

## MONTECITO PLANNING COMMISSION

### Staff Report for Matkins Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment

**Hearing Date:** March 17, 2021

**Staff Report Date:** February 25, 2021

**Case Nos.:** 19TPM-00000-00004, 19GPA-00000-00001, & 19RZN-00000-00001

**Environmental Document:** Notice of Exemption pursuant to CEQA Guidelines Section 15162 [Subsequent EIRs and Negative Declarations] and Section 15315 [Minor Land Divisions]

**Deputy Director:** Travis Seawards

**Division:** Development Review

**Supervising Planner:** Tess Harris

**Supervising Planner Phone #:** (805) 568-3319

**Staff Contact:** Willow Brown

**Staff Contact Phone #:** (805) 568-2040

#### OWNER / APPLICANT

Michael Matkins  
865 South Figueroa Street  
Suite 2800  
Los Angeles, CA 90017  
(310) 625-2045

#### AGENT

Kenneth Marshall  
Dudek  
621 Chapala Street  
Santa Barbara, CA 93101  
(805) 963-0651



This site is identified as Assessor's Parcel Number 013-090-001, located at 651 Stoddard Lane in the Montecito Community Plan area, First Supervisorial District.

## 1.0 REQUEST

The hearing is a request by Michael Matkins, property owner, to consider a Tentative Parcel Map (Case No. 19TPM-00000-00004), Zoning Map Amendment (Case No. 19RZN-00000-00001), and Comprehensive Plan Amendment (Case No. 19GPA-00000-00001) to:

- Create three new legal lots - proposed Lot 1 (1.36 gross acres), proposed Lot 2 (1.0 gross acre), and proposed Lot 3 (1.0 gross acre);

- Amend the Zoning Map designation on the subject parcel from Single Family Residential, two acre minimum lot size (2-E-1) to Single Family Residential, one acre minimum lot size (1-E-1) in compliance with Chapter 35.494 of the Montecito Land Use and Development Code;
- Amend the Comprehensive Plan land use designation on the subject parcel from Single Family Semi-Rural Residential, two acre minimum parcel size (SRR-0.5) to Single Family Semi-Rural Residential, one acre minimum parcel size (SRR-1.0) in compliance with the Montecito Community Plan; and
- Determine the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15162 and 15315.

The application involves Assessor's Parcel Number 013-090-001 located at 651 Stoddard Lane, in the Montecito Community Plan area, First Supervisorial District.

## **2.0 RECOMMENDATION AND PROCEDURES**

Staff recommends the Montecito Planning Commission follow the procedures below:

1. Make the findings for approval and recommend that the Board of Supervisors make the required findings for approval of the project specified in Attachment A of this staff report, including California Environmental Quality Act (CEQA) findings.
2. Recommend that the Board of Supervisors determine the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15162 [Subsequent EIRs and Negative Declarations] and 15315 [Minor Land Divisions], as set forth in the Notice of Exemption, included as Attachment B of this staff report.
3. Adopt a resolution recommending that the Board of Supervisors adopt an ordinance to amend the zoning map in the Montecito Community Plan for Assessor's Parcel Number 013-090-001 to change the zoning from Single Family Residential, two acre minimum lot size (2-E-1) to Single Family Residential, one acre minimum lot size (1-E-1) (Case No. 19RZN-00000-00001).
4. Adopt a resolution recommending that the Board of Supervisors adopt a resolution to amend the Land Use Designation Map in the Montecito Community Plan to re-designate Assessor's Parcel Number 013-090-001 from Single Family Semi-Rural Residential, two acre minimum lot size (SRR-0.5) to Single Family Semi-Rural Residential, one acre minimum lot size (SRR-1.0) (Case No. 19GPA-00000-00001).

Refer back to staff if the Montecito Planning Commission takes other than the recommended action for appropriate findings and conditions.

### 3.0 JURISDICTION

The Board of Supervisors shall be the decision-maker for the Zoning Map Amendment and Comprehensive Plan Amendment request after a recommendation is made by the Montecito Planning Commission based on the following Section of the Montecito Land Use and Development Code (MLUDC):

*Sections 35.494.050.A (Comprehensive Plan Amendments) and 35.494.050.B (Development Code and Zoning Map Amendments): The Montecito Commission shall hold at least one noticed public hearing on the proposed Amendment. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.496 (Noticing and Public Hearings) and Government Code Sections 65090 and 65091, as applicable. At the conclusion of the hearing, the Montecito Commission shall recommend approval, conditional approval or denial of the proposed Amendment. The Montecito Commission's recommendation shall be adopted and transmitted to the Board by resolution of the Montecito Commission carried by the affirmative vote of not less than a majority of the total membership of the Montecito Commission. The Montecito Commission shall adopt a resolution recommending approval or conditional approval of the Amendment only if the Montecito Commission first makes all of the findings identified in Section 35.494.060 (Findings Required for Approval of Amendments) and Section 35.494.080 (Rezoning Requirements for Specific Zones) as applicable.*

The Montecito Planning Commission is generally the decision-maker for Tentative Parcel Maps that are determined by the County to be exempt from environmental review pursuant to Section 21-6 of Chapter 21 (Land Division). However, Section 35.470.020 (Authority for Land Use and Zoning Decisions) states:

*When two or more discretionary applications that relate to the same development project are submitted, and the individual applications are under the separate jurisdiction of more than one review authority, all applications for the project shall be under the jurisdiction of the review authority with the highest jurisdiction.*

Since the Board of Supervisors is the decision maker for the Comprehensive Plan Amendment and Zoning Map Amendment, they shall also be the decision maker for the Tentative Parcel Map. The Montecito Planning Commission shall review the project and make a recommendation to the Board of Supervisors to approve, conditionally approve, or deny the Rezone, General Plan Amendment, and Tentative Parcel Map.

### 4.0 ISSUE SUMMARY

The proposed project includes a request for approval of a Tentative Parcel Map to authorize the subdivision of the 3.36-acre lot into three lots, a Zoning Map Amendment to change the zoning

of the proposed lots from 2-E-1 to 1-E-1, and a Comprehensive Plan Amendment to change the land use designation of the proposed lots from SRR-0.5 to SRR-1.0.

## 5.0 PROJECT INFORMATION

### 5.1 Site Information

Site Information	
Comprehensive Plan Designation	Inland, Urban, SRR-0.5 (Single Family Semi-Rural Residential, two acre minimum lot size)
Ordinance, Zone	Montecito Land Use and Development Code (MLUDC), 2-E-1 (Single Family Residential, two-acre minimum lot size)
Site Size	3.36 acres
Present Use & Development	Vacant
Surrounding Uses/Zone(s)	North: Westmont College, 1-E-1 South: Single Family Residence, 7-R-1 East: Single Family Residence, 2-E-1 West: Single Family Residence, 7-R-1
Access	Easement off of Stoddard Lane
Public Services	Water Supply: Montecito Water District Sewage: Montecito Sanitary District Fire: Montecito Fire Protection District Police Services: County Sheriff

### 5.2 Description

The proposed project is for a Tentative Parcel Map (TPM), Zoning Map Amendment (RZN), and Comprehensive Plan Amendment (GPA) to create three new legal lots from existing APN 013-090-001 (3.36 gross acres, zoned 2-E-1). The size of each of the proposed lots are:

- Lot 1: 1.36 gross acres;
- Lot 2: 1.0 gross acre;
- Lot 3: 1.0 gross acre.

The proposed zoning for the newly created lots is Single Family Residential, one acre minimum lot size (1-E-1). The proposed land use designation for the newly created lots is Single Family Semi-Rural Residential, one acre minimum parcel size (SRR-1.0). The lots will be served by the Montecito Water District, Montecito Sanitary District, and the Montecito Fire Protection District. Access will be provided off of Stoddard Lane. Easements will be recorded over each of the lots for access and utilities. The existing property is a 3.36-acre lot zoned 2-E-1 and identified as

Assessor's Parcel Number 013-090-001, located at 651 Stoddard Lane in the Montecito Community Plan area, First Supervisorial District.

### **5.3 Background Information**

The subject lot is currently vacant, however, agricultural structures previously existed on the lot consisting of a covered greenhouse, plant laboratory and an office. These structures were approved under Case Nos. 64-CP-001 and 64-CP-075. The structures were demolished in 2006 under Case Nos. 05EXE-00000-00035, 06BDP-00000-00516, and 06BDP-00000-00519.

The existing driveway currently only provides access to Proposed Parcel 1. A Land Use Permit will be required for grading, underground stormwater improvements, construction of 20-foot wide driveways to access all parcels, and a hammerhead turnaround on proposed Parcels 1 and 3 prior to map recordation, consistent with Montecito Fire Protection District requirements. Brush clearing and asphalt resurfacing will also occur along the existing private driveway off of Stoddard Lane traversing APNs 013-150-010 and 013-150-012 consistent with Montecito Fire Protection District standards. Additionally, a new fire protection water system, including a hydrant, will be installed. The applicant has not applied for this Land Use Permit (LUP) yet; however this LUP will be required to be approved and issued prior to Map Recordation of the Tentative Parcel Map. The LUP will ensure each parcel has adequate access and meets the Montecito Fire Protection District requirements.

## **6.0 PROJECT ANALYSIS**

### **6.1 Environmental Review**

The project is exempt from additional environmental review pursuant to Sections 15162 [Subsequent EIRs and Negative Declarations] and 15315 [Minor Land Divisions] of the CEQA Guidelines.

Section 15162 applies when an EIR has been certified or a negative declaration adopted for a project, and no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration

due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The project includes a minor amendment of the Montecito Community Plan (“MCP”), and corresponding rezone. The existing residential land use designation and zoning of the project site was analyzed in the environmental impact report prepared upon adoption of the MCP (92-EIR-3). The proposed amendments do not constitute a substantial change to the MCP or to the circumstances under which it is undertaken, and there is no new information of substantial importance that would require additional environmental review. The project request to change the parcel size from a two-acre minimum parcel size to a one-acre minimum parcel size is similar in nature to the existing zoning and land use because the uses allowed on the parcel will not change, and the site still maintains a single-family residential designation. There is no evidence that the minor change in the minimum parcel lot size resulting from a change in land use designation from SRR-0.5 to SRR-1.0 and zoning from 2-E-1 to 1-E-1 would result in any significant environmental impacts that were not previously examined upon adoption of the MPC. Therefore, Section 15162 applies to the project, and no additional environmental review of the land use designation amendment or rezone is required.

Section 15315 applies to the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer lots when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed lots are available, the lot was not involved in a division of a larger lot within the previous two years, and the lot does not have an average slope greater than 20 percent. In this case, with approval of the rezone and land use designation amendment, the property may be subdivided into three lots. Services and access are available to the proposed lots, the subject parcel has not been subject to subdivision within the last two years, and the subject parcel does not have an

average slope of greater than 20 percent. As such, the proposed minor subdivision is exempt from the provisions of CEQA.

Additional information is provided in the Notice of Exemption (Attachment C) to this staff report.

## 6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<b>Land Use Development Policies and Goals</b>	
<p><b>Land Use Development Policy 4:</b> <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</i></p>	<p><b>Consistent:</b> The proposed project is consistent with the policy regarding adequate services because the three proposed lots will be served by the Montecito Water District, the Montecito Sanitary District, and the Montecito Fire Protection District. The Montecito Water District issued a Certificate of Water Service Availability dated August 16, 2019 stating that the District can make service available to the proposed subject properties. The Montecito Sanitary District issued a condition letter dated July 26, 2019 stating that the proposed lots are within the District’s boundary and can be served by the District, and the District provided conditions on the proposed project. These service letters are included as Attachment F. The Montecito Fire Protection District issued a condition letter dated March 31, 2020, which is included as Attachment D. Future residential development on each of the proposed parcels will also require approval from these agencies.</p>
<p><b>Goal LUG-M-1:</b> <i>Comprehensively plan for, and maintain, an ultimate community buildout that is based on the conservation of limited resources. Infrastructure and services planning shall respect the need to preserve the community’s existing quality of life and community character and shall be scaled to accommodate growth provided within the context of the adopted Land Use Maps and this plan.</i></p>	<p><b>Consistent:</b> The project is consistent with this policy because the proposed lots are consistent with the average lot size of the surrounding lots, which is 1.18 acres. Based on lot size and location adjacent to residential development, the proposed lots are consistent with the community character. The proposed 1-E-1 zoning allows for one single family residence per lot and will not affect the community’s existing quality of life. There are adequate services to serve the proposed lots. In addition,</p>

	<p>the three proposed lots are vacant and thus are subject to the Montecito Growth Management Ordinance (MGMO) prior to any development on the lot. The MGMO (Ordinance 4763 as amended) requires an allocation to be granted prior to submittal of applications for new residential development, which assists in ensuring that the buildout of each new lot is based on the conservation of limited resources.</p>
<b>Flooding</b>	
<p><b>Flood Hazard Area Policy 3:</b> <i>All development shall be reviewed in accordance with the requirements of County Code Chapter 15A-Floodplain Management and 15B-Development Along Watercourses.</i></p>	<p><b>Consistent:</b> The proposed project is consistent with the County requirements for floodplain management. The proposed project was reviewed by the Santa Barbara County Public Works Flood Control District. Flood Control provided a letter dated September 26, 2019 that includes conditions for the proposed project (Attachment D). As conditioned, the project complies with the requirements of County Code Chapter 15A – Floodplain Management and 15B – Development Along Watercourses.</p>
<b>Noise</b>	
<p><b>Noise Element Policy 1:</b> <i>In the planning of land use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</i></p>	<p><b>Consistent:</b> The project is consistent with the policy regarding noise because the parcel is surrounded by residentially zoned parcels developed with single-family dwellings and Westmont College to the north. The change in the land use and zoning of the parcel and division of the subject lot into three lots will still allow for residential use of the lots, which will not cause the noise level to exceed 65 dB. The Zoning Map Amendment, Comprehensive Plan Amendment, and Tentative Parcel Map facilitate the ability for future residential development to exist on each lot, and future development, including access improvements required by the Montecito Fire Protection District prior to map recordation, will be required to comply with the 65dB noise threshold.</p>
<b>Hillside and Watershed Protection</b>	



<p><b>CLUP Policy 2:</b> All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p><b>Consistent:</b> The project is consistent with this policy because no development is proposed as part of the Tentative Parcel Map, Zoning Map Amendment, or Comprehensive Map Amendment. Native vegetation and trees are not proposed to be removed. Future residential development be reviewed by the Montecito Board of Architectural Review to ensure development complies with the Hillside and Watershed Protection policies and will require a Land Use Permit that will be reviewed by P&amp;D for consistency with this policy.</p>
<p><b>Roadways – Fire Facilities/Hazards</b></p>	
<p><b>Policy F-M-2.1:</b> The County shall cooperate with the Montecito Fire Protection District while reviewing Fire District requirements applied to ministerial and discretionary development projects regarding access, vegetation clearance, and improvements with the intent of protecting development from fire hazards while maintaining community character and quality of life and preventing adverse environmental impacts.</p>	<p><b>Consistent:</b> The project is consistent with this policy because the Montecito Fire Protection District has reviewed the Tentative Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment and issued a condition letter dated March 31, 2020, which is included as Attachment D. The condition letter lists requirements for access including the width of the roads and fire turnarounds to ensure consistency with this policy. Any future development on the lot will also require approval by the Montecito Fire Protection District.</p>
<p><b>Resources – Biological Habitats</b></p>	
<p><b>Policy BIO-M-1.15:</b> To the maximum extent feasible, specimen trees shall be preserved. Specimen trees are defined for the purposes of this policy as mature trees that are healthy and structurally sound and have grown into the natural stature particular to the species. Native or non-native trees that have unusual scenic or aesthetic quality, have important historic value, or are unique due to species type or location shall be preserved to the maximum extent feasible.</p>	<p><b>Consistent:</b> The project is consistent with this policy because no trees are proposed for removal as part of the Tentative Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment, and ESH is not located on the subject parcel. An arborist report was submitted on May 13, 2020. The report stated that 26 protected trees are located on site. Future development will be conditioned to require tree protection and mitigation if any trees are impacted.</p>

<p><b>Policy BIO-M-1.16:</b> All existing native trees regardless of size that have biological value shall be preserved to the maximum extent feasible.</p>	
<p><b>Resources – Archaeological, Cultural, and Historical</b></p>	
<p><b>Policy CR-M-2.1:</b> Significant cultural, archaeological, and historic resources in the Montecito area shall be protected and preserved to the extent feasible.</p>	<p><b>Consistent:</b> The project is consistent with this policy because a Phase I Archaeological Resources Report was submitted in December 2019, and the report concluded that no prehistoric or new historic cultural materials were identified.</p> <p>On February 19, 2021, Planning and Development sent an invitation for consultation to local Native American tribes, identified by the Native American Heritage Commission, in compliance with SB 18 requirements. Letters were sent to the Santa Ynez Band of Chumash Indians, Barbareno/Ventureno Band of Mission Indians, Chumash Council of Bakersfield, San Luis Obispo County Chumash Council, Northern Chumash Tribal Council, and the Coastal Band of the Chumash Nation through mail and email. A request for consultation has not been received, and the 90-day response period ends on May 20, 2021.</p>
<p><b>Traffic and Circulation</b></p>	
<p><b>Special Standards for Projects Involving Comprehensive Plan Amendments to Land Use Designations</b></p> <p><i>1) Comprehensive Plan Amendments submitted by private applicants ... shall be required to demonstrate that the proposed change in land use would not potentially result in traffic levels higher than those anticipated for that parcel by the Community Plan and its associated environmental documents. If higher traffic levels could potentially result from such an amendment, then the following findings must be made ... to approve the amendment:</i></p>	<p><b>Consistent:</b> The project is consistent with these standards because the project will allow for residential use of the three proposed lots. The subject lot is currently designated SRR-0.5 (two acre minimum lot size), and the proposed designation is SRR-0.1 (1 acre minimum lot size). Dividing the lot into three lots will allow for two more residences than what is currently allowed, but the existing roads are adequate to serve future residential development. The project was reviewed by the Transportation Division at the Subdivision Development Review Committee (SDRC), and the Transportation Division had no comments or</p>

<p>• <i>The increase is not large enough to cause the affected roadways and/or intersections to exceed their designated acceptable capacity levels at buildout of the Community Plan, or</i></p> <p><i>Road improvements included as part of the project description are consistent with the Community Plan and are adequate to fully offset the identified potential increase in traffic</i></p>	<p>conditions for the Tentative Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment.</p>
<b>Fire Protection</b>	
<p><b>Policy F-M-2.1:</b> <i>The County shall cooperate with the Montecito Fire Protection District while reviewing Fire District requirements applied to ministerial and discretionary development projects regarding access, vegetation clearance, and improvements with the intent of protecting development from fire hazards while maintaining community character and quality of life and preventing adverse environmental impacts.</i></p>	<p><b>Consistent:</b> The project is consistent with this policy because the Montecito Fire Protection District reviewed the proposed Tentative Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment and issued a condition letter, included as Attachment D, to ensure that future development on the lots are protected from fire hazards. As discussed in Section 5.3 above, a Land Use Permit will be processed prior to map recordation in order to meet Montecito Fire Protection District requirements for access.</p>

### 6.3 Zoning: Land Use and Development Code Compliance

#### Purpose and Intent

The project includes a request to create three lots from one existing lot, to rezone the lots Single Family Residential, One-Acre Minimum Lot Size (1-E-1) under the Montecito Land Use and Development Code (MLUDC), and to change the land use designation to Single Family Semi-Rural Residential, one acre minimum parcel size (SRR-1.0). Pursuant to Section 35.423.020 of the MLUDC, the E-1 zone is applied to areas appropriately located for family living at a reasonable range of population densities, consistent with sound standards of public health, safety, and welfare. This zone is intended to protect the residential characteristics of an area and to promote a suitable environment for family life. The proposed project will result in three residential lots, consistent with the purpose and intent of the 1-E-1 zone.

#### Lot Size

The proposed TPM will result in three residential lots that meet the zoning requirements for lot and building size area (one acre) and minimum lot width (120 feet). The lot size for proposed Parcel 1 is 1.36 acres, the lot size for proposed Parcel 2 is one acre, and the lot size for proposed Parcel 3 is one acre. The minimum lot width for proposed Parcel 1 is 228 feet, the minimum lot width for proposed Parcel 2 is 182 feet, and the minimum lot width for proposed Parcel 3 is 208 feet.

### Density

The maximum density allowed for the E-1 zone district is one single-family dwelling per lot plus one accessory dwelling unit and residential accessory structures. The proposed lots are currently vacant, and no development is proposed as part of the Tentative Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment. Therefore, the project complies with the maximum density allowed on the proposed lots.

## **6.4 Subdivision/Development Review Committee**

The project was reviewed by the Subdivision/Development Review Committee on September 5, 2019. Condition letters were provided by the County Surveyor, the Air Pollution Control District, Environmental Health Services, the Montecito Fire Protection District, County Parks, Flood Control, and Project Clean Water. The condition letters are included as Attachment D.

## **6.5 Development Impact Mitigation Fees**

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment of various development impact mitigation fees. Development Impact Mitigation Fees will be required in association with future residential development of Parcels 1, 2, and 3. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s). For a discretionary project, the date of determination of fee amounts is the date on which the decision-maker adopts the conditions of approval and approves the project.

<b>Estimated Countywide Development Impact Mitigation Fees</b>			
<b>Fee Program</b>	<b>Base Fee (per unit or 1,000 sf)</b>	<b>Estimated Fee</b>	<b>Fee due at</b>
Recreation (Parks)	\$1,335	\$2,670	Map Clearance

## **6.6 Senate Bill 18 Consultation**

Government Code Section 65352.3 requires local governments to consult with California Native American Tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting and/or mitigating impacts to tribal cultural resources. On February 19, 2021, Planning and Development sent an invitation for consultation to local Native American tribes, identified by the Native American Heritage Commission, in compliance with SB 18 requirements. Letters were sent to the Santa Ynez Band of Chumash Indians, Barbareno/Ventureno Band of Mission Indians, Chumash Council of Bakersfield, San Luis Obispo County Chumash Council, Northern Chumash Tribal Council, and the Coastal Band of the Chumash Nation through mail and email. A request for consultation has not been received, and the 90-day response period ends on May 20, 2021. If this project is recommended for approval by the Montecito Planning Commission, the project will not be heard by the Board of Supervisors until after May 20, 2021 (when the consultation period ends).

## **6.7 Montecito Growth Management Ordinance**

The three proposed lots are vacant and thus, if approved, would be subject to the Montecito Growth Management Ordinance (MGMO) prior to any development on the lot. The MGMO (Ordinance 4763 as amended) requires an allocation be granted prior to submittal of applications for new residential development. The MGMO allows for the assignment of points by the decision-maker on discretionary projects, to be used by the property owner to compete for allocations during semi-annual allocation periods (Section 35B-6.1.1 of the MGMO).

There are 16 categories for which points can be awarded under the MGMO. Should the project be approved, staff recommends that the Montecito Planning Commission assign 80 points to Parcel 1, and 100 points to Parcel 2 and Parcel 3 with points awarded in the following categories:

- Traffic (20) – Points are awarded in this category when the project does not direct vehicular access to North Jameson Lane, Olive Mill Road, Sheffield Drive between Jelinda Drive and Birnam Wood Drive, or East Valley Road between Cota and Picacho Lane. The proposed parcels do not direct vehicular access to any of these roadways. All three proposed parcels meet these criteria.
- Fire protection (20) – Points are awarded in this category when the travel distance to the nearest Montecito Fire Protection District fire station is less than three miles, the response time from the fire station is under five minutes, and the project shall be served by a fire district approved water supply system. All three proposed lots meet these criteria.

- Very high fire (5) – Points are awarded in this category when the parcels are located outside of the Very High Fire Zone. All of the proposed lots are located in the High Fire Zone but are outside of the Very High Fire Zone.
- 10% slope (20) – Points are awarded in this category when the portions of the site that would be disturbed for preparation and construction activities do not exceed 10 percent slope. Proposed Parcel 2 and Parcel 3 do not exceed 10 percent slope.
- No mapped habitat (20) – Points are awarded in this category when a project site does not contain any habitat areas. There is no mapped Environmentally Sensitive Habitat on any of the proposed lots, and therefore all three proposed lots meet this criteria.
- 100 year floodplain (10) – Points are awarded in this category when a project is located outside the 100 year floodplain. All proposed lots are located outside the floodplain.
- Sanitary district (5) – Points are awarded in this category when a project hooks up to the Montecito Sanitary District (MSD) sewer system. As required by the MSD, the properties will be required to connect to the sewer system. Therefore, all three proposed lots will meet this criteria.

Please refer to Attachment G for a summary of the recommended MGMO allocation of points.

## **7.0 APPEALS PROCEDURE**

Pursuant to Government Code Sections 65354 and 65856, a recommendation for approval by the Montecito Planning Commission is automatically forwarded to the Board of Supervisors for final action, therefore no appeal is required.

## **ATTACHMENTS**

- A. Findings
- B. Conditions of Approval
- C. CEQA Exemption
- D. Other Department Condition Letters
- E. Zoning Map Amendment and Comprehensive Plan Amendment Resolutions
- F. Water and Sanitary Availability letters
- G. MGMO Points Summary
- H. Tentative Parcel Map
- I. Zoning Map Amendment and Comprehensive Plan Amendment Map

## **ATTACHMENT A: FINDINGS**

### **1.0 CEQA FINDINGS**

#### **1.1 CEQA EXEMPTION**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15162 [Subsequent EIRs and Negative Declarations] and 15315 [Minor Land Divisions]. See Attachment C (Notice of Exemption) to the staff report dated February 25, 2021 for a more detailed discussion of the CEQA exemption.

#### **1.2 FINDING THAT A PREVIOUS ENVIRONMENTAL DOCUMENT CAN BE USED (per CEQA Section 15162)**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the previous environmental document prepared for the Montecito Community Plan (92-EIR-3) may be used to fulfill the environmental review requirements for this project (19GPA-00000-00001, 19RZN-00000-00001, and 19TPM-00000-00004).

The Montecito Community Plan designated the subject parcel Single-Family Semi-Rural Residential (SRR-0.5) and identified a zoning of Single Family Residential, 2 acre minimum parcel size (2-E-1), and the EIR for the Montecito Community Plan analyzed the potential buildout of the parcel based on this designation and zoning. While the original parcel indicated a two-acre minimum parcel size, the proposal is for a one-acre minimum parcel size. This change in size does not change the overall designation of Single Family Semi-Rural Residential or the zoning of Single Family Residential. The project request to change the parcel size from a two-acre minimum parcel size to a one-acre minimum parcel size is similar in nature to the existing zoning and land use because the uses allowed on the parcel will not change, and the site still maintains a single family residential designation. Therefore, there are no anticipated environmental impacts from the change in land use designation of SRR-0.5 to SRR-1.0 and zoning from 2-E-1 to 1-E-1. In addition, there have been no substantial changes in the environmental setting because the lot is vacant and Environmentally Sensitive Habitat is not present.

The project is a modification of the project reviewed in the previously adopted environmental document. The project modification does not propose any substantial changes in the project or to the circumstances under which the project is undertaken, and there is no new information of substantial importance. Further, there is no increase in the severity of impacts due to the project, as noted in the staff report.

The subject parcel was designated for Single-Family Semi-Rural Residential (SRR) development by the Montecito Community Plan. The Final Environmental Impact Report for Phase II of the Montecito Community Plan Update, 92-EIR-03, discussed the potential environmental impacts associated with the Montecito Community Plan and identified mitigation measures to avoid or reduce identified impacts. The EIR addressed alterations to existing land use designations that could allow the development of additional residential uses beyond those existing at the time. The Community Plan intended to preserve the existing predominantly large lot single family character of the community. The zoning for the three proposed lots will remain single family, and each lot will be at least one acre, in keeping with the single-family residential character of the community.

Substantial changes are not being proposed in the project which will require major revisions to the previous EIR. The subject lot was expected to be developed residentially when the EIR was written. The Montecito Community Plan EIR contemplated the allowable development of the E-1 zone, which is the same as the proposed zoning. The zoning will remain E-1 and land use designation will remain Semi-Rural Residential, and thus the allowed development for the lots will remain the same. The proposed project, consisting of the Comprehensive Plan Amendment and Zoning Map Amendment, still allows for future residential development and does not require revisions to the previous EIR.

No substantial changes have occurred with the respect to the circumstances under which the project was undertaken. The lot is still undeveloped and no cultural resources or Environmentally Sensitive Habitat exist on the lot. The EIR anticipated this zoning for the subject lot, and the only proposed change is the amount of lots allowed by the zone and land use designation. Therefore, the previous EIR evaluated the impacts of the subject lot being developed based on the Semi-Rural Residential land use designation and the Single-Family Residential zoning, and revisions to the previous EIR are not required.

There has been no new information of substantial importance since the time of the previous EIR related to the subject lot. There is no evidence that the Zoning Map Amendment and Comprehensive Plan Amendment will have a significant effect not discussed in the previous EIR or a more significant effect as the project still allows for future residential development on the lot. No significant effects on the environment are expected to occur on site as a result of the General Plan Amendment, Zoning Map Amendment, and Tentative Parcel Map.

Therefore, the Montecito Planning Commission finds that no new CEQA document is required and that the project modification does not trigger subsequent environmental review under State CEQA Guidelines Section 15162.



### **1.3 FULL DISCLOSURE**

The Montecito Planning Commission finds and recommends that the Board of Supervisors finds and accepts that the EIR (92-EIR-03) [dated June, 1992] constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Montecito Planning Commission further finds and recommends that the Board of Supervisors finds and accepts that the EIR has been completed in compliance with CEQA.

### **1.4 LOCATION OF DOCUMENTS**

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101. The EIR, Case No. 92-EIR-03 can also be found here: <https://www.countyofsb.org/plndev/policy/communityplans/montecito.sbc>.

### **1.5 FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:**

#### **1.5.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT**

The Final Environmental Impact Report (93-EIR-03) was presented to the Montecito Planning Commission and Board of Supervisors on June 15, 1992 and all voting members of the Montecito Planning Commission and Board of Supervisors have reviewed and considered the information contained in the Final EIR (93-EIR-03) and its appendices prior to approving the project. In addition, all voting members of the Montecito Planning Commission and Board of Supervisors have reviewed and considered testimony and additional information presented at or prior to the public hearing for the Comprehensive Plan Amendment, Zoning Map Amendment, and Tentative Parcel Map on March 17, 2021. The Final EIR reflects the independent judgment and analysis of the Montecito Planning Commission and Board of Supervisors and is adequate for this proposal.

#### **1.5.2 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE**

The Final EIR (93-EIR-03) for the Montecito Community Plan project identify 12 environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I). Those impact areas are: land use, traffic/circulation, sewage, fire hazard, police protection, schools, solid waste, flooding/storm drainage, biological resources, historical resources, visual/aesthetic resources, and air quality. To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth

in the Statement of Overriding Considerations included herein. For each of these Class I impacts identified by the Final EIR (93-EIR-03), feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

#### Land Use

Impact: Potential land use incompatibility as a result of implementation of the Mixed Use Affordable Housing Overlay.

Mitigation: None identified.

#### Traffic/Circulation

Impact: The 9,600 additional vehicle trips at Plan buildout would cause potentially significant impacts to:

- Hot Springs Road, south of Sycamore Canyon Road
- San Ysidro Road, south of North Jameson Lane
- Sycamore Canyon/Hot Springs intersection
- Hot Springs/Coast Village intersection
- Hot Springs/East Valley intersection
- Olive Mill/Coast Village intersection
- San Ysidro/N. Jameson Lane intersection
- Hot Springs/Old Coast Road
- San Ysidro/101 SB Off-Ramp

Mitigation:

- Add lane to San Ysidro Road between North and South Jameson Lanes.
- Add left-turn lane or signal to Hot Springs/East Valley intersection.
- Add left turn lane or signal to Sycamore Canyon/Hot Springs Road intersection,
- Install traffic signal at Olive Mill Road/Coast Village Road intersection.
- County to monitor operating conditions and amend Community Plan if necessary.
- Plan Amendment shall demonstrate that traffic levels for parcel are not higher than anticipated.
- Project consistency with proposed Plan shall constitute consistency with Land Use Policy 4.
- County shall permit reasonable development while maintaining safe roadways/intersections that operate at acceptable levels.

#### Sewage

Impact: Private septic systems may potentially impact local water quality.

Mitigation: None identified.

#### Fire Hazard

Impact: Development in high fire hazard area; development in inaccessible, unprotected areas with inadequate fire protection infrastructure; development which may hamper fire prevention techniques.

Mitigation: None identified.

#### Police Protection

Impact: Additional service demands resulting in the need for at least 1.8 additional officers.

Mitigation: None identified.

#### Schools

Impact: Potentially significant increase in student/teacher ratio at elementary, Jr. High and High School levels.

Mitigation: None identified.

#### Solid Waste

Impact: 1% increase in annual landfilling volumes at Tajiguas Landfill.

Mitigation: None identified.

#### Flooding/Storm Drainage

Impact: Potential development in 100-year flood zone. Increased storm runoff impacting inadequate storm drainage system.

Mitigation:

- County shall ensure that adequate drainage is provided.
- County Flood Control District shall prepare Master Drainage Plan.
- New development shall contribute fair share to improvement costs.
- On-site drainage system shall be designed for any new development which would be subject to, or create, drainage impacts.
- New development constructed prior to Master Drainage Plan implementation shall be responsible for constructing needed drainage system elements.

#### Biological Resources

Impact: Potentially significant impacts to environmentally sensitive habitats of coastal sage scrub, riparian oak woodland, hard chaparral, eucalyptus woodland, pine tree groves, significant ornamentals, tide pools orchards and grassland habitats within the Planning Area. Specifically, 14 sensitive plant species and 15 wildlife species may be impacted.

Mitigation:

- Require appropriate protective measures during all construction.
- Establish buffer zone within 100 feet of environmentally sensitive habitat.
- Implement restoration plan when native habitat is degraded.
- County-approved biologist shall monitor construction near sensitive resources.

- County-approved biologist shall assure compliance with construction-related mitigation measures.
- Significant biological communities shall not be fragmented into small non-viable pocket areas by development.
- Prohibit grading or development within 200 feet of known or historic butterfly roosts between November 1 and April 1.
- Applicant to submit a Butterfly Roost Protection Plan when applicable.
- No trimming or clearing of vegetation within 50 feet of a known Monarch Butterfly Habitat.
- Trimming/clean-up plan shall include supervision by qualified biologist.
- Encourage use of drought-tolerant and native landscaping.
- Invasive species shall be prohibited in or near environmentally sensitive habitat areas.
- Tree protection plan shall be required when new development may impact native and specimen trees.
- Require riparian protection measures.
- Require on-site restoration of project disturbed buffer of riparian vegetation.

#### Historical Resources

Impact: Potentially significant adverse physical or aesthetic impacts to historical structures.  
Mitigation: None identified.

#### Visual/Aesthetic Resources

Impact: Potential obstruction of scenic vistas; negative impacts to the aesthetic character of the area; potential for glare and night lighting.

Mitigation:

- County shall adopt Architectural Guidelines.
- Amend Community Architectural Guidelines to include guidelines and provisions for commercial development.
- Architectural Guidelines shall protect identified view corridors.
- Include Montecito in County-wide Open Space District.
- Incorporate language into Architectural Guidelines promoting protecting and preserving views, scenic character and architectural design.
- Address street lighting in Architectural Guidelines.
- Define “minor alteration or addition” in Architectural Guidelines.
- Specific “acceptable”, “encouraged”, “conditionally acceptable” and “unacceptable” styles and materials in the Architectural Guidelines.
- Establish clear and objective residential FAR, height limitations, and setback standards in the Architectural Guidelines.

#### Air Quality

Impact: Long-term exceedance of SBCRMD NO<sub>x</sub> and ROC thresholds due to additional vehicle emissions associated with Plan buildout.

Mitigation: County shall require existing and future employees to implement TDM.

No other measures are known which would further reduce these impacts.

### **1.5.3 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL**

The Final EIR (93-EIR-03) identified several subject areas for which the project is considered to cause or contribute to significant, but mitigatable environmental impacts (Class II). For each of these Class II impacts identified by the Final EIR (93-EIR-03), feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

#### Fire Hazard

Impact: Development in areas beyond safe response times.

Mitigation: None Identified.

#### Parks and Recreation

Impact: Additional park and recreation demands, generated by increased population, can be accommodated by existing Manning and Toro Canyon Parks. Increased use of existing trails and coastal access points considered to be potentially significant. Coastal access issues are considered to be sufficiently addressed by Draft Coastal Access Implementation Plan.

Mitigation:

- Protect, preserve and provide recreational trails within general corridors identified on PRT Map.
- No encroachment of designated trail corridors to the extent feasible.
- Condition development to dedicate useable public trails where designated.
- County shall actively pursue acquisition of interconnecting useable public trails.
- County shall design phasing and priority program for trails identified on PRT Map.
- County shall provide appropriate trail signage and necessary trail maintenance.
- New development shall not adversely impact existing recreational facilities and uses.

#### Geologic Processes

Impact: Development may cause unstable earth conditions, extensive grading, permanent changes in topography, increase in wind/water erosion of soils, changes in siltation, deposition, erosion of beach sands or stream channels and exposure to hazards such as earthquakes, tsunamis and liquefaction.

Mitigation:

- Amend Hillside Overlay Zone to include all areas of >20% slopes.

- Avoid construction within 50 feet of Historically Active or Active Fault traces.
- Require development restrictions for soils or slopes hazards.
- Prepare grading plan for all development.
- No issuance of grading permits until Final BAR approval.
- Require a detailed drainage plan for all development.
- Prepare landscape plan for development on slopes >20%.
- Prohibit excessive grading for the sole purpose of creating or enhancing views.

#### Water Resources

Impact: Net increase in water demand of 899.7 AFY. Demand can be accommodated by anticipated future State water supplies.

Mitigation:

- County shall halt all discretionary approvals until State water is determined to be a firm and long-term source.
- MWD shall be encouraged to use new water supplies to reduce any overdraft to the maximum extent feasible.

#### Archaeological Resources

Impact: Potential disruption, alteration, destruction of recorded archaeological sites. Potential trespassing and vandalism of resources. Potential disturbance by water/sewer pipeline expansion.

Mitigation: RMD shall determine whether the project site is located in either a known archaeological site or in an area of potential archaeological resources.

#### Air Quality

Impact: Potential short-term exceedance of SBCRMD NO<sub>x</sub>, ROC and PM<sub>10</sub> thresholds due to grading activities.

Mitigation:

- Impose control measures on construction activities.
- Impose BACT on future construction activities.

#### Electromagnetic Fields

Impact: Additional populations exposed to the potential hazards associated with electromagnetic fields.

Mitigation:

- RMD shall require adequate building setbacks from EMF-generating sources for sensitive uses.
- RMD shall consult with SCE, County/State Health Services and outside experts on the appropriate setback from powerlines and substations.

These mitigation measures have been found to mitigate the impacts to insignificant levels.

#### **1.5.4 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE**

The Final EIR (93-EIR-03), prepared for the project evaluated a no project alternative, an affordable housing/R-2 zoning alternative, an urban/rural boundary alternative, a no subdivision alternative, and an alternative land use plan as methods of reducing or eliminating potentially significant environmental impacts. The Montecito Planning Commission finds and recommends that the Board of Supervisors finds that the proposed project is for a Zoning Map Amendment, Comprehensive Plan Amendment, and Tentative Parcel Map does not change the outcome from the Final EIR (93-EIR-03) or result in additional unanticipated impacts not already addressed in the Final EIR. The alternatives discussed in the Final EIR remain infeasible, and the Final EIR is adequate. As indicated in Finding 1.2 above and incorporated herein by reference, the proposed project, consisting of the Comprehensive Plan Amendment, Zoning Map Amendment, and Tentative Parcel Map still allows for future residential development and does not require revisions to the previous EIR.

#### **1.5.5 STATEMENT OF OVERRIDING CONSIDERATIONS**

The Final EIR (93-EIR-03) for the Montecito Community Plan project identify project impacts to land use, traffic/circulation, sewage, fire hazard, police protection, schools, solid waste, flooding/storm drainage, biological resources, historical resources, visual/aesthetic resources, and air quality as significant environmental effects which are considered unavoidable. The Montecito Planning Commission therefore recommends that the Board of Supervisors makes the following Statement of Overriding Considerations which warrants approval of the project notwithstanding that all identified effects on the environment are not fully mitigated. With respect to each of the environmental effects of the project listed below, the Montecito Planning Commission finds and recommends that the Board of Supervisors finds that the stated overriding benefits of the project outweigh the significant effects on the environment and that there is no feasible way to lessen or avoid the significant effects. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092 and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations:

The Montecito Community Plan will:

- Allow development in a manner consistent with available resources;
- Preserve the special, semi-rural residential quality of the community;
- Preserve the extensive landscaping and “garden” atmosphere of much of the community;
- Protect views of ocean and mountains;
- Preserve open space;

- Protect the scenic backdrop value of the foothills and mountainsides; protect the watershed function of the mountainsides; prevent excessive erosion and scarring from development;
- Protect habitats and other biological resources, and provide a balance between protection of species and flood control;
- Preserve the narrow, winding roads and lack of sidewalks;
- Provide for infill growth rather than expansion of the Urban Area;
- Maintain adequate services and infrastructure to support development and provide protection;
- Reduce the impact of noise from construction projects;
- Increase opportunities for beach access and recreation;
- Bring the Land Use and the Circulation Elements of the Montecito Comprehensive Plan into consistency.

## **1.5.6 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM**

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

## **2.0 ADMINISTRATIVE FINDINGS**

**2.1 Findings Required for Approval of Amendments.** In compliance with Section 35.494.060 of the Montecito Land Use and Development Code, an application for an Amendment to the Comprehensive Plan, Development Code, or Zoning Map may be approved only if the review authority first makes all of the following findings, as applicable to the type of Amendment:

### **2.1.1 The request is in the interest of the general community welfare.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the proposed project is in the interest of the general community welfare. The proposed project will result in the creation of three new residential lots from one existing lot. The majority of the properties surrounding the site are designated SRR-4.6 (Single Family Semi-Rural Residential/Minimum Parcel Size – 7,000 sf). If this land use designation was applied to the project site, 20 lots at 7,000 square feet could be created (not withstanding potential site constraints that could further limit lot size). The properties to the east are designated SRR-0.5 (Single Family Semi-Rural Residential, Two-Acre Minimum



Parcel Size). However, based on Santa Barbara County Assessor's Records, all of the residential properties to the east are less than two acres, and the average lot size is approximately 1.18 acres. The proposed project will establish a land use designation and zone district that is consistent with the existing land use patterns in the area. Specifically, the project will consist of a one acre minimum lot size, one acre minimum land use designation, and a subdivision resulting in three residential lots. The three residences that could be built as a result of the Tentative Parcel Map, Comprehensive Plan Amendment and Zoning Map Amendment will not cause a significant increase in traffic or noise and will result in the positive benefit of additional housing in the area, as discussed in the staff report dated February 25, 2021 and incorporated herein by reference. The existing roadway network has adequate capacity to accommodate the trips from future residential development associated with these lots. The site is less than a half mile from the nearest fire station. Future development on the lots will require compliance with the Montecito Land Use and Development Code and the Comprehensive Plan including the Montecito Community Plan policies.

**2.1.2 The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the request for a Tentative Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and the MLUDC. Each proposed lot meets the one acre minimum lot size. There are no known sensitive biological, cultural, or tribal cultural resources, or hazardous materials on site. The existing roadway system is adequate to accommodate the future trips generated by three residences. The site is located in a High Fire Hazard Severity Zone; however, it is less than a half mile from the nearest fire station. There are no known flood hazards, and the site is not mapped in the floodway or flood hazard overlay. The addition of two new residential lots is consistent with all policies of the Montecito Community Plan, State planning and zoning law, and the MLUDC. The lots will have adequate services, and be consistent with policies regarding noise, traffic, fire protection, biological and cultural resources. With the Zoning Map Amendment and Comprehensive Map Amendment, the proposed lots are consistent with the purpose and intent of the E-1 zone and the lot size and density.

**2.1.3 The request is consistent with good zoning and planning practice.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the proposed project is consistent with good zoning and planning practice. The site is currently designated SRR-0.5 (Single Family Semi-Rural Residential, Two-Acre Minimum Parcel Size). However, the properties to the west and south are designated with a lot size less than one acre. The properties to the east share the same general plan and

zoning designation as the subject property but all of the residential lots to the east are less than two acres. The average lot size east of the project is approximately 1.18 acres. The Comprehensive Plan Amendment and Zoning Map Amendment to change the land use designation and zoning to a one acre minimum parcel size results in parcel sizes that will be compatible with the surrounding community. Further, Westmont College to the north is zoned 1-E-1 (Single Family Residential, One-Acre Minimum Parcel Size), consistent with the proposed site zoning. A one-acre minimum parcel size land use designation and zoning for the project is compatible with the existing land use patterns and lot sizes, and the subdivision of the existing lot into three lots that have a minimum lot size of one acre provides good zoning and planning.

## **2.2 Additional Finding for Comprehensive Plan Amendments**

### **2.2.1 If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the amendment to the Comprehensive Plan is deemed to be in the public interest. The proposed Zoning Map Amendment and Comprehensive Plan Amendment will address an incompatibility between the existing land use patterns and existing land use designation and zoning. Additionally, the creation of two additional residential lots will provide housing opportunities in a limited housing market.

### **2.3 Subdivision Map Act Findings.** Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Tentative Parcel Map.

#### **2.3.1 State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that future passive or natural heating or cooling opportunities in the subdivision shall be provided. The TPM consists of dividing the vacant subject parcel into three legal lots. No new development is proposed as part of the TPM. There is sufficient room on the proposed new lots such that new development could be positioned on the property with sufficient exposure to allow for passive heating and cooling opportunities in the subdivision.

#### **2.3.2 State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter**

**3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the proposed subdivision is consistent with the general plan. As indicated in Section 6.2 of this staff report, dated February 25, 2021, and incorporated herein by reference, the project is consistent with all applicable policies of the County's Comprehensive Plan, including the Montecito Community Plan. Adequate infrastructure and public services are available to serve future development on the proposed lots. The proposed parcel sizes will be consistent with the proposed zoning of the parcel, 1-E-1, since two lots will be one acre and the third lot will be 1.36 acres.

**2.3.3 State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map:**

***a. The proposed map is not consistent with applicable general and specific plans as specified in §66451.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that this finding cannot be made because the proposed map is consistent with applicable general and specific plans. As discussed in Sections 6.2 and 6.3 of the staff report, dated February 25, 2021 and incorporated herein by reference, the project is consistent with all applicable policies of the Comprehensive Plan, including the Montecito Community Plan.

***b. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that this finding cannot be made because the proposed subdivision is consistent with applicable general and specific plans. As indicated in Sections 6.2 and 6.3 of the staff report, dated February 25, 2021 and incorporated herein by reference, by complying with the project description and with the implementation of the conditions of approval in Attachment B, the proposed project is consistent with all applicable design policies of the Comprehensive Plan, the Montecito Community Plan, the Montecito Land Use and Development Code (MLUDC), and Chapter 21, the County Land Division Ordinance.

***c. The site is not physically suitable for the type of development proposed.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that this finding cannot be made because the site is physically suitable

for the type of development proposed. The project will subdivide a 3.36-acre lot into three legal lots. Lot 1 will be 1.36 acres, Lot 2 will be one acre, and Lot 3 will be one acre. No development is proposed as part of the project. All of the proposed lots will meet the minimum parcel size requirements (one acre minimum) upon approval of the accompanying rezone and general plan amendment, and will be able to accommodate future development since constraints on the lot, such as environmentally sensitive habitat, do not exist. As discussed in Section 6.2 of the staff report dated February 25, 2021 and incorporated herein by reference, adequate public services are available to serve the newly created lots.

***d. The site is not physically suited for the proposed density of development.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that this finding cannot be made because the site is physically suited for the proposed density of development. The proposed lots will be zoned 1-E-1 (Single-Family Residence, One-Acre Minimum Lot Size). Each of the proposed lots will comply with the one acre minimum lot size for the 1-E-1 zone upon approval of the accompanying rezone and general plan amendment. Parcel 1 will be 1.36 acres, Parcel 2 will be one acre, and Parcel 3 will be one acre. No development is proposed as part of this project. As discussed in Section 6.2 of the staff report dated February 25, 2021 and incorporated herein by reference, adequate public services are available to serve the newly created lots.

***e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that this finding cannot be made because the subdivision will not cause substantial environmental damage. There are no known sensitive plant or animal species or other resources of critical concern located on the subject parcel.

***f. The design of the subdivision or type of improvements is likely to cause serious public health problems.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the subdivision will not cause serious health problems. As discussed in Section 6.2 of the staff report, dated February 25, 2021 and incorporated herein by reference, adequate services are available to serve the proposed parcels. The project site is not located within a floodway nor is it located within a 100-year floodplain. The project has been reviewed by the County Surveyor, Fire Department, Flood Control District, Transportation Division, and Air Pollution Control District. There

are no identified or likely public health problems or hazards associated with the project. The parcel is residentially zoned and surrounded by residential lots of similar size and density. Thus, the creation of three new lots to accommodate future residential development is not likely to cause public health problems.

- g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.***

This finding cannot be made because the Montecito Planning Commission finds and recommends that the Board of Supervisors find that the design of the subdivision will not conflict with any easements. Easements on the project site are for access, drainage, and utilities. There are no easements acquired by the public at large on or through the project site.

**2.3.4 State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:**

- a. A contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5), including an easement entered into pursuant to Section 51256.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the subject lot is not subject to a contract entered into pursuant to the California Land Conservation Act of 1995, or any easements entered into pursuant to Section 51256.

- b. An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the project is not subject to an open-space easement.

- c. An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the subject lot is not subject to an agricultural conservation

easement. Division 10.2 of the Public Resources Code implements the Agricultural Lands Stewardship Program of 1995; Chapter 4 of this Division specifies the provisions of the Agricultural Conservation Easement.

***d. A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the subject lot is not subject to a conservation easement. Chapter 4 of Part 2 of Division 2 of the Civil Code includes provisions for conservation easements.

**2.3.5 State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the project is located within the Montecito Sanitary District. The Montecito Sanitary District letter, dated July 26, 2019 states that the District has no objection to the recording of this TPM if a 20-foot sewer easement shall be dedicated to the District for the new 8-inch sewer main for access to the main for future repairs and maintenance. There is an existing easement for utilities shown on the Tentative Parcel Map that satisfies this condition. Adequate sewage services are available to serve the proposed lots. In addition, the Montecito Water District submitted a letter dated August 16, 2019 stating that the District can make service available to the proposed subject properties. Therefore, adequate water and sewer services are available to serve the development of the subject lots.

**2.4 Tentative Map Findings (County Code Chapter 21).**

**A. The following, among others, shall be cause for disapproval of a tentative map including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:**

***2.4.1 Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the Office of the County Recorder, provided, however, that the Director of Public Works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the County Recorder, unless the Director of Public Works shall approve such grants. If the Director of Public Works does not grant such approvals***

***within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the Director of Public Works to grant such approvals may be made in writing to the Board of Supervisors, which may overrule the Director of Public Works and grant such requested approvals in whole or in part.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the project does not propose any easements or rights-of-way across county streets. Access is taken off of an easement off Stoddard Lane, which is a private road.

***2.4.2 Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that adequate ingress and egress will be provided for the proposed parcels from Stoddard Lane via an access easement. The Montecito Fire Protection District has reviewed the proposed project for access and has issued a Condition Letter included as Attachment D. None of the lots resulting from the parcel map will become landlocked. A Land Use Permit will be required to be approved and issued for grading for driveways to access the parcels and for a hammerhead turnaround on proposed Parcels 1 and 3 prior to map recordation.

***2.4.3 Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view.***

The Montecito Planning Commission finds and recommends that the Board of Supervisor find that the subject property is relatively flat with slopes of less than 20%. The proposed Parcel Map, Zoning Map Amendment, and Comprehensive Plan Amendment do not include any grading. The associated Land Use Permit will permit grading for access and would be limited to 510 cubic yards of cut, 420 cubic yards of fill, and 120 cubic yards of export.

***2.4.4 Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that there is no grading proposed as part of the Tentative Parcel Map, Zoning Map Amendment, or Comprehensive Plan Amendment. Pursuant to Attachment B, Condition 11, a Land Use Permit will be approved and issued prior to map recordation for grading associated with access and site improvements to meet Montecito Fire Protection District requirements.

Since the TPM itself does not include any structural development, no grading or construction for residential development will occur prior to map recordation, except for construction approved as part of the LUP to rectify access to proposed Lots 2 and 3 (Attachment B, Condition 11).

**2.4.5 *Potential creation of hazard to life or property from floods, fire, or other catastrophe.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the TPM will not create any hazards to life or property from floods, fire, or other catastrophes. The subject property is an urban infill residential lot surrounded by residential development. Additionally, the Montecito Fire Protection District has reviewed the project and submitted conditions included in Attachment B, Condition No. 17. Further, the lots are not located within any identified flood hazard area, and setbacks from adjacent creeks and drainages will ensure that life and property are protected from flood hazards.

**2.4.6 *Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that, as discussed in Section 6.2 of this staff report dated February 25, 2021 and incorporated herein by reference, the project conforms to the County's Comprehensive Plan including the Montecito Community Plan. The subdivision will not conflict with or impact the alignment or condition of any state highway.

**2.4.7 *Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that Proposed Parcel 1 has a ratio of depth to width of 1.25 to 1, Proposed Parcel 2 has a ratio of depth to width of approximately 1.1 to 1, and Proposed Parcel 3 has a ratio of depth to width of approximately 1 to 1. Therefore, none of the lots have a depth to width ratio in excess of 3 to 1.

**2.4.8 *Subdivision designs with lots backing up to watercourses.***

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that the subdivision is not located adjacent to any watercourse.

**B. A tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California**



**Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.**

The Montecito Planning Commission finds and recommends that the Board of Supervisors find that, as discussed in Section 6.2 and 6.3 of the staff report, dated February 25, 2021 and incorporated herein by reference, the tentative parcel map is consistent with the County's Comprehensive Plan, the Montecito Community Plan, the Montecito Land Use and Development Code, and Chapter 21 of the County Code, as well as requirements of the State Subdivision Map Act. Finding 2.3 above, incorporated herein by reference, discusses the TPM's consistency with applicable provisions of the Subdivision Map Act.

## **ATTACHMENT B**

### **19TPM-00000-00004 CONDITIONS OF APPROVAL**

#### **PROJECT DESCRIPTION**

- 1. Proj Des-01 Project Description.** This Tentative Parcel Map, Rezone, and General Plan Amendment is based upon and limited to compliance with the project description, the hearing exhibits, 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 for a Tentative Parcel Map (TPM), Zoning Map Amendment (RZN), and Comprehensive Plan Amendment (GPA) to create three new legal lots from existing APN 013-090-001 (3.36 gross acres, zoned 2-E-1). The size of each of the proposed lots are:

- Lot 1: 1.36 gross acres;
- Lot 2: 1.0 gross acre;
- Lot 3: 1.0 gross acre.

The proposed zoning for the newly created lots is Single Family Residential, one acre minimum lot size (1-E-1). The proposed land use designation for the newly created lots is Single Family Semi-Rural Residential, one acre minimum parcel size (SRR-1.0). The lots will be served by the Montecito Water District, Montecito Sanitary District, and the Montecito Fire Protection District. Access will be provided off of Stoddard Lane. Easements will be recorded over each of the lots for access and utilities. The existing property is a 3.36-acre lot zoned 2-E-1 and identified as Assessor's Parcel Number 013-090-001, located at 651 Stoddard Lane in the Montecito Community Plan area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed 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.

TENTATIVE PARCEL MAP CONDITIONS

- 3. Map-01 Maps-Info.** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Parcel Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
- 4. Map-01a Maps-Future Lots.** Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.
- 5. Map-01b Maps-Not Retroactive.** If Land Use Permits are obtained prior to recordation, Tentative Parcel Map conditions will not apply retroactively to the previously issued permit.
- 6. Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Parcel Map, the Owner/Applicant shall submit a Parcel Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
- 7. Map-09 Access Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve an access easement over Lot 1 in favor of Lot 2 and Lot 3 at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.
- 8. Map-10 Public Utility Easements.** Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the parcel map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.
- 9. Map-11 Electrical Utilities.** Electrical utilities shall be installed underground.
- 10. Map-16 Buyer Beware Notice.** This condition shall serve as a Buyer Beware notice to instruct future property owners that the lots were created without a guarantee of public water and sewer service and that future lot owners will be required to demonstrate adequate public

water and sewer service prior to obtaining Zoning and Building Permits for future lot development.

- 11. Project-Specific Condition – Land Use Permit.** A Land Use Permit shall be required to be approved and issued prior to map recordation for grading associated with the driveways, underground stormwater improvements, construction of 20-foot wide driveways to access all parcels, and a hammerhead turnaround on proposed Parcels 1 and 3, brush clearing and asphalt resurfacing along the existing private driveway off of Stoddard Lane traversing APNs 013-150-010 and 013-150-012, and a new fire protection water system, including a hydrant, consistent with Montecito Fire Protection District requirements.

#### COUNTY RULES AND REGULATIONS

- 12. DIMF-24e DIMF Fees-Parks.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$2,670 (February 25, 2021). This is based on a project type of single family dwelling for the two additional lots that would be created. TIMING: Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 13. Rules-01 Effective Date-Not Appealable to CCC.** This Tentative Parcel Map, Rezone, and General Plan Amendment shall become effective upon the date of 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 final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. [MLUDC §35.472.020]
- 14. 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.
- 15. Rules-06 Recorded Map Required.** Tentative Map 14,843 shall be recorded prior to approval of any permits for development, including grading.
- 16. Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

- 17. Rules-19 Maps/LLA Revisions.** If the unrecorded Tentative Parcel Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Parcel Map.
- 18. Rules-23 Processing Fees Required.** Prior to map recordation, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 19. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
- a. APCD Letter Dated August 13, 2019
  - b. Montecito Sanitary District Letter Dated July 26, 2019
  - c. Montecito Fire Protection District Letter Dated March 31, 2020
  - d. County Parks Letter Dated March 20, 2020
  - e. Flood Control Letter Dated September 26, 2019
- 20. 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.
- 21. Rules-36 Map/LLA Expiration.** This Tentative Parcel Map shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.
- 22. 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.

Mitigation Measures from 93-EIR-03

**23. Flooding/Storm Drainage.**

- County shall ensure that adequate drainage is provided.

**24. Biological Resources.**

- Establish buffer zone within 100 feet of environmentally sensitive habitat.
- Implement restoration plan when native habitat is degraded.
- County-approved biologist shall monitor construction near sensitive resources.
- County-approved biologist shall assure compliance with construction-related mitigation measures.

**ATTACHMENT C: CEQA NOTICE OF EXEMPTION**

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

**FROM:** Willow Brown, Planning and Development Department

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:** 013-090-001

**Case Nos.:** 19RZN-00000-00001, 19GPA-00000-00001, &  
19TPM-00000-00004

**Location:** 651 Stoddard Lane, Montecito, CA 93108

**Project Title:** Matkins Parcel Map

**Project Applicant:** Michael Matkins

**Project Description:**

The proposed project is for a Tentative Parcel Map (TPM), Zoning Map Amendment (RZN), and Comprehensive Plan Amendment (GPA) to create three new legal lots from existing APN 013-090-001 (3.36 gross acres, zoned 2-E-1). The size of each of the proposed lots are:

- Lot 1: 1.36 gross acres;
- Lot 2: 1.0 gross acre;
- Lot 3: 1.0 gross acre.

The proposed zoning for the newly created lots is Single Family Residential, one acre minimum lot size (1-E-1). The proposed land use designation for the newly created lots is Single Family Semi-Rural Residential, one acre minimum parcel size (SRR-1.0). The lots will be served by the Montecito Water District, Montecito Sanitary District, and the Montecito Fire Protection District. Access will be provided off of Stoddard Lane. Easements will be recorded over each of the lots for access and utilities. The existing property is a 3.36-acre lot zoned 2-E-1 and identified as Assessor's Parcel Number 013-090-001, located at 651 Stoddard Lane in the Montecito Community Plan area, First Supervisorial District.

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Agency Carrying Out Project:** Kenneth Marshall, Dudek

**Exempt Status:** (Check one)

Ministerial

<input type="checkbox"/>	Statutory Exemption
<input checked="" type="checkbox"/>	Categorical Exemption (15315)
<input checked="" type="checkbox"/>	Types of EIRs (15162)
<input type="checkbox"/>	General Rule §15061(b)(3)
<input type="checkbox"/>	Emergency Project

**Cite specific CEQA and/or CEQA Guideline Section:** Sections 15162 [Subsequent EIRs and Negative Declarations] and 15315 [Minor Land Divisions]

**Reasons to support exemption findings:**

The Zoning Map Amendment and Comprehensive Plan Amendment are exempt from CEQA pursuant to Section 15162 [Subsequent EIRs and Negative Declarations]. Section 15162 applies when an EIR has been certified or a negative declaration adopted for a project, and no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.



The Montecito Community Plan designated the subject parcel Single-Family Semi-Rural Residential (SRR-0.5) and identified a zoning of Single Family Residential, 2 acre minimum parcel size (2-E-1), and the EIR for the Montecito Community Plan analyzed the potential buildout of the parcel based on this designation and zoning. While the original parcel indicated a two-acre minimum parcel size, the proposal is for a one-acre minimum parcel size. This change in size does not change the overall designation of Single Family Semi-Rural Residential or the zoning of Single Family Residential. The project request to change the parcel size from a two-acre minimum parcel size to a one-acre minimum parcel size is similar in nature to the existing zoning and land use because the uses allowed on the parcel will not change, and the site still maintains a single family residential designation. Therefore, there are no anticipated environmental impacts from the change in land use designation of SRR-0.5 to SRR-1.0 and zoning from 2-E-1 to 1-E-1. In addition, there have been no substantial changes in the environmental setting because the lot is vacant and Environmentally Sensitive Habitat is not present.

The project is a modification of the project reviewed in the previously adopted environmental document. The project modification does not propose any substantial changes in the project or to the circumstances under which the project is undertaken, and there is no new information of substantial importance. Further, there is no increase in the severity of impacts due to the project, as noted in the staff report.

The subject parcel was designated for Single-Family Semi-Rural Residential (SRR) development by the Montecito Community Plan. The Final Environmental Impact Report for Phase II of the Montecito Community Plan Update, 92-EIR-03, discussed the potential environmental impacts associated with the Montecito Community Plan and identified mitigation measures to avoid or reduce identified impacts. The EIR addressed alterations to existing land use designations that could allow the development of additional residential uses beyond those existing at the time. The Community Plan intended to preserve the existing predominantly large lot single family character of the community. The zoning for the three proposed lots will remain single family, and each lot will be at least one acre, in keeping with the single-family residential character of the community.

Substantial changes are not being proposed in the project which will require major revisions to the previous EIR. The subject lot was expected to be developed residentially when the EIR was written. The Montecito Community Plan EIR contemplated the allowable development of the E-1 zone, which is the same as the proposed zoning. The zoning will remain E-1 and land use designation will remain Semi-Rural Residential, and thus the allowed development for the lots will remain the same. The proposed project, consisting of the Comprehensive Plan Amendment and Zoning Map Amendment, still allows for future residential development and does not require revisions to the previous EIR.

No substantial changes have occurred with the respect to the circumstances under which the project was undertaken. The lot is still undeveloped and no cultural resources or Environmentally Sensitive Habitat exist on the lot. The EIR anticipated this zoning for the subject lot, and the only

proposed change is the amount of lots allowed by the zone and land use designation. Therefore, the previous EIR evaluated the impacts of the subject lot being developed based on the Semi-Rural Residential land use designation and the Single-Family Residential zoning, and revisions to the previous EIR are not required.

There has been no new information of substantial importance since the time of the previous EIR related to the subject lot. There is no evidence that the Zoning Map Amendment and Comprehensive Plan Amendment will have a significant effect not discussed in the previous EIR or a more significant effect as the project still allows for future residential development on the lot. No significant effects on the environment are expected to occur on site as a result of the General Plan Amendment, Zoning Map Amendment, and Tentative Parcel Map. The subject parcel was designated for residential development by the Montecito Community Plan. The Final Environmental Impact Report for Phase II of the Montecito Community Plan Update, 92-EIR-03, discussed the potential environmental impacts associated with the Montecito Community Plan and identified mitigation measures to avoid or reduce identified impacts. The EIR addressed alterations to existing land use designations that could allow the development of additional residential uses beyond those existing at the time. The Community Plan intended to preserve the existing predominantly large lot single family character of the community. The zoning for the three proposed lots will remain single family, and each lot will be at least one acre.

The Tentative Parcel Map is categorically exempt from environmental review pursuant to Section 15315 [Minor Land Divisions] of the CEQA Guidelines. This exemption applies to the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The proposed subdivision of the subject lot into three lots is in conformance with the General Plan and zoning, as discussed in Sections 6.2 and 6.3 of this staff report dated February 25, 2021 and incorporated herein by reference. It will not require any variances or exceptions. The proposed lots will be served by the Montecito Water District, Montecito Sanitary District, and Montecito Fire Protection District, and will be accessed from an easement off of Stoddard Lane. The lot has not been involved in the division of a larger lot within the previous two years and does not have an average slope greater than 20 percent. Therefore, the Tentative Parcel Map is exempt from CEQA pursuant to Section 15315.

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 exceptions to the categorical exemptions pursuant to Section 15300.2 of the CEQA Guidelines are:

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

This exception to the Categorical Exemptions does not apply because the subject lot is not located in an area with a particularly sensitive environment or in an area with any mapped or designated environmental resource of hazardous or critical concern. No significant vegetation will be removed to accommodate the project. No known archaeological or historical resources will be affected by the project. There are no known landslides, expansive soils, or other hazardous resources on the project site.

- 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.**

This exception to the Categorical Exemptions does not apply because the proposed project will result in three lots zoned 1-E-1 with a land use designation of SRR-1.0. All lots are consistent with the minimum size requirement for the proposed zone and land use designation. The subdivision of lots which conform to the minimum lot size of the zone will not have a significant cumulative impact.

- 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.**

This exception to the Categorical Exemptions does not apply because there are no unusual circumstances surrounding the proposed project (natural resources, changes to views, hazards, access, public recreational use, flooding, etc.), and there is not a reasonable possibility that the project will have 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.**

This exception to the categorical exemptions does not apply because the project site is not located within viewing distance of 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.**

This exception to the Categorical Exemptions does not apply because the proposed project is not located on a site that 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.**

This exception to the Categorical Exemptions does not apply because the lot is vacant and no historical resources exist on the parcel.

Lead Agency Contact Person: Willow Brown

Phone #: (805) 568-2040

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

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

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

Distribution: Hearing Support Staff

Date Filed by County Clerk: \_\_\_\_\_



**air pollution control district**  
SANTA BARBARA COUNTY

**RECEIVED**  
**AUG 14 2019**  
**S B COUNTY**  
**PLANNING & DEVELOPMENT**

August 13, 2019

Sean Stewart  
Santa Barbara County  
Planning and Development  
123 E. Anapamu Street  
Santa Barbara, CA 93101

**Re: Air Pollution Control District Suggested Conditions on Matkins Parcel Map,  
19TPM-00000-00004**

Dear Mr. Stewart:

The Air Pollution Control District (District) has reviewed the referenced project, which consists of the request for a vesting TPM to subdivide one existing 3.36 acres lot into three new lots. Lot 1 will be 1.36 acres; Lot 2 will be 1 acre; and Lot 3 will be 1 acre. No development is proposed with this project. Grading is estimated at 510 cubic yards (CY) of cut and 420 CY of fill for the installation of drainage improvements and a new driveway connecting to the existing private access road. The subject property, a 3.36-acre parcel zoned SRR-0.5 and identified in the Assessor Parcel Map Book as APN 013-090-001, is located at 651 Stoddard 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 District prior to grading/building permit issuance.
2. The State of California considers particulate matter emitted by diesel engines carcinogenic. 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 particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.
3. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from District permit, provided they will be on-site for less than 12 months.
4. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8873 or via email at [Hod@sbcapcd.org](mailto:Hod@sbcapcd.org).

Aeron Arlin Genet, Air Pollution Control Officer

*August 13, 2019*

*Page 2*

Sincerely,

A handwritten signature in blue ink that reads "Desmond Ho". The signature is written in a cursive, flowing style.

Desmond Ho,  
Air Quality Specialist  
Planning Division

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

cc: Ken Marshall  
Planning Chron File



**air pollution control district**  
SANTA BARBARA COUNTY

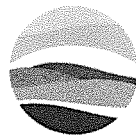
**ATTACHMENT A**  
**FUGITIVE DUST CONTROL MEASURES**

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. 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 when sustained 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.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day 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.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures 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 grading/building permit issuance and/or map clearance.

**PLAN REQUIREMENTS:** All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

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



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

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a 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 greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO<sub>x</sub>), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see [www.arb.ca.gov/msprog/ordiesel/ordiesel.htm](http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm).
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO<sub>x</sub> and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see [www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm](http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm).
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO<sub>x</sub> idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- 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.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

**PLAN REQUIREMENTS AND TIMING:** Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

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





# Montecito Sanitary District

1042 Monte Cristo Lane  
Santa Barbara, CA 93108

*A Public Service Agency*

General Manager: Diane M. Gabriel, P.E.

PHONE: (805) 969-4200

FAX: (805) 969-9049

E-MAIL: [DGabriel@montsan.org](mailto:DGabriel@montsan.org)

July 26, 2019

County of Santa Barbara  
Planning and Development Department  
123 E. Anapamu Street  
Santa Barbara, CA 93101

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S B COUNTY  
PLANNING & DEVELOPMENT

SUBJECT: PROPOSED LOT SPLIT- 651 STODDARD LANE, APN 013-090-001  
ADDRESS/APN:

The Montecito Sanitary District has reviewed the Tentative Parcel Map dated July 2018 for the property located at 651 Stoddard Lane, Montecito, California and has determined that APN013-090-001 is located within the Montecito Sanitary District's boundary and is currently served by this District. The Tentative Parcel Map proposed to split the property into three lots.

As a condition of approval for connection to the Districts Sanitary Sewer System, for the lot split, the applicant shall apply for a District permit to connect to the system with the following conditions:

1. At the time of application for a permit to connect to the District, the District has determined that there is current capacity to treat additional wastewater.
2. The applicant shall provide an engineered plan, signed by a California Registered Civil Engineer, to the District for review and approval for a sewer main extension from the existing sewer cleanout to the proposed manhole on Lot 2 that shall be dedicated to the District upon construction/completion of the main.
3. A 20-foot sewer easement shall be dedicated to the District for the new 8-inch sewer main for access to the main for future repairs and maintenance.
4. The 20-foot ingress, egress, and utility easement shall remain drivable and Montecito Sanitary District shall be granted access through this easement for access the proposed manhole.
5. The proposed private sewer laterals from each lot shall connect directly to the District's sewer main downstream of the proposed manhole.
6. Provide sewer lateral access easements for all lots as necessary to connect to the proposed sewer main.
7. Sign an agreement for the Construction of Certain Building Sewer Facilities.
8. Pay permit and service fees for connection to the Montecito Sanitary District.

If you have any questions regarding this letter, please contact me at (805) 969-4200.

Sincerely,

Carrie Poytress, P.E.  
Engineering Manager

cc: Jessica Kinnahan, Dudek ([jkinnahan@dudek.com](mailto:jkinnahan@dudek.com))



DATE: March 31, 2020  
TO: Sean Stewart  
FROM: Aaron Briner, Fire Marshal - Montecito Fire Department  
RE: 651 Stoddard Lane, 19TPM-00004

Please review the access requirements listed below for the proposed project at 651 Stoddard Lane related to 19TPM-00004. These requirements are based on review of the project scope of work provided at the August 15, 2019 SDRC meeting as well as a subsequent site visit with the applicant.

Fire apparatus access roads/driveways shall be provided and maintained in compliance with Section 503 of the California Fire Code (CFC) except as amended by the adopted District Fire Code and *Development Standard #3 – Fire Access Roads & Driveways*.

1. The paved widths of the private access roads shall be a minimum of 16 feet. When walls higher than a curb height of 6 inches are constructed along Fire Access Roads/Driveways, a minimum 2 foot shoulder between the Fire Access Road/Driveway and the wall may be required.
2. All fire access roadways/driveways are required to be an all-weather impermeable surface.
3. Turnarounds shall be provided on all dead-end Fire Access Roadways and Driveways 150 feet or longer. A Fire Access Road/Driveway that ends at a gate is considered to be a Dead End Roadway.
  - I. Dead-end Fire Access Roads and Driveways shall terminate with an 80 foot diameter bulb turnaround or as approved by the Fire Code Official.
4. Inline turnarounds are to be provided at 400 foot intervals along the Fire Access Roadway or Driveway. Line of sight issues, topography, or physical constraints may indicate shorter or longer intervals.
  - I. In-line turnaround configuration shall be either a minimum 80 foot diameter bulb turnaround or a District-approved hammerhead configuration as determined by the Fire Code Official or designee.
5. Turnouts shall be provided at 200 foot intervals or at the Fire Code Official's discretion. Line of sight issues, topography, or physical constraints may indicate shorter or longer intervals. Minimum turnout configuration shall be 40 foot long by 10 foot wide rectangular area plus 10 foot tapers adjoining the roadway.
6. Slope considerations along access routes shall be adhered to as presented in the Code.

7. All entry gates which obstruct the required access routes for fire apparatus shall comply with provisions stated in the Code.
  - I. For automated entry gates, a District approved key operated switch or box is to be installed.
  - II. A minimum clear width of fourteen feet or required width of the roadway shall be maintained through the gates when fully opened.
  - III. Gate installations shall be set back off the roadways a minimum of thirty feet.
  - IV. An auxiliary backup power source shall be provided for all automated gates.

For a complete set of access requirements, please review *Development Standard #3 – Fire Department Access* at <https://www.montecitofire.com/development-standards>.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A Briner', with a long horizontal flourish extending to the right.

Aaron Briner  
Battalion Chief - Fire Marshal  
Montecito Fire Department



**Community  
Services  
Department**  
*Connecting People to Opportunities*

George Chapjian, Director, Community Services  
Sarah York Rubin, Executive Director, Office of Arts & Culture  
Ryder Bailey, CPA, Chief Financial Officer, Community Services  
Dinah Lockhart, Deputy Director, Housing & Community Development  
Jeff Lindgren, Superintendent, Parks Division  
Ashley Watkins, Division Chief, Sustainability Division



March 30, 2020

TO: Sean Stewart, Planner  
Planning & Development

FROM: George Amoon, Contract Park Planner

RE: 19TPM-00004 Matkins TPM  
APN 013-090-001

County Parks recommends the following condition(s) to the approval of the above referenced project:

1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area.

Based on the current fee schedule, the total fee for the proposed project would be \$2,670 (\$1,335 x 2 lot/dwelling unit). Fees are due prior to final map recordation. The actual fee shall be based on the fee schedule in effect when payment is made. Fee schedules are subject to adjustment on an annual basis. This office will not accept nor process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, 123 East Anapamu St., 2nd floor, Santa Barbara CA 93101.

cc: George Chapjian, Community Services Department Director





**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  
<http://cosb.countyofsb.org/pwd/pwwater.aspx?id=2956>

**SCOTT D. MCGOLPIN**  
Director Public Works

**THOMAS D. FAYRAM**  
Deputy Director Water Resources

9/26/2019

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

**Re: 19TPM-00000-00004, 19GPA-00000-00001; Matkins Parcel Map (TPM 14,843)  
APN: 013-090-001; Montecito**

Dear Mr. Stewart:

The proposed project consists of a General Plan Amendment (GPA), rezone, and Vesting Tentative Parcel Map (VTPM 14,843) to subdivide one existing 3.36 acre lot into three new lots. The project site is located at 651 Stoddard Lane in Montecito.

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

We have the following incompleteness items at this time and these conditions could potentially be amended upon the submittal of the additional completeness items required of the project.

- Please submit preliminary grading and drainage plans.
- Please submit a preliminary drainage report that includes the calculations and details of how the pre-development versus post-development runoff is mitigated. Provide a narrative as to how the runoff will be routed once development occurs and if a central or individual basins will be utilized.
- Describe the routing of any existing off-site drainage through the proposed lots. Existing off-site drainage off-site should at minimum remain the same or improve.
- Show the locations of any cross-lot drainage easements on the tentative parcel map.
- Add the FEMA High Hazard Area boundaries on the plans to clearly delineate areas that would be subject to SBCC 15A.

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General
  - a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Project Plan Approval dated January 2011

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SB COUNTY  
PLANNING & DEVELOPMENT

<http://www.countyofsb.org/uploadedFiles/pwd/Content/Water/Documents/StdConditionsJan2011.pdf>

- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions for Project Plan Approval.
2. Design/Plan Check
    - a. Projects located in a FEMA designated Special Flood Hazard Area shall be designed in compliance with Floodplain Management Ordinance Chapter 15A of the Santa Barbara County Code.
    - b. The applicant shall submit all parcel maps, improvement plans, grading plans, drainage plans, drainage studies, and landscape plans to the District for review and approval.
    - c. The applicant shall submit all drainage studies to the District for review and approval.
    - d. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
    - e. Structures located in the FEMA High Hazard Area are subject to SBCC 15A and shall be elevated 2FT above Advisory Flood Elevation.
    - f. Detention basins shall provide detention such that the post-development peak storm runoff rate shall not exceed the pre-development runoff for 2-year through 100-year 24-hr storm events.
    - g. Drainage report to include an exhibit clearly showing existing hardscape area by type and square footage. Also an exhibit for a site plan showing proposed hardscape area by type and square footage.
    - h. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies. Please make the check payable to: Santa Barbara County *Flood Control & Water Conservation District*.
  3. Prior to Permit Issuance/Zoning Clearance
    - a. The applicant shall sign and return the Maintenance Agreement (Subdivider's or Owner's Agreement) for any proposed basins.
    - b. The applicant shall post surety bonds for drainage improvements in amounts approved by the Public Works Director.
    - c. The applicant shall submit to the District electronic drawings in PDF format of the approved Final map, improvement plans, grading & drainage plans, drainage studies and landscape plans on a compact disc.
  4. Prior to Occupancy Clearance
    - a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval) to confirm drainage infrastructure was constructed per approved plans.
    - b. The applicant shall submit record drawings to the District's Floodplain Manager in electronic format on a compact disc.
    - c. In the event that the grading and drainage plans are revised during the construction process the applicant shall update the drainage report and submit to the District for review and approval.

19TPM-00000-00004, Sean Stewart

9/26/2019

Page 3 of 3

**B. Project Clean Water**

Project Clean Water has no conditions on the above referenced project as there is no new impervious surface proposed

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: Y. Thierumaran  
Yoganathan Thierumaran, P.E., CFM  
Development Review Engineer

Cc: Matkins Family Trust, 865 Figueroa Street, Suite 2800, Los Angeles, CA 90017  
Ken/Jessica Marshall-Dudek, 621 Chapala, CA 93101



**COUNTY OF SANTA BARBARA  
PUBLIC WORKS DEPARTMENT**

123 East Anapamu Street  
Santa Barbara, California 93101  
(805) 568-3000



**SCOTT D. MCGOLPIN**  
Director

October 8, 2019

County Subdivision Committee  
123 East Anapamu Street  
Santa Barbara, CA 93101

**RE:** **Tentative Parcel Map 14,843** (19TPM-00000-00004)  
Matkins Parcel Map (14,843)  
APN: 013-090-001

**Owner:** Matkins Family Trust  
c/o Michael Matkins  
865 South Figuereroa Street, Suite 2800  
Los Angeles, CA 90071

**Requirements of the County Surveyor's Office**

Pursuant to Section 66448 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Parcel Map **shall be based upon a field survey** made in conformity with the Professional Land Surveyors Act. Furthermore, property lines **shall be monumented** in accordance with Section 21-16 of said County Code.

Any deviation from the Monumentation policy must be approved by the County Surveyor in writing prior to being set.



Very truly yours,  
*E. Tenell Matlovsky*

Aleksandar Jevremovic  
County Surveyor



## ATTACHMENT E-1

### RESOLUTION OF THE MONTECITO PLANNING COMMISSION COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE BOARD OF SUPERVISORS THAT AN ORDINANCE BE APPROVED TO AMEND SECTION 35-2, THE SANTA BARBARA COUNTY MONTECITO LAND USE AND DEVELOPMENT CODE, BY AMENDING THE MONTECITO COMMUNITY PLAN ZONING MAP FOR ASSESSOR'S PARCEL NUMBER 013-090-001 TO CHANGE THE ZONING SINGLE FAMILY RESIDENTIAL, TWO ACRE MINIMUM LOT SIZE (2-E-1), TO SINGLE FAMILY RESIDENTIAL, ONE ACRE MINIMUM LOT SIZE (1-E-1)

RESOLUTION NO.: 21 - \_\_\_\_\_

CASE NO.: 19RZN-00000-00001

#### WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Montecito Land Use and Development Code, Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code which included the Montecito Community Plan Zoning Map that designates property within the unincorporated area of the County of Santa Barbara with specific zones; and
- B. WHEREAS all zoning maps and zoning designations previously adopted under the provisions of Section 35.404.020, Zoning Map and Zones, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code are hereby repealed as they relate to Assessor's Parcel Number 013-090-001, as shown in Exhibit 1.
- C. WHEREAS the Montecito Planning Commission now finds that it is in the interest of orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an Ordinance (Case No. 19RZN-00000-00001) amending Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, by amending the Montecito Community Plan Zoning Map by re-designating Assessor's Parcel Number 013-090-001 from Single Family Residential, two acre minimum lot size (2-E-1) to Single Family Residential, one acre minimum lot size (1-E-1).
- D. WHEREAS Section 65855 of the Government Code requires inclusion of the reason for the recommendation and the relationship of the zoning map amendment to the applicable general and specific plans. The proposed Ordinance is in the interest of the general community welfare as the parcel is currently spot-zoned, since it is zoned PU (Public Utilities) and is surrounded by residentially zoned parcels to the west, east, and south. The site is currently developed with a concrete 80-foot diameter water tank that was rendered inoperable in 2000. If the water tank is not re-used it would be demolished. The rezone of the parcel to 2-E-1

will allow for the re-use of the water tank as a single family dwelling, which represents good planning consistent with the intent of the County General Plan and Montecito Community Plan.

- E. WHEREAS this Montecito Planning Commission has held a duly noticed public hearing, as required by Section 65484 of the Government Code, on the proposed amendments to the Zoning Map, at which hearing the proposed Ordinance was explained and comments invited from persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, the Montecito Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above-referenced Ordinance to Rezone Assessor Parcel Number 013-090-001, attached hereto as Exhibit 1, as recommended by the Montecito Planning Commission, based on the findings included as Attachment A of the Montecito Planning Commission staff report dated February 25, 2021,
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to show the above mentioned action by the Montecito Planning Commission.

PASSED, APPROVED AND ADOPTED this 17th day of March, 2021 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

BOB KUPIEC, Chair  
Montecito Planning Commission

ATTEST:

---

JEFFREY WILSON  
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

**EXHIBITS:**

1. Board of Supervisors' Ordinance to Rezone Assessor Parcel Number 013-090-001



**EXHIBIT 1**

**MONTECITO LAND USE AND DEVELOPMENT CODE  
(ZONING MAP AMENDMENT)**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING SECTION 35-2, THE SANTA BARBARA COUNTY MONTECITO LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING THE MONTECITO COMMUNITY PLAN ZONING MAP FOR ASSESSOR'S PARCEL NUMBER 013-090-001 TO CHANGE THE ZONING FROM SINGLE FAMILY RESIDENTIAL, TWO ACRE MINIMUM LOT SIZE (2-E-1) TO SINGLE FAMILY RESIDENTIAL, ONE ACRE MINIMUM LOT SIZE (1-E-1).

Case No. 19RZN-00000-00001

The Board of Supervisors of the County of Santa Barbara ordains as follows:

**SECTION 1**

All zoning maps and zone designations previously adopted under the provisions of Section 35.404.020, Zoning Map and Zones, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, State of California, are hereby repealed as they related to Assessor's Parcel Number 013-090-001.

**SECTION 2**

Pursuant to the provisions of Section 35.404.020, Zoning Map and Zones, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, State of California, the Board of Supervisors hereby amends the Montecito Community Plan Zoning Map by re-designating Assessor's Parcel Number 013-090-001 from Single Family Residential, two acre minimum lot size (2-E-1) to Single Family Residential, one acre minimum lot size (1-E-1).

The amended Zoning Map is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

**SECTION 3**

The Chair of the Board of Supervisors is hereby authorized and directed to sign and certify this Ordinance and all maps, documents, and other materials in accordance with this Ordinance to show that said zone change for Assessor's Parcel Number 013-090-001 from Single Family Residential, two acre minimum lot size (2-E-1) to Single Family Residential, one acre minimum lot size (1-E-1) has been adopted by this Board.

**SECTION 4**

Except as amended by this Ordinance, Section 35.404.020 of the Santa Barbara County Montecito Land Use and Development Code shall remain unchanged and shall continue in full force and effect.

**SECTION 5**

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2021 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
 BOB NELSON, CHAIR  
 BOARD OF SUPERVISORS  
 COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO  
 COUNTY EXECUTIVE OFFICER  
 CLERK OF THE BOARD OF SUPERVISORS

By: \_\_\_\_\_  
 Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
 COUNTY COUNSEL

By \_\_\_\_\_  
 Deputy County Counsel

**ATTACHMENT E-2**

RESOLUTION OF THE MONTECITO PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE BOARD OF SUPERVISORS THAT A RESOLUTION BE APPROVED TO AMEND THE SANTA BARBARA COUNTY COMPREHENSIVE PLAN, TO CHANGE THE LAND USE DESIGNATION MAP IN THE MONTECITO COMMUNITY PLAN BY REDESIGNATING ASSESSOR'S PARCEL NUMBER 013-090-001 FROM SEMI-RURAL RESIDENTIAL, MINIMUM PARCEL SIZE 2 ACRES (SRR-0.5) TO SEMI-RURAL RESIDENTIAL, MINIMUM PARCEL SIZE 1 ACRE (SRR-1.0).

RESOLUTION NO.: 21 - \_\_\_\_\_

CASE NO.: 19GPA-00000-00001

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted a Comprehensive Plan for the County of Santa Barbara.
- B. WHEREAS on September 15, 1992 by Resolution No. 92-515, the Board of Supervisors of the County of Santa Barbara adopted the Montecito Community Plan Land Use Designation Map.
- C. WHEREAS the proposed amendment is consistent with the Santa Barbara County Comprehensive Plan, including the Montecito Community Plan and the requirements of California planning, zoning, and development laws.
- D. WHEREAS citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups have been provided the opportunity for involvement in compliance with Government Code Section 65351.
- E. WHEREAS the County contacted and offered to conduct consultations with California Native American tribes in compliance with Government Code Sections 65352.3 and 65352.4.
- F. WHEREAS the Montecito Planning Commission has determined that the proposed amendment is consistent with the Comprehensive Plan, including the Montecito Community Plan, and provide the greatest community welfare without compromising community values, environmental quality, or the public health and safety, as included in the findings in Attachment A of the Montecito Planning Commission staff report, dated February 25, 2021, which is incorporated herein by reference.

- G. WHEREAS, in compliance with Government Code Section 65855, which requires the Montecito Planning Commission's written recommendation on the proposed amendment to include the reasons for the recommendation and the relationship of the proposed amendment to applicable general and specific plans, the Montecito Planning Commission has determined that the proposed amendment represents good planning consistent with the intent of the Montecito Community Plan.
- H. WHEREAS this Montecito Planning Commission has held a duly noticed public hearing, as required by Section 65353 of the Government Code, on the proposed amendment to the Comprehensive Plan, at which hearing the proposed amendment was explained and comments invited from persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The Montecito Planning Commission now finds that it is in the interest of orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt a Resolution amending the Montecito Community Plan (Case No. 19GPA-00000-00001) by re-designating Assessor Parcel Number 013-090-001 from Semi-Rural Residential, Minimum Parcel Size 2 Acres (SRR-0.5) to Semi-Rural Residential, Minimum Parcel Size 1 Acre (SRR-1.0).
3. In compliance with the provisions of Section 65855 of the Government Code, ~~the~~is Montecito Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above-referenced Resolution amending the Montecito Community Plan, attached hereto as Exhibit 1, as recommended by the Montecito Planning Commission, based on the findings included as Attachment A of the Montecito Planning Commission staff report dated February 25, 2021.
4. A certified copy of this resolution shall be transmitted to the Board of Supervisors in compliance with Government Code Section 65354.
5. The Chair of this Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to show the above mentioned action by the Montecito Planning Commission.

PASSED, APPROVED AND ADOPTED this 17th day of March, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:



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BOB KUPIEC, Chair  
Montecito Planning Commission

ATTEST:

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JEFFREY WILSON  
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

EXHIBITS:

1. Board of Supervisors' Resolution to Amend Assessor's Parcel Number 013-090-001

## EXHIBIT 1

### RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AMENDING SECTION 35-2, THE SANTA BARBARA COUNTY COMPREHENSIVE PLAN, BY CHANGING THE LAND USE DESIGNATION MAP IN THE MONTECITO COMMUNITY PLAN TO RE-DESIGNATE ASSESSOR'S PARCEL NUMBER 013-090-001 FROM SEMI-RURAL RESIDENTIAL, MINIMUM PARCEL SIZE 2 ACRES (SRR-0.5) TO SEMI-RURAL RESIDENTIAL, MINIMUM PARCEL SIZE 1 ACRE (SRR-1.0).

Case No. 19GPA-00000-00001

The Board of Supervisors of the County of Santa Barbara ordains as follows:

- A. WHEREAS on December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted a Comprehensive Plan for the County of Santa Barbara.
- B. WHEREAS on September 15, 1992 by Resolution No. 92-515, the Board of Supervisors of the County of Santa Barbara adopted the Montecito Community Plan Land Use Designation Map.
- C. WHEREAS the Montecito Planning Commission held a duly noticed public hearing, as required by Government Code Section 65353, on the proposed amendment, at which hearing the amendment was explained and comments invited from the persons in attendance.
- D. WHEREAS the Montecito Planning Commission, after holding a duly noticed public hearing on the above described amendment to the Comprehensive Plan, endorsed and transmitted to the Board of Supervisors said recommended amendment by resolution in compliance with Government Code Section 65354.
- E. WHEREAS the Board of Supervisors received and considered the Montecito Planning Commission's recommended actions and held a duly noticed public hearing, as required by Section 65355 of the Government Code on the proposed amendment to a General Plan, at which hearing the proposed amendment was explained and comments invited from persons in attendance.
- F. WHEREAS the proposed amendment is consistent with the Santa Barbara County Comprehensive Plan, including the Montecito Community Plan and the requirements of California planning, zoning, and development laws.
- G. WHEREAS citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups have been provided the opportunity for involvement in compliance with Government Code Section 65351.
- H. WHEREAS the County contacted and offered to conduct consultations with California Native American tribes in compliance with Government Code Sections 65352.3 and 65352.

- I. WHEREAS this Board of Supervisors has held a duly noticed public hearing, as required by Section 65485 of the Government Code, on the proposed amendment, at which hearing the proposed amendment was explained and comments invited from persons in attendance.
- J. WHEREAS the Board of Supervisors now finds that it is in the interest of orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to adopt a Resolution (Case 19GPA-00000-00001) amending the Montecito Community Plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with the provisions of Section 65855 of the Government Code, the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, adopts this amendment to the land use designation for APN 013-090-001, based on the findings included as Attachment A of the Montecito Planning Commission staff report dated February 25, 2021.
- 3. In compliance with the provisions of Government Code Section 65356, the above change is hereby adopted as an amendment to the Montecito Community Plan Land Use Designation Map of the County Comprehensive Plan.
- 4. Pursuant to the provisions of Government Code Section 65357, the Clerk of the Board is hereby directed to make the documents amending the Santa Barbara County Comprehensive Plan, including the diagrams and text, available to the public for inspection.
- 5. The Chair and the Clerk of the Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to show the above mentioned action by the Board.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2021 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

BOB NELSON, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASOTO  
COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

**ATTACHMENT F - WATER AND SANITARY LETTERS**

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

**SUBDIVISION**

To the County Planning and Building Departments of Santa Barbara:


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

Date of Application	07/09/19
Name of Applicant/Agent	Jessica Kinnahan, Dudek
Name of Property Owner	Matkins Family Trust
Service address(s)	651 Stoddard Lane
Assessor's Parcel Number(s) to be served	013-090-001
Parcel/property size	3.41
Brief Project description	Tentative Parcel Map for subdivision to create 3 new parcels from one 3.41 acre parcel
Land modification applied for	Subdivision

Based on the information provided including the application and tentative map dated July 2019, the District hereby notifies the County that the District can make service available to the proposed subject properties in accordance with, and subject to, the District's current and future ordinances and regulations including Water Limitation Ordinance 89 and other conditions as specified below.

1. This Certificate pertains only to the currently proposed land modifications specifically identified above. This Certificate does not extend to future projects, improvements, development or land modifications. Any changes to the proposed land modifications are subject to additional review and approval by the District.
2. New water service for land modifications shall require submittal of architectural and landscape plans. Estimated Total Water Use calculations for landscape irrigation are also required. The District will not approve water meter installation until architectural and landscape plans are reviewed and approved by the District in accordance with its ordinances and regulations including Water Limitation Ordinance 89.

OWNER / APN 013-090-001

By  \_\_\_\_\_

Michael Matkins, Matkins Family Trust

Date August 6, 2019

MONTECITO WATER DISTRICT

By \_\_\_\_\_

Nick Turner, General Manager

Date \_\_\_\_\_



# Montecito Sanitary District

1042 Monte Cristo Lane  
Santa Barbara, CA 93108  
General Manager: Diane M. Gabriel, P.E.

*A Public Service Agency*

PHONE: (805) 969-4200  
FAX: (805) 969-9049  
E-MAIL: DGabriel@montsan.org

July 26, 2019

County of Santa Barbara  
Planning and Development Department  
123 E. Anapamu Street  
Santa Barbara, CA 93101

SUBJECT: PROPOSED LOT SPLIT- 651 STODDARD LANE, APN 013-090-001  
ADDRESS/APN:

The Montecito Sanitary District has reviewed the Tentative Parcel Map dated July 2018 for the property located at 651 Stoddard Lane, Montecito, California and has determined that APN013-090-001 is located within the Montecito Sanitary District's boundary and is currently served by this District. The Tentative Parcel Map proposed to split the property into three lots.

As a condition of approval for connection to the Districts Sanitary Sewer System, for the lot split, the applicant shall apply for a District permit to connect to the system with the following conditions:

1. At the time of application for a permit to connect to the District, the District has determined that there is current capacity to treat additional wastewater.
2. The applicant shall provide an engineered plan, signed by a California Registered Civil Engineer, to the District for review and approval for a sewer main extension from the existing sewer cleanout to the proposed manhole on Lot 2 that shall be dedicated to the District upon construction/completion of the main.
3. A 20-foot sewer easement shall be dedicated to the District for the new 8-inch sewer main for access to the main for future repairs and maintenance.
4. The 20-foot ingress, egress, and utility easement shall remain drivable and Montecito Sanitary District shall be granted access through this easement for access the proposed manhole.
5. The proposed private sewer laterals from each lot shall connect directly to the District's sewer main downstream of the proposed manhole.
6. Provide sewer lateral access easements for all lots as necessary to connect to the proposed sewer main.
7. Sign an agreement for the Construction of Certain Building Sewer Facilities.
8. Pay permit and service fees for connection to the Montecito Sanitary District.

If you have any questions regarding this letter, please contact me at (805) 969-4200.

Sincerely,

Carrie Poytress, P.E.  
Engineering Manager

cc: Jessica Kinnahan, Dudek ([jkinnahan@dudek.com](mailto:jkinnahan@dudek.com))

**ATTACHMENT G– MONTECITO GROWTH MANAGEMENT ORDINANCE POINT  
SUMMARY TABLE**

Property Owner: Michael Matkins

Assessor’s Parcel Number: 013-090-001

Property Address: 651 Stoddard Lane, Montecito, CA 93108

Total Points Assigned:

<b>c</b>	<b>Category</b>	<b>Pts. Awarded</b>
7.2.1	Development Reduction	0
7.2.2	CWSA/H2O Conservation Plan	0
7.2.3	Traffic	20
7.2.4	Public Transit	0
7.2.5	Fire Protection	20
7.2.6	Fire-below hydraulic grade line	0
7.2.7	Outside high/very high fire zone	5
7.2.8	<10% slope	Proposed Parcel 1: 0 Proposed Parcels 2 & 3: 20
7.2.9	No mapped habitat areas	20
7.2.10(a)	Oak protection	0
7.2.10(b)	Monarch protection	0
7.2.10(c)	Restoration wetland-riparian	0
7.2.10(d)	Riparian Protection (buffers)	0
7.2.11	Outside Floodplain	10
7.2.12	Outside School District	0
7.2.13	Dedicated trail	0
7.2.14	Encroachments	0
7.2.15	Connected to MSD sewer	5
7.2.16	Favorable soils-septic	0
	<b>Total Points</b>	<b>Proposed Parcel 1: 80 Proposed Parcels 2 &amp; 3: 100</b>

**LEGEND**

W	(R) WATER	W	PROPOSED WATER
S	(R) SANITARY SEWER	FW	PROPOSED FIRE WATER
SD	(R) STORM DRAIN	S	PROPOSED SANITARY SEWER
FL	(R) FLOW LINE	SD	PROPOSED STORM DRAIN
X	TREE TO BE REMOVED	FL	PROPOSED FLOW LINE
		---	EXISTING PROPERTY LINE
		---	PROPOSED LOT LINE
		---	PROPOSED LIMITS OF GRADING

**IMPROVEMENT ABBREVIATIONS**

FS	FINISH SURFACE
FG	FINISH GRADE/GROUND
FF	FINISH FLOOR
TG	TOP OF GRADE
RV	RINLET
TW	TOP OF WALL
EG	EXISTING GROUND
FL	FLOW LINE
BW	BACK OF WALK
TC	TOP OF CURB
LU	EDGE OF CONC/GUTTER
HP	HIGH POINT

**SURVEYOR'S NOTES**

1. HORIZONTAL BASE OF COORDINATES IS NAD83 (1991 EPOCH) PER RECORD OF SURVEY BOOK 170 PAGES 47-49
2. VERTICAL DATUM IS NAVD83 PER STA 2020 PER RECORD OF SURVEY BOOK 170 PAGES 47-48. ELEVATION IS +2408 FEET
3. O = NO MONUMENT FOUND OR SET UNLESS OTHERWISE NOTED
4. B = FOUND MONUMENT AS NOTED
5. (R) = BOUNDARY PER RECORD OF SURVEY BOOK 39 PAGE 34 ROTATED TO NAD83

**EXISTING EASEMENTS**

1. EASEMENT FOR RIGHT OF WAY, INGRESS, EGRESS, AND PUBLIC UTILITIES PER OFFICIAL RECORD JUNE 27, 1929, INST. NO. 7833 IN BOOK 860 PAGE 341
2. EASEMENT FOR RIGHT OF WAY, INGRESS, EGRESS, AND PUBLIC UTILITIES PER OFFICIAL RECORD JUNE 27, 1929, INST. NO. 7833 IN BOOK 860 PAGE 341
3. EASEMENT FOR PUBLIC UTILITIES PER OFFICIAL RECORD NOVEMBER 25, 1938, INST. NO. 29370 IN BOOK 1573 PAGE 247
4. EASEMENT FOR SEWER LINES AND INCIDENTAL PURPOSES PER OFFICIAL RECORD OCTOBER 2, 1942, INSTRUMENT NO. 41401 IN BOOK 1954 PAGE 1370
5. EASEMENT FOR PUBLIC UTILITIES PER OFFICIAL RECORD NOVEMBER 25, 1938, INST. NO. 29370 IN BOOK 1573 PAGE 247

**UTILITY PROVIDERS**

SANITARY SEWER - MONTECITO SANITARY DISTRICT  
 WATER - MONTECITO WATER DISTRICT  
 GAS - SOUTHERN CALIFORNIA GAS COMPANY  
 ELECTRIC - SOUTHERN CALIFORNIA EDISON COMPANY  
 CABLE COMMUNICATIONS - COX CABLE SANTA BARBARA  
 TELEPHONE COMMUNICATIONS - VERIZON CALIFORNIA INC.

**PROJECT INFORMATION/ZONING INFORMATION**

**SITE INFORMATION**  
 651 STODDARD LANE  
 MONTECITO, COUNTY OF SANTA BARBARA  
 APN: 013-090-001  
 EXISTING ZONING: 2-R-1  
 PROPOSED ZONING: 1-E-1

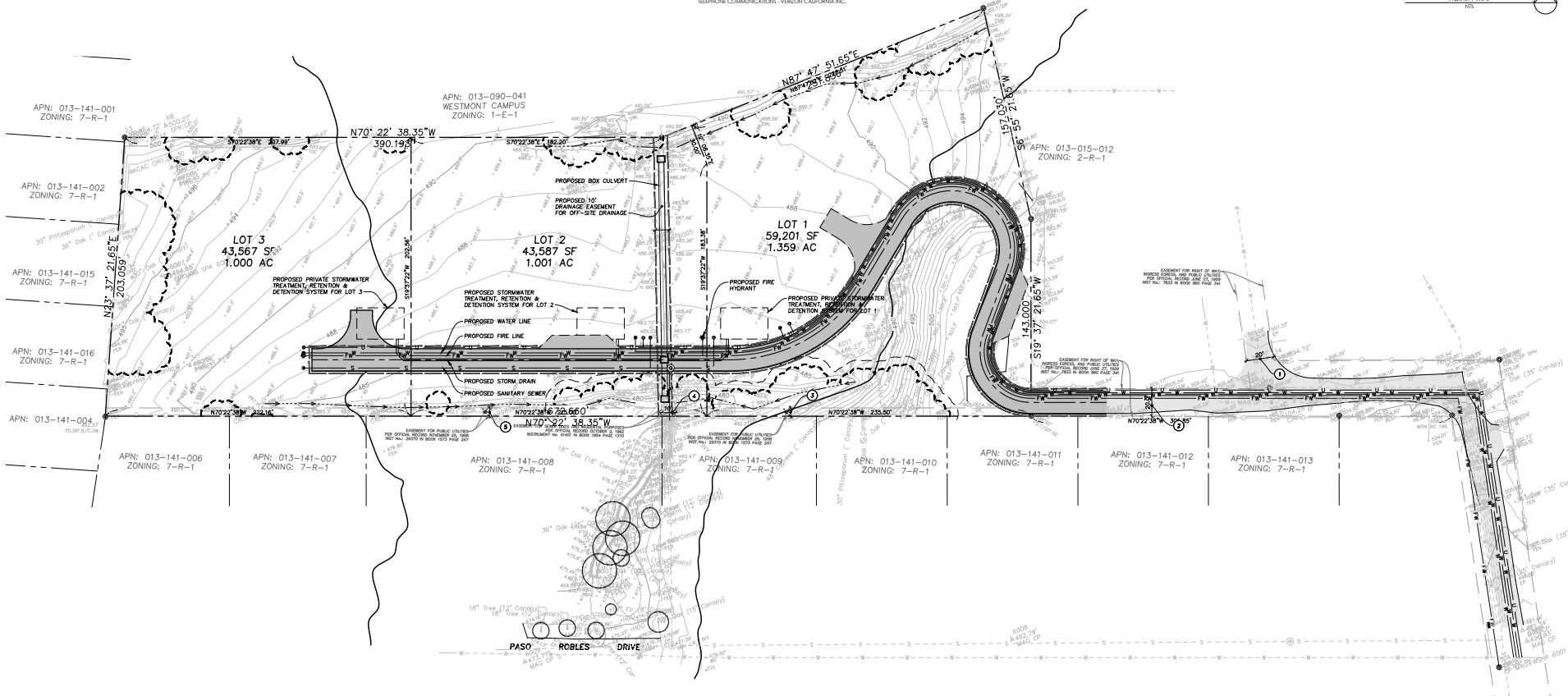
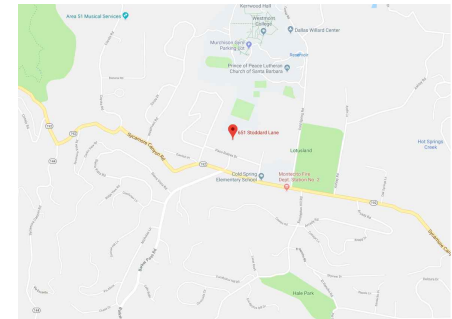
**FLOOD HAZARD "X"**  
 THE SUBJECT PROPERTY LIES WITHIN AN AREA OF MINIMAL FLOOD HAZARD PER FEMA NATIONAL FLOOD ZONE MAP.

**UTILITIES**  
 SURFACE UTILITY FEATURES SHOWN HEREON HAVE BEEN LOCATED IN A FIELD SURVEY PERFORMED BY WATERS CALIFORNIA SURVEYING.

**SITE STATISTICS**

EXISTING PARCELS	3.34 AC. GROSS
PROPOSED PARCEL 1	59,201 SF 1.359 AC.
PROPOSED PARCEL 2	43,587 SF 1.001 AC.
PROPOSED PARCEL 3	43,567 SF 1.000 AC.
TOTAL	146,355 SF 3.360 AC.

EXISTING BUILDING COVERAGE 0.16  
 EXISTING HARDSCAPE TO BE DEMOLISHED 4,118 SF  
 PROPOSED DRIVEWAY 9,524 SF



**OWNER'S STATEMENT**

I HEREBY APPLY FOR THE APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAN AND CERTIFY THAT I AM THE LEGAL OWNER OF SAID PROPERTY AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MICHAEL MARINSON, OWNER  
 MONTECITO, CA, 93108

DATE \_\_\_\_\_

MICHAEL MARINSON, P.E. 62974  
 10 E FIGUEROA STREET, SUITE 200  
 SANTA BARBARA, CA 93101  
 (805) 943-8283

DATE \_\_\_\_\_



**TENTATIVE PARCEL MAP NO. 14843**

651 STODDARD LN, MONTECITO, CA  
 P&D CASE NO. 19TPM-00000-0004

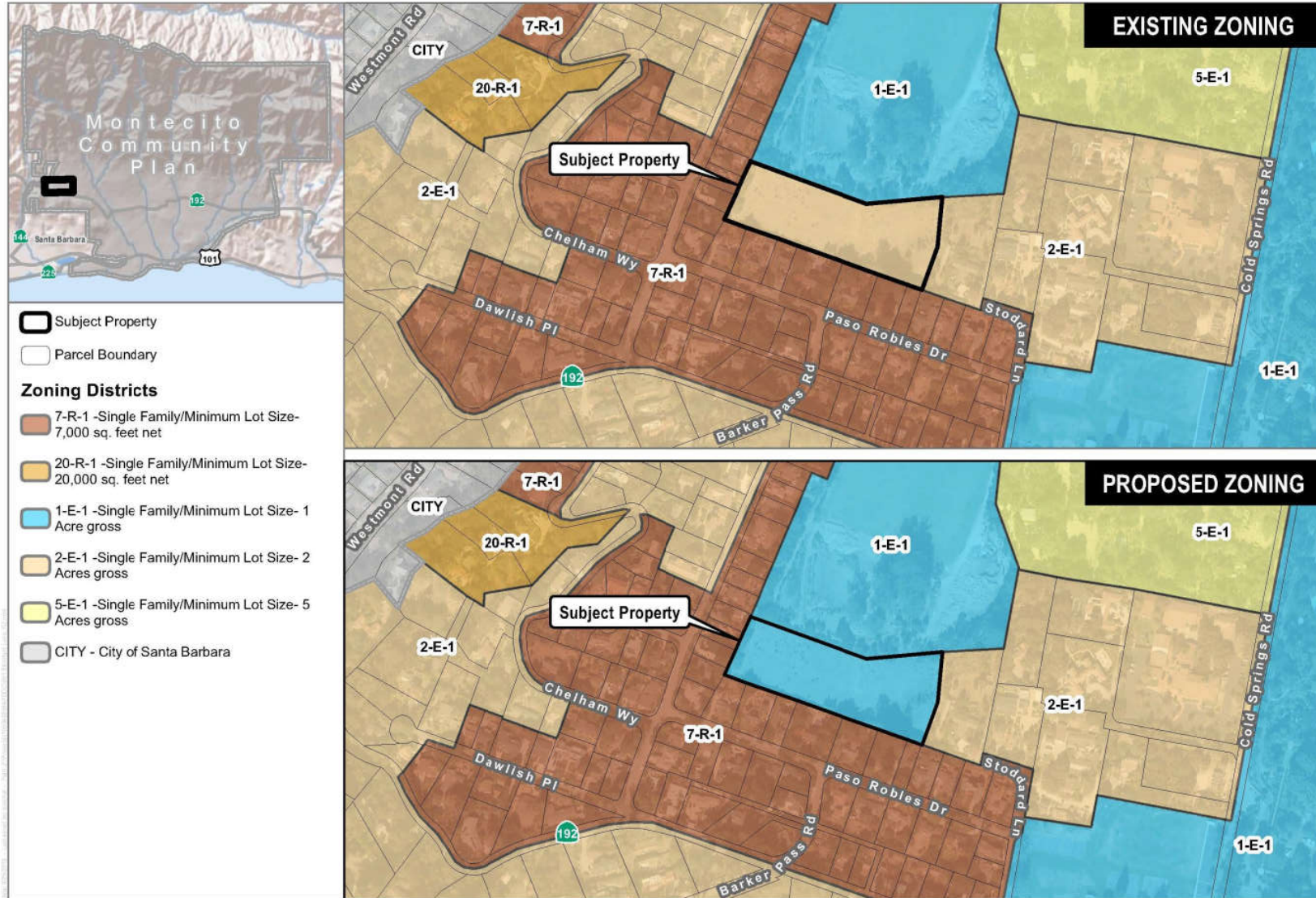
MAY 4, 2020

ATTACHMENT H - TENTATIVE PARCEL MAP

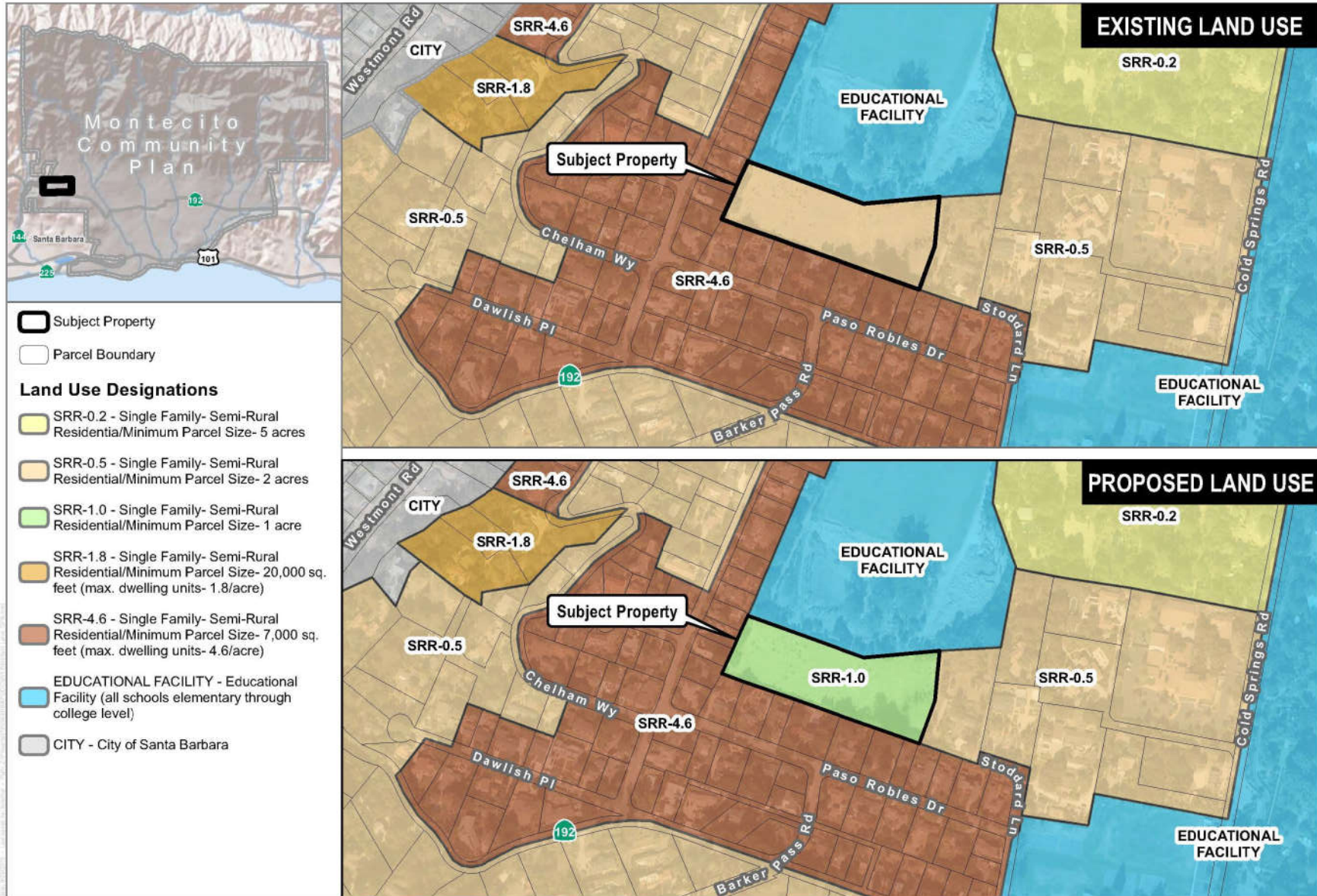
**TM01**











SOURCE: County of Santa Barbara Planning and Development 2018