



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department No.: 053
For Agenda Of: September 10, 2024
Placement: Administrative; Set Hearing on September 10, 2024, for October 15, 2024
Estimated Time: 0.5 hrs on October 15, 2024
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Lisa Plowman, Director (805) 934-6559
Director(s) Lisa Plowman
Contact Info: Travis Seawards, Deputy Director (805) 934-6559

Digitally signed by Lisa Plowman
DN: cn=Lisa Plowman, ou=County of Santa Barbara, ou=Planning & Development Department, email=lpowman@countyofsb.org, c=US
Date: 2024.09.29 14:06:33 -0700

SUBJECT: Set Hearing to Consider the Judson Appeal, Case No. 24APL-00013, of the Montecito Planning Commission Approval of the Tait Family Trust Addition and Garage Preliminary and Final Design Review Approval, Case No. 23BAR-00084, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

On September 10, 2024, set a hearing for October 15, 2024, to consider the recommendation of staff regarding Case No. 24APL-00013, an appeal of the Montecito Planning Commission’s May 15, 2024, approval of the Tait Family Trust Addition and Garage preliminary and final Design Review approval (Case No. 23BAR-00084).

On October 15, 2024, staff recommends that your Board take the following actions:

- a) Deny the appeal, Case No. 24APL-00013;
- b) Make the required findings for preliminary and final Design Review approval of Case No. 24APL-00003, including CEQA findings;

- c) Determine the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301 and 15303, ; and
- d) Grant *de novo* approval of the Project, Case No. 23BAR-00083, subject to the conditions of approval.

Summary Text:

This Board Letter sets a hearing date of October 15, 2024, to review the Montecito Planning Commission's approval of the Tait Family Trust Addition and Garage Preliminary and Final Design Review project, which is a request for a new detached garage and minor additions to an existing single-family dwelling on a property zoned Single-Family Residential in the Montecito Community Plan area. The analysis related to this agenda item will be docketed with a separate Board Agenda Letter for the hearing on October 15, 2024.

Background:

On May 31, 2023, a Design Review application (23BAR-00084) was submitted in conjunction with a Land Use Permit (LUP) application (Case No. 23LUP-00305), which is a request for a new detached garage and minor additions to an existing single-family dwelling on a property zoned Single-Family Residential in the Montecito Community Plan area. On January 25, 2024, the Montecito Board of Architectural Review (MBAR) reviewed the project and granted preliminary and final Design Review approval. Following action of the MBAR to approve the Design Review application, the Director of P&D approved the associated LUP.

The Appellants, Leonard and Melanie Judson, filed a timely appeal of MBAR's preliminary and final approval of the Design Review application, citing one appeal issue, that the three-pane window on the west side of the proposed 800-square-foot garage is not consistent with the Montecito Architectural Guidelines and Development Standards (MAGDS) as related to the MAGDS Goals and MAGDS View and Privacy Protection Guidelines. No appeals were received of the Director's action to approve the associated LUP.

On May 15, 2024, the Montecito Planning Commission upheld the MBAR's approval of the project, with a condition requiring the Applicant to frost the garage window, and granted *de novo* preliminary and final approval of the Design Review application. On May 28, 2024, the same Appellant filed a timely appeal of the Montecito Planning Commission's approval.

In the appeal letter, the Appellant again raised one appeal issue, asserting that frosting of the window is not sufficient to protect their privacy. Staff reviewed the appeal issue and finds it is without merit. The Design Review application complies with the requirements of the Montecito Land Use and Development Code (MLUDC) and is consistent with all applicable policies of the Montecito Community Plan, including the MAGDS. The appeal issue and staff's response will be discussed in detail in the separate Board Agenda Letter for the hearing on October 15, 2024.

Fiscal and Facilities Impacts:

Budgeted: Yes

Total costs for processing the appeal are approximately \$8,760.00 (30 hours of staff time). The costs for processing appeals are partially offset by a fixed appeal fee. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on Page 317 of the County of Santa Barbara Fiscal Year (FY) 2024-2025 Adopted Budget.

Special Instructions:

The Clerk of the Board shall publish a legal notice in *Montecito Journal* at least 10 days prior to the hearing of October 15, 2024. The Clerk of the Board shall also fulfill mailed noticing requirements. The Clerk of the Board shall forward the minute order of the hearing as well as a copy of the notice and proof of publication to the Planning and Development Department, Hearing Support, Attention: Kathleen Volpi.

Authored by:

Kathleen Volpi, Planner
Development Review Division, Planning and Development Department