

ATTACHMENT 1

Findings for Approval

1.0 CEQA FINDINGS

The project, Case Nos. 12LUP-00000-00387 and 12BAR-00000-00128, is exempt from environmental review based upon Section 15301 [Existing Facilities] of the California Environmental Quality Act (CEQA) guidelines. Section 15301(e) states that additions to existing structures are exempt from CEQA. See Attachment C for a detailed discussion of this exemption.

2.0 DESIGN REVIEW FINDINGS

In compliance with Subsection 35.472.070.F of the Montecito Land Use and Development Code, an application for Design Review can be approved only if the following required findings can be made:

- a. *Overall structure shapes, as well as parts of any structure (buildings, fences, screens, signs, towers, or walls) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the property.*

The proposed single-family dwelling and attached garage are located in a neighborhood of primarily one and some two-story dwellings on legal lots. Consistent with the neighborhood, the proposed dwelling is designed to present a modest single story street-front elevation for public view. The two-story nature of the house is primarily visible on the rear elevation, with grade dropping steeply along the side elevations changing the house from a single to a two-story presentation. Side elevations are well articulated with fenestration and wing walls, and side views in are screened and softened by proposed landscape plantings. In sum, by design, the proposed project is visually compatible with other existing houses in the neighborhood that also present single-story street-front elevations as seen from public vantage points.

- b. *Electrical and mechanical equipment will be well integrated into the total design concept.*

All electrical and mechanical equipment for the project will be located in the basement area of the proposed dwelling. Therefore, this finding can be made.

- c. *There will be harmony of color, composition, and material on all sides of a structure.*

All sides of the home will be finished with colors, composition and materials consistent with the Spanish Revival style, including Redlands blend clay roof tiles; smooth, light, coffee colored stucco siding; wood clad windows and wood doors; and stone finishes. Therefore, this finding can be made.

- d. *There will be a limited number of materials on the exterior face of the structure.*

The materials to be used on the exterior face of the structure include only materials consistent with the Spanish Revival style. These limited materials include Redlands blend clay roof tiles; smooth, light, coffee colored stucco siding; wood clad windows and wood doors; and stone finishes. Therefore, this finding can be made.

- e. *There will be a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted.*

The proposed project for a Spanish Revival style home will be in harmony with the other similarly styled homes throughout the existing developed neighborhood without creating monotonous repetition. Therefore, this finding can be made.

- f. *Site layout, orientation and location of structures and signs will be in an appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the site with consideration for public views of the hillsides and the ocean and the semi-rural character of the community as viewed from scenic view corridors as shown on Figure 37, Visual Resources Map in the Montecito Community Plan EIR (92-EIR-03).*

Based on the site's topography, the proposed two-story home reads as a one-story house to the public viewing it from Sierra Vista Road. The house is bunkered into the hillside efficiently and the addition to the existing home has been well-designed in relationship to the existing structure as it expands upon the existing footprint. The locations of the proposed additions allow for protection of the existing avocado orchard on the site. No trees are proposed to be removed. Therefore the site layout, orientation, and location of the proposed home and garage are appropriate to the site topography and environmental qualities of the site. Finally, the site is not visible from a designated scenic view corridor.

- g. *Adequate landscaping will be provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of plantings that are appropriate to the project and that adequate provisions have been made for the maintenance of all landscaping.*

The proposed project will not require the removal of any specimen or landmark trees. The approved landscape plan includes a selection of plantings that are appropriate for the site and are consistent with the landscape and maintenance requirements of this high-fire area of the County. Proposed side yard landscaping will soften and screen views in from both the east and west neighbors. Therefore, this finding can be made.

- h. *Grading and development is designed to avoid visible scarring and will be in an appropriate and well designed relationship to the natural topography with regard to maintaining the natural appearance of the ridgelines and hillsides.*

The proposed additions are designed to minimize grading. The house is bunkered into the hillside presenting a single story elevation to Sierra Vista Road, a public roadway. No visible scarring will result from the project. As designed, the proposed project will be in a well designed relationship to the natural appearance of the hillside and will not impact any ridgelines. Therefore, this finding can be made.

- i. *Signs including associated lighting are well designed and will be appropriate in size and location.*

No signage is proposed as a part of this project. Therefore, this finding is not applicable.

- j. *The proposed development will be consistent with any additional design standards expressly adopted by the Board for a specific local community, area or district in compliance with Subsection G. (Local design standards) below.*

No additional design standards beyond those previously enumerated and discussed above are applicable to this project. Therefore, this finding can be made.

3.0 LAND USE PERMIT FINDINGS

In compliance with Subsection 35.472.110.E of the Montecito Land Use and Development Code, a Land Use Permit can only be approved if the review authority can make all of the required findings.

- a. *The proposed development conforms to the applicable provisions of the Comprehensive Plan including the Montecito Community Plan and with the applicable provisions of this Development Code, or falls within the limited exception allowed in compliance with Chapter 35.491 (Nonconforming Uses, Structures, and Lots).*

As noted in the Board letter, dated July 8, 2-14, while the design of the proposed project has been modified to the satisfaction of the interested parties, the project's consistency with policy, as discussed in the Montecito Planning Commission (MPC) staff report, dated January 30, 2014 has not changed. As such, as discussed in Sections 6.1, 6.3 and 6.4 of the MPC staff report, dated January 30, 2014 (Attachment 6 to this Board Letter) and incorporated herein by reference, the proposed project as revised (plans dated 6/12/14) is in compliance with all applicable provisions of the County Comprehensive Plan, including the Montecito Community Plan, and with applicable zoning requirements of the Montecito LUDC, respectively. Therefore, this finding can be made.

- b. *The proposed development is located on a legally created lot.*

The subject parcel is considered a legally created lot for planning purposes as it is currently developed with an existing single-family dwelling and attached carport and has been validated by prior issuance of County Building Permits. Therefore, this finding can be made.

- c. *The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks, and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.491 (Nonconforming Uses, Structures, and Lots).*

As discussed in Section 6.1 and 6.4 of the Planning Commission staff report, dated January 30, 2014 (Attachment 6 to this Board Letter) and incorporated herein by reference, the project as revised (plans dated 6/12/14) will be in compliance with all requirements of the E-1 zone district. Furthermore, the subject lot is currently in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and other applicable provisions of the Montecito LUDC. Additionally, the design revisions to the home made during negotiation between the appellant and interested party have not affected or altered any of the project analysis within the MPC staff report. Therefore, this finding can be made.