NEW POOL: 45.00</p> <p><b>WATER QUALITY REQUIREMENTS:</b></p> <p>SEPTIC BASIN (INCLUDING DIVERS BASIN, OR ALL TREATMENT) SHALL BE INSTALLED IN ACCORDANCE WITH THE CALIFORNIA WATER QUALITY CONTROL REGULATIONS (TITLE 23, CHAPTER 4.5) AND THE LOCAL AGENCY'S WATER QUALITY CONTROL REGULATIONS. THE SEPTIC BASIN SHALL BE INSTALLED IN ACCORDANCE WITH THE CALIFORNIA WATER QUALITY CONTROL REGULATIONS (TITLE 23, CHAPTER 4.5) AND THE LOCAL AGENCY'S WATER QUALITY CONTROL REGULATIONS.</p>                                     | <p><b>SHEET INDEX</b></p> <p>ARCHITECTURAL AT SITE PLAN</p> <p>A1 DESIGN RUMBY IRRIGATION PLAN</p> <p>A2 EXISTING-DESIGN FLOOR PLAN</p> <p>A3 PROPOSED FLOOR PLAN</p> <p>A4 PROPOSED BUILDING ELEVATIONS</p> <p>A5 PROPOSED FENCE ELEVATIONS</p> <p>A6 PROPOSED SECTIONS</p>  |
| <p><b>FASBMENT LEGEND</b></p> <p>INDICATES EASEMENTS</p> <p>1. ALL EASEMENTS TO BE SHOWN AS DASHED LINES WITH THE FOLLOWING NOTATION: EASEMENT TO [PROPERTY] FOR [PURPOSE].</p> <p>2. EASEMENTS TO BE SHOWN AS DASHED LINES WITH THE FOLLOWING NOTATION: EASEMENT TO [PROPERTY] FOR [PURPOSE].</p> <p>3. EASEMENTS TO BE SHOWN AS DASHED LINES WITH THE FOLLOWING NOTATION: EASEMENT TO [PROPERTY] FOR [PURPOSE].</p> <p>4. EASEMENTS TO BE SHOWN AS DASHED LINES WITH THE FOLLOWING NOTATION: EASEMENT TO [PROPERTY] FOR [PURPOSE].</p> <p>5. EASEMENTS TO BE SHOWN AS DASHED LINES WITH THE FOLLOWING NOTATION: EASEMENT TO [PROPERTY] FOR [PURPOSE].</p> | <p><b>GRADING VOLUME</b></p> <p>CUT AT DRIVEWAY AREA: 38.00</p> <p>FILLING OF EXISTING POOL: 36.00</p> <p>EXCAVATION OF NEW POOL: 45.00</p> <p><b>WATER QUALITY REQUIREMENTS:</b></p> <p>SEPTIC BASIN (INCLUDING DIVERS BASIN, OR ALL TREATMENT) SHALL BE INSTALLED IN ACCORDANCE WITH THE CALIFORNIA WATER QUALITY CONTROL REGULATIONS (TITLE 23, CHAPTER 4.5) AND THE LOCAL AGENCY'S WATER QUALITY CONTROL REGULATIONS. THE SEPTIC BASIN SHALL BE INSTALLED IN ACCORDANCE WITH THE CALIFORNIA WATER QUALITY CONTROL REGULATIONS (TITLE 23, CHAPTER 4.5) AND THE LOCAL AGENCY'S WATER QUALITY CONTROL REGULATIONS.</p> |
| <p><b>TYP. FENCE @ DRIVEWAY</b></p>   | <p><b>TYP. FILASTER</b></p>   |

