



ATTACHMENT 1

FINDINGS FOR APPROVAL

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 Sections 15301 [Existing Facilities] and 15303 [New Construction or Conversion of Small Structures]. Please see the Notice of Exemption, included as Attachment 3 to the staff memo, dated March 3, 2016.

2.0 ADMINISTRATIVE FINDINGS

2.1 FINDINGS REQUIRED FOR ALL COASTAL DEVELOPMENT PERMITS

In compliance with Section 35-60.5 of the Article II 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.

As discussed in Section 6.2 of the staff report, dated April 30, 2015, incorporated herein by reference, the Montecito Water District has issued a Certificate of Water Service Availability and the Montecito Sanitary District has issued a Sewer Service Availability Letter for the proposed new SFD on the subject parcel (Attachments E & F to the April 30, 2015 staff report). Access to the project site will continue to be provided via the existing driveway off of Channel Drive. Driveway dimensions and access will be in conformance with Montecito Fire Protection District specifications. Therefore, this finding can be made.

2.2 ARTICLE II COASTAL ZONING ORDINANCE FINDINGS

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:

- 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.**

As revised, the project remains consistent with all applicable ordinances and policies as discussed in Sections 6.2 and 6.3 of the original staff report, dated April 30, 2015. The revisions that have been made to the project only serve to further enhance the project's compatibility with surrounding development. Therefore, the revised project continues to comply with all applicable policies of the Comprehensive Plan, including the Montecito Community Plan and Coastal Land Use Plan, as well as applicable provisions of the Article II Coastal Zoning Ordinance. The parcel's legal nonconforming status as to size does not preclude the project and will remain the case following project approval. Therefore, this finding can be made.

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

The proposed development is located on a legal lot of record that is shown as lot 19 of the 1887 Recorded Map (Rack 1, Map 3), known as the Tract Map of the Montecito Land Company, as depicted on Assessor's Map Book 009, page 35, County of Santa Barbara. 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 non-conforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

As discussed in Section 6.3 of the staff report, dated April 30, 2015 and incorporated herein by reference, there are no zoning or building violations recorded against the subject parcel. Additionally, as conditioned, the subject property and proposed project are in full compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and all other applicable provisions of Article II, Coastal Zoning Ordinance for the E-1 zone district. The parcel's legal nonconforming status as to size does not preclude the project and will remain the case following project approval. 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 proposed project does not significantly obstruct public views from any public road or from a public recreation area to, or along the coast. The residence is on the mountain side of Channel Drive and does not obstruct views to or along the coast from Channel Drive or any other public road or viewing area. Additionally, although this finding relates to significant obstruction of public views to and along the coast, as noted in the Approved Minutes from the Montecito Board of Architectural Review's December 15, 2014 and October 12, 2015 hearings, the project does not block any views from the beach and retains public views of the mountains as viewed from Channel Drive (see Attachment D to the staff report, dated April 30, 2015 and Attachment 6 to the staff memo, dated March 3, 2016, respectively, both incorporated herein by reference). Therefore, this finding can be made.

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

As shown in Attachment D to the staff report, dated April 30, 2015, incorporated herein by reference, the MBAR reviewed the originally proposed development at the conceptual level on six separate occasions. At the hearing of December 15, 2014, the MBAR took a straw vote and determined that the project, as previously designed, was compatible with the neighborhood and would fit in nicely with the surrounding community. The revised project, which reduces the overall size and height of the proposed new dwelling, was reviewed by the MBAR on October 12, 2015, where it was determined to be in proper relationship with the size, bulk and scale of the surrounding neighborhood and appropriate to the size of the lot (see Attachment 4 to the staff memo, dated March 3, 2016 and incorporated herein by reference). Additionally, as a condition of approval, the project will require final review and approval by the MBAR prior to issuance of the Coastal Development Permit (see Condition #3, Attachment 2 to the staff memo, dated March 3, 2016 and incorporated herein by reference).

Additionally, as discussed in Section 6.2 of the staff report, dated April 30, 2015 and

incorporated herein by reference, large homes on small lots make up the majority of dwellings throughout the immediate neighborhood. The existing two-story dwelling on the subject parcel is 3,802 square feet in total size (first floor: 3,136 sq. ft; second floor: 666 sq. ft.) and is approximately 31% over the maximum recommended floor area for the 0.44-acre lot. The revised new two-story dwelling currently will be 3,187 square feet in total size (first floor: 1,935 sq. ft; second floor: 1,252 sq. ft.) and will be approximately 9.9% over the maximum recommended floor area for the lot. Existing floor areas of some of the homes on surrounding parcels located on the same block as the subject parcel also exceed the maximum recommended floor area, ranging from 1% over to as much as 48% over. As such, the 9.9% overage falls within this range and is smaller than the existing dwelling on the lot. Therefore, 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 does not impact public access to the beach along this area of the coast as the project site is not immediately adjacent to any public access points to the ocean and will not impede lateral access along the beach. Therefore, this finding can be made.

2.3 ADDITIONAL FINDINGS REQUIRED FOR SITES WITHIN THE MONTECITO COMMUNITY PLAN AREA

2.3.1 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 development projects as development as 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.

As discussed in Sections 6.2 and 6.3 of the staff report, dated April 30, 2015 and incorporated herein by reference, as proposed and conditioned, the project is in full compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and all other applicable development standards of Article II, Coastal Zoning Ordinance for the E-1 zone district and all applicable standards of the Comprehensive Plan, including the Montecito Community Plan and the Coastal Land Use Plan. The parcel's legal nonconforming status as to size does not preclude the project and will remain the case following project approval. Therefore, this finding can be made.

2.3.2 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 does not impact public access to the beach along this area of the coast as the project site is not immediately adjacent to any public access points to the ocean and will not impede lateral access along the beach. Therefore, this finding can be made.

Story Poles - October 12th 2015



PROBER Land Surveying

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October 16, 2015

To Whom It May Concern:

On October 15, 2015, I surveyed the story pole heights at 1154 Channel Drive, Montecito, California, and found them to be in substantial conformance with "STORY POLE PLAN" sheet "A2.1" by Warner Group Architects, Inc dated October 7, 2015.

Below is a photograph depicting some of the specific surveyed elevations.



Pt.A	Story Pole Plan Elevation	44.76'
	Surveyed Elevation	44.86'
Pt.B	Story Pole Plan Elevation	45.51
	Surveyed Elevation	45.66'
Pt.C	Story Pole Plan Elevation	37.01'
	Surveyed Elevation	37.24'



Jeffery K. Prober

Story Poles - October 12th 2015



Story Poles - October 12th 2015



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Story Poles - October 12th 2015



Story Poles - October 12th 2015



Story Poles - October 12th 2015





Existing View From Michael Hair's Patio (1169 Hill Road)



Proposed View From Michael Hair's Patio (1169 Hill Road)



EXISTING



PROPOSED



EXISTING



PROPOSED



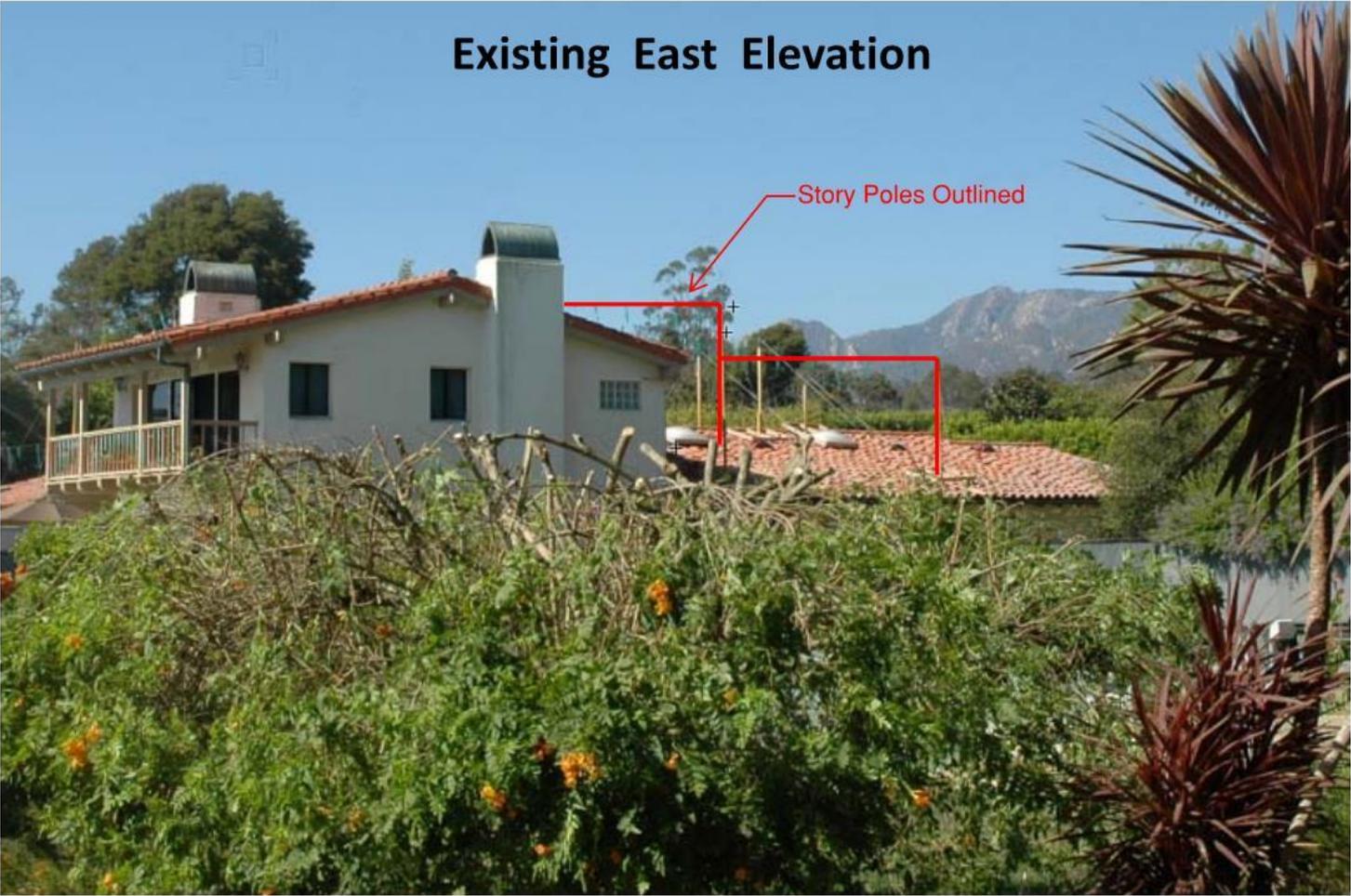
EXISTING

View from Sturgess Deck (1159 Hill Road)



PROPOSED

Existing East Elevation



***OPPONENTS MISLEADING MATERIAL**

Proposed East Elevation

Mountain view reduced



***OPPONENTS MISLEADING MATERIAL**



***OPPONENTS MISLEADING MATERIAL**

1154 Channel Drive



Existing Residence

3A

***OPPONENTS MISLEADING MATERIAL**



Hill Rd

Hill Rd

Channel Dr

Channel Dr

Channel Dr

Channel Dr

Butterfly Beach



1154 Channel Drive



Existing Residence

3A

***OPPONENTS MISLEADING MATERIAL**

1154 Channel Drive



Proposed two-story residence

3B



Existing View with exterior lighting turned on (normal condition)



Existing View with exterior lighting turned on (normal condition)



Proposed



EXISTING



PROPOSED



1154