

# **EXHIBIT 1**

## **- FINDINGS FOR DENIAL -**

### **1.0 CEQA FINDINGS**

The Board of Supervisors finds that CEQA does not apply to the denial of the project pursuant to CEQA Guidelines Section 15270 [Projects Which are Disapproved]. See Exhibit 2, Notice of Exemption.

### **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, as discussed at the previous Montecito Planning Commission hearings as part of the previous denial, 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. The project has not been substantially changed to adequately address these issues and remains inconsistent with policies of the County Comprehensive Plan, including the Montecito Community Plan. Therefore, the Board of Supervisors cannot make this finding.

**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 second story will significantly obstruct public views of the Santa Ynez Mountains as seen from Channel Drive, a public road. The project has not been substantially changed to adequately address these issues and remains inconsistent with policies of the County Comprehensive Plan, including the Montecito Community Plan, which protect public views. Therefore, the Board of Supervisors cannot make this finding.

**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. The project has not been substantially changed to adequately address these issues and remains inconsistent with policies of the County Comprehensive Plan, including the Montecito Community Plan. Therefore, the Board of Supervisors cannot make this finding.