



**COUNTY OF SANTA BARBARA  
PLANNING AND DEVELOPMENT**

**MEMORANDUM**

TO: Santa Barbara County Board of Supervisors

FROM: Glenn Russell, Ph.D. Director, Planning and Development  
(805) 568-2085

DATE: September 7, 2016

RE: Vander Meulen Appeal of Planning Commission's Modification of a Director's Determination

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Planning and Development received a supplemental letter dated September 2, 2016 (Attachment-A to this memo) from the appellant regarding the Vander Meulen Appeal. Following are two points of clarification in response to the letter:

- The appeal to your Board is an appeal of the Planning Commission's *de novo* decision to modify the Director's Determination. In the September 2, 2016 letter, the appellant makes several references to comments made by staff or the Director, however, only the Planning Commission's determination is under appeal.
- The September 2, 2016 letter makes reference to the "NOD." The Notice of Determination of fine, dated August 19, 2015, which the County refers to as an "NOD," is not under appeal. Instead, the Director's Determination is under appeal.

The remaining issues raised in the September 2, 2016 letter were all previously addressed in the Board Letter for the appeal hearing on September 13, 2016 and/or in the June 8, 2016 Planning Commission staff report (Attachment-5 to the Board Letter). The table below lists each discussion (appeal) item raised in the September 2, 2016 letter and the corresponding issue areas of the Board Letter or Planning Commission staff report under which the discussion item is addressed.

| Appellant Discussion Item | Board Letter Issue Area | PC Staff Report Issue Area |
|---------------------------|-------------------------|----------------------------|
| A                         | 1                       | ---                        |
| B                         | 1,4,5                   | 1.c                        |
| C                         | 2,5                     | ---                        |
| D                         | 5                       | 2                          |
| E                         | 2                       | 5                          |

Staff's recommendation as reflected in the Board Letter has not changed.

Attachment: A-Letter from Brenneman, Juarez & Adam LLP, dated September 2, 2016

