

ATTACHMENT A: FINDINGS OF APPROVAL

1.0 CEQA FINDINGS

1.1 CEQA EXEMPTION

The Board of Supervisors 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 a portion of an as-built grouted sandstone boulder wall that was reconstructed within the same footprint of the existing 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 Board of Supervisors 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 Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission 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 Board of Supervisors 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 Board of Supervisors 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 Board of Supervisors 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 Montecito Planning commission 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 Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission 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 and sits flush with 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 Board of Supervisors finds that, as discussed in Section 6.2 of the Montecito Planning Commission staff report dated September 10, 2025, the reconstructed 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 San Ysidro Creek, sits flush with the surrounding existing grade and will remain subordinate to the natural open space characteristics of the surrounding mountains. 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 Board of Supervisors 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 Board of Supervisors 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 Montecito Planning Commission 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. The Biological Report confirmed that no oak trees were removed or significantly disturbed during the reconstruction of the grouted sandstone boulder wall in February and March 2018. Hand grouting of the replaced sandstone boulders ensured that the root zone aeration and stability of native trees was not adversely affected, equipment was staged in an area previously disturbed by the 2018 debris flow and outside of the creek, and grading was not a part of the reconstruction process. The analysis concludes that the reconstruction of the grouted sandstone boulder wall resulted in less-than-significant impacts to the ESH area.

Section 35-97.19 Development Standards for Stream Habitats.

The Board of Supervisors finds the project is in compliance with Section 35-97.19 of Article II. As discussed in Section 6.3 of the Montecito Planning Commission 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. According to the

Biological Report prepared by Watershed Environmental, Inc. (August 2023), the 2018 debris flow destroyed almost all herbaceous and shrub vegetation, and badly damaged and destroyed many of the mature trees within the project site area. In response to the 2018 debris flow, the County Flood Control and Army Corps of Engineers (ACOE) conducted significant cleanup operations within the creek bed to remove debris and restore water flow while the reconstruction of the grouted sandstone boulder wall was taking place. The creek was heavily obstructed by mud and debris, which impeded its natural hydrology. The reconstruction of the grouted sandstone boulder wall was a flood control project necessary to ensure public safety and to protect existing development. The project incorporated the best mitigation measures feasible by using an excavator and hand labor crews in lieu of heavy machinery and staging all equipment in an area previously disturbed by the 2018 debris flow and outside of the creek. The project was reviewed by CDFW and ACOE. Both CDFW and ACOE authorized the project, determining it does not require a Streambed Alteration Agreement or Section 404 permit, as documented in the CDFW letter dated September 2024, and ACOE email correspondence dated October 2024. The project did not involve dredging, filling, or grading within stream corridors, nor did it impede the upstream migration of anadromous fish. Furthermore, County Public Works Flood Control District reviewed the project to ensure it does not change the flow conveyance capacity through the channel, and will not result in increased runoff, sedimentation, biochemical degradation, or thermal pollution. The as-built project was designed and reviewed to ensure full compliance with environmental regulations. It 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 Board of Supervisors 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 Montecito Planning Commission 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. Additionally, the project 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 Board of Supervisors 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.