

Date: March 15, 2018

To: Board of Supervisors, County of Santa Barbara

From: Patti Stewart
Mark Brooks

In Re: Golden Inn and Village, Appeal of Plan Revision Final Approval by Planning Commission
Appellant Summary Information and Response to Staff Reports

Case Nos: 17RVP-00000-00046, -00071, 00072

Environmental Document: Addendum to Mitigated Negative Declaration (14NGD-00000-00007)

Date of Action: September 27, 2017

Hearing Date of Appeal: March 20, 2018,

Chair Williams and Members of the Board of Supervisors,

Thank you for you for hearing the appeal of the revision to the Final Development Plan and Addendum to the Final Mitigated Negative Declaration for the Golden Inn and Village. We are homeowners on Lucky Lane, the street contiguous to and south of, the Golden Inn and Village. Although we welcome our new neighbors and were supportive of the initial project, noncompliance with the Conditions of Approval have resulted in negative impacts to our neighborhood. It has taken almost two years for our concerns to be heard about what was initially a single complaint regarding the installation of nonconforming parking lot lights that were in violation of the Conditions of Approval. (Attachments: 1-2)

The initial May 5, 2017 application for plan revision was limited to the subject of parking lot lighting. (Attachment 3) On August 17, 2017 applications for revision of square footage, drainage, grading, and project square footage were added to the hearing agenda. These applications were filed after a complaint dated July 31, 2017 (Attachments: 4-8), was submitted to the County Chief Executive Officer regarding conflicts of interest, errors, omissions and inconsistencies in the oversight, monitoring, and reported square footage of the Golden Inn and Village project. At the February 27, 2018, Board of Supervisors meeting, appellant Stewart addressed the Board on Item A-36 and requested the staff report for this appeal be reassigned to a qualified impartial party to ensure objectivity and thoughtful analysis beyond parroting only the proposals of the applicant that is seeking as-built revisions with very little compromise to remedy the harm caused by the nonconforming project.

The staff recommendation to the Planning Commission for hearings on August 30, 2017, and September, 27, 2017, was to approve the revision of the Final Development Plan to allow all changes "as built," with some minor revisions to lighting. However, the as built condition exhibits a flagrant disregard for the approved project description and two of the primary mitigation measures resulting in the Conditions of Approval with the most impact to the quality of life and safety for neighboring residents. It is perplexing a project this large,

which required amendments to zoning and the Santa Ynez Community Plan, received a density bonus, and had such an impact on a rural setting, would be allowed to flagrantly violate rules, conditions, policy, and past practice, seemingly without consequence. The apparent remedy is to simply amend away the language regarding the errant square footage, lights, and drainage in the Findings, Conditions of Approval, and creating an Addendum to the Mitigated Negative Declaration (MND) which is composed of deleting meaningful measures that were agreed upon to help make a debatably inappropriate project for a rural corridor more suitable for the location.

A MND is prepared to evaluate potentially significant impacts under CEQA and to identify mitigation measures to reduce potentially significant impacts to less than significant. Removing lighting and project drainage conditions, removes mitigations without viable replacements. **How does a significant potential impact reduced to insignificant by condition or mitigation in the MND, remain insignificant if the condition or mitigation measure is simply removed and the document renamed as an Addendum? The math simply does not work.** Further, an MND was allowed in lieu of an Environmental Impact Review (EIR) because the applicant agreed to voluntarily incorporate into the project description, measures that reduce potential significant impacts to a level of less than significant. That agreement was signed by the applicant on March 17, 20014. (Attachments: 9-11)

Staff recommendations have been myopic, and in some instances dangerously ill-conceived. It is suggested that none of the following revisions result in information that the revised project will have one or more significant impact not discussed in the approved MND: 1) Add over 18,000 square feet to the project (including a 2,000 square foot typographical error, over 6,500 sq. ft. by improper use of SCD, and 7,050 sq. ft. of balconies and porches); 2) Omit condition to mitigate site drainage after the documentation of flooded neighboring properties in February 2017, and; 3) Modify outdoor lighting and allege that a lighting plan with 20' light poles (the maximum height allowable) has a visual and aesthetic impact less than or equal to 8' lights and is consistent with the requirement that "night lighting installed on the project is of...**minimum height**" as established by the Santa Ynez Community Plan. (emphasis added) How can the planner assert that the increase of the lighting height by 250% and deleting the detention of peak flow runoff, has somehow been discussed in the adopted MND? An addendum is only logical and permissible in this situation if the conditions and measures recommended for deletion are replaced with reasonable alternatives.

According to CEQA Guidelines section 15162 as reported in a previous staff report, "...no subsequent Mitigated Negative Declaration shall be prepared for this project unless one or more of the following have occurred:1) substantial changes are proposed in the project which will require major revisions to the Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects...."

It cannot be overstated that the effect of a single rain event since the building of Phase I resulted in the most extensive flooding of Lucky Lane in over 20 years, after 5.48 inches of rain in a 24-hour period on February 16-17, 2017. (Attachment 12)) The two other times flooding occurred that resulted in breaches of the road were in 2001 (7.37" in 24 hr.), and 2011 (7.77" in 24 hr.) and 6.35" of rain fell in a 24- hour period in 2005 which topped the culvert detention area but did not breach. (Attachments: 13,14))

Four months after completion/occupancy of Phase I of the Golden Inn and Village, Lucky Lane properties were flooded after a 10 year rain event that was **TWO Inches LESS** than prior rain events resulting in road breaches. It appears that the current drainage and detention for the project has not met the basic requirement to maintain the rate of post-development peak flow for a 100 year rain event without impact to down steam properties. Given the cited information straight from County Flood Control rainfall records, it doesn't make sense to delete, without an alternative, voluntary peak flow runoff mitigation as promised by the owner/developer, and how does the Planning Department recommend it when the assigned Flood Control Engineering Manager has indicated in an email dated 8/24/17 to the Director of General Services that "...if the owner offered up to detain the offsite flows, then far be it from Flood Control to let him off the hook for that. It's a promise he made and for him to keep." (Attachments: 15,16)

It is noted that as a result of a June 1, 2017, Notice of Violation from the Central Coast Regional Water Board, it was discovered that there is not sufficient space on parcels 2 and 3 to further detain run-off, nor is there adequate capacity to retain water to the specifications of Project Clean Water for Phase-2 development on parcel 1. (Attachments: 17, 18 -18.9) Although this may be the reason P&D feels compelled to pardon the promise to detain additional peak flow runoff, there are alternatives to detention with downstream improvements. If further detention is not a possibility for remediation, culvert improvements, or the installation of a Texas crossing on Lucky Lane could reduce the danger of future flooding; especially the flooding conditions already documented after only a 10-year rain event. Simply deleting the agreed upon condition without a buffer, is dangerous and not compliant with CEQA regulation pertaining to new information and requiring a lesser or similar impact as a result of the amendment.

According to the MND, initial calculations for run off and mitigations presumed total project square footage of 109,741, plus 120,307 sq. ft. of impervious area (4.16 Water Resources/Flooding pp. 57-58). Storm runoff calculations based on the original square footage and impervious surface area concluded, "...the proposed project would not cause a change in...drainage patterns or the rate and amount of surface runoff currently occurring on the parcel." Further under section (c,e)" Less than significant impacts...The drainage report concludes that the proposed drainage basins would retard the drainage flow of the basins so that the post-development flows leaving the site would be the same as or less than the existing peak flow from the pre-development conditions." And according to (f,g)" The proposed project would not expose people or property to water related hazards such as flooding..." or ,"accelerated runoff." Although an updated survey has reportedly indicated the slightly larger capacity of the detention basins, there has been a similar reduction of now covered permeable landscape space because of the increased building size (approximately 7,000 sq. ft. of additional coverage) and any new calculations remain projections. **As indicated above, the findings are inaccurate based upon the actual results of a 10 year rain event occurring in February 2017, rather than the projected impact of a hypothetical 100 year event.**

After development of Buildings 2,3, 4, and 5, significant flooding occurred on neighboring properties with **36,991 square feet for Building 1 (assisted living/memory care) not yet built [and an amendment pending for approximately 10,000 additional sq.ft.]** (Attachments: 19-19.1) Additionally, the undeveloped parcel accounts for significant permeable surface, that until developed, reduces more disastrous runoff. How can it be suggested in good conscience that there is no substantial change in the proposed project or new significant environmental effects to warrant further analysis and corrective action? In fact, it has been recommended

that the situation warrants actual deletion of a portion of a Condition of Approval that would clearly reduce the likelihood of future flooding. The explanation being that the Flood Control & Water Conservation Condition Letter dated some 18 months prior to the Board hearing, did not require the run-off to be retained.

It is suggested that a boiler plate letter requiring standard Flood Control conditions, supersede the recommendations of CBAR, and actions of the Planning Commission and the Board of Supervisors regarding the following condition of approval **authored and voluntarily added by the applicant: "In an effort to address concerns expressed by property owners to the south regarding the increase in storm water run-off since the development of the YMCA to the north, the applicant agreed to detain a portion of the off-site storm water in the proposed detention basins."** Staff stated in a previous staff report, "Since retention of this run-off was not required by the District, the applicant did not design the drainage system to retain it within the Golden Inn & Village detention basins." However, the fact is, the project manager, Lisa Plowman of RRM reported in an email dated 7/7/17, to P&D Director Russell, "...as the civil engineer further investigated this potential detention it became clear that this was not something that would be supported by County Flood Control and was in fact against their policy. As a result, detention of off-site stormwater was not accommodated within the Golden Inn detention basins...." She then requested the Director obtain something in writing to this effect from Flood Control for the Planning Commission hearing. (Attachment: 20)

Flood Control is now on record that although they did not require the conditioned detention, it is certainly not precluded. So, which is it? Was the condition ignored because Flood Control didn't require it, or was the condition ignored because Flood Control policy wouldn't allow it? At what point can the community assume "a deal is a deal," as opposed to P&D facilitating pardon and inappropriately collaborating with owners/developers when they "determine" conditions of approval are too costly or inconvenient or require further assessment in the wake of the pressures of the Housing Element and grant funding deadlines? This is a dangerous precedent amplified by the appearance of self-dealing.

There was a similar method to effectively modify the parking lot lighting without approval. The noncompliant 20-foot tall lights were installed on the project site as the reported result of additional analysis (admittedly without the required review of the conditions of approval) completed by the applicant's lighting engineer, "...who determined that 8-foot tall lights would not provide lighting to meet the recommendations for parking lot lighting." However, there is no discussion or the analysis of lower heights between 8' and 20,' or other methods to safely meet the Condition of Approval and IENSA recommendations (which are not a mandate or required of county projects). The solution to yet another expensive and inconvenient Condition of Approval was to expeditiously install the cheaper, more intrusive lights and produce a lighting study, after the fact, to reverse engineer an explanation for the violation. **Although the analysis in the photometric study, is focused on the infeasibility of 8' lights being installed in all areas of the project parking, it appears the southern section of the lot can safely accommodate the remediation to 8' parking lot lighting with added poles and back shielded lights, concurrent with IENSA recommendations.** (Attachments: 20.1, 20.2)

To justify the nonconforming 20' lights by comparing the High School, Christian Academy, and YMCA parking lots to these parcels is ridiculous. None of those parking lots abut to residential properties and all have lower illumination and mature landscaping to mitigate the lights (Attachments: 52, 53). Lucky Lane is at a higher elevation and has only a six-foot fence, 36" oaks and several pepper trees to mitigate 20-foot poles.

(Attachments 54- 55) Reduction to 80% and 50% intensity of the lights does not change their height or appearance and upward view of the element, nor will the maturation of current landscaping. (Attachments 56-57) It is doubtful any reasonable person would welcome the installation of 20 foot light poles adjacent to their back yard and residence, even at 50% intensity.

As stated in an email to Dana Eady dated June 20, 2017, Nancy Emerson of WE Watch, Save our Stars Committee, states, "It is difficult for anyone not living on Lucky Lane to fully appreciate the **nightly, negative** impact on a dark neighborhood of the new lighting at the Golden Inn and Village." (Attachment 21-22) It is unfortunate that Ms. Eady has not seen fit to include letters of interest for consideration in several previous staff reports. Her claiming, "The proposed project would not cause greater impacts or additional impacts to aesthetics/visual resources than those identified in the MND" is biased and misleading. (Attachments: 43-46)

Although CBAR reportedly approved the existing lighting plan during their July 8, 2016 meeting, the project named on the agenda and notice of hearing was the Housing Authority, not Golden Inn and Village. At that time HASBC was not, and is still not commonly referred to as the project name. (Attachments: 24-25) As a result of this improper notice, the matter was heard without the complainants being present and the planner failed to reference the lack of the requisite lighting study or disclose in the CBAR staff memorandum, the multiple complaints about the nonconforming light height from neighboring properties. (Attachments: 26-27) In addition, the architect, Detlev Peikert of RRM, reported to CBAR (CBAR Audio 7/8/16, Item 1.), that the matter was before them for a "minor inconsistency that the planning staff has uncovered" and then proceeded to read mitigation measure #4 Aest-10 Lighting into the record as the condition of approval, without reference to the project description included in conditions of approval, which clearly articulates project lighting would include, "Numerous 8-foot tall, post-mounted light fixtures would be located throughout the project's parking areas." This misrepresentation by a representative of the applicant misled a decision making body and was made possible by the seemingly orchestrated absence of the complainants and failure of P&D to write a sufficiently detailed memorandum or correct the record at the hearing.

It is also noted that after investigating one of many citizen complaints and extensively researching the topic, on March 17, 2016, it was determined by project monitor Analise Merlo and P&D management, to require the replacement of the 20' lights with 8' parking lot lights. Later however, on October 16, 2016, as a requirement of conditional occupancy clearance, the parking lot light pole heights were to be approved within 90 days. (Attachment: 27.1, 27.2) Since then, the site has been occupied and the matter has been granted FIVE extensions (which expired on 9/30/17), with no Notice of Violation (NOV) issued. This is highly irregular since private projects receive immediate NOV's pending corrective action or amendment.

Further, after visiting the site and reviewing the photometric study by Gray Electric, the compliance monitor submitted on May 1, 2017, a list of recommendations to the planner for mitigation of the impacts of the nonconforming lights. This included lowering the height of the south side lights most impacting the neighboring residences and painting the white shiny plastic trim a darker earth tone color to reduce the reflection of light up the entire south face of the senior building. (Attachment: 27.3) Apparently, none of these recommendations were considered acceptable to the applicant, so they were predictably not included in any staff analysis or recommendations.

Besides the hearing on lighting, there have been other instances of confusing and misleading CBAR agendas, actions, and inaccurate minutes pertaining to the Golden Inn and village. Project “confusion” started early and has been consistent. The Brown Act protects the public from agendas that are too vague as to be misleading. But the community can be misled by errors and specificity that is not reasonably consistent with an intended action item. On October 10, 2014, and December 12, 2014, the project was on the CBAR agenda for preliminary and final approval, respectively, “...of a mixed use complex of affordable senior and family living facility **of approximately 91,065 square feet...**” (Attachment: 30-32) This project has consistently been represented to the community in such a way as to conceal its true size. Excuses can again be made about mistakes and that an automated system was not updated, but this does not explain why the staff report prepared by Ms. Eady, who was absent from both meetings, included the incorrect lesser square footage. (Attachment 33-34) If the agenda and staff report were wrong, one might assume the plans stamped by CBAR as approved were believed to be for the same lesser reported square footage. According to the written record, on December 12, 2014, CBAR approved the Golden Inn and Village for 91,065 square feet. It is also noted that the final CBAR report stated under section g, “Concerns regarding drainage capacity along Lucky Lane remain.”

A review of the taped hearing on October 10, 2014 (CBAR item #7 @ 2hour 7min) reveals extensive discussion about drainage concerns and assurances by Mr. Polansky of HASBC that the offsite water course was not improved as a part of conditions but that the neighbors preferred the “...increased capacity of the detention basins on site, as opposed to doing anything downstream.... not to just take care of the flow through...,” but to collect some of the water generated on the outside. CBAR member Greg Donovan went on record “on behalf of the neighbors” regarding his concerns about the amount of runoff from a project of this size, and Mr. Polansky incorrectly assured that detention was the neighbors’ preference. Earlier in the same hearing, Detlev Peikert reported that the project was approved by the Planning Commission and later by the Supervisors on June 17, 2014. However, the plans presented to CBAR were neither for the 91,065 square feet as noticed, nor for the 109,741 square feet approved by the BOS, but included 123,025 square feet, heights exceeding the maximums approved, the wrong parking lot lights, and the omission of the agreed upon drainage. These are further examples of the architect and Housing Authority personnel misrepresenting the project in public hearing. **In fact, the CBAR hearings in late 2014 appear to be ground zero for the derailing of the Golden Inn and Village.** These transgressions, amounting to a “bait and switch,” defy the intent of Brown Act, and challenge the ethical standards of professional licensure and public service.

At the September 27, 2017, CBAR meeting during extended public comment for items not on the agenda, the appellants addressed concerns about the Golden Inn and Village project. The Chair and other CBAR members acknowledged error in the final approval on December 12, 2014, of a plan set significantly different than the project approvals issued by the BOS on June 17, 2014, citing their dependence on the accuracy of the information and staff memorandums provided to them by P&D personnel. The appellants have been at a further disadvantage because, as a design overlay project, CBAR approvals including those provided in error, were constantly referenced by the applicant and P&D staff in an attempt to validate the after-the-fact nonconformance of the Golden Inn and Village Project.

The current proposal for plan revision is tantamount to the owner/applicant/ developer, after agreeing to conditions and mitigation measures to “grease the wheels” to get a project approved, later violating them and

presuming they were safe from Notices of Violation. Can a developer in effect change their mind and, after building a project now say, “just kidding” to the Conditions of Approval? Such behavior makes rules meaningless and furthers the community’s distrust of County officials.

This project was before the Planning Commission on May 24, 2014 and before the BOS on June 17, 2014, at which time the applicant gladly accepted Condition 45.,” 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.” And those conditions included assurances of a total project of approximately 109,741 gross square feet, site lighting consisting of 44- 8 foot light poles, and in an effort to address neighbors’ concerns regarding drainage, an agreement by the applicant to detain a portion of the off-site water in the proposed detention basins. **None the less, the as-built project includes none of those reasonable and necessary conditions.** Is the owner/applicant so confident in their collaboration with Planning and Development that it is acceptable to breach the rules and apply for revision, only if caught? Each and every major revision before your Board is the result of public complaint, as opposed to voluntary action. **And, it is quite predictable that without complaint, this revision would never have seen the light of day. It is also predictable that no private developer has, or will be, treated similarly for equal or even lesser violations.**

The original Conditions of Approval were unanimously approved by the BOS-- but they were ignored. Planning and Development staff have both failed to effectively monitor those conditions for compliance, and they have seemingly facilitated the owner/applicant/developer in the deception. Compliance with SB 341 and the Comprehensive Plan and the Housing Element related to the County’s need to provide adequate housing for all economic levels in unincorporated Santa Barbara County are undoubtedly at play in this case. The Golden Inn and Village two-phase project will satisfy 147 or 92% of 159 very-low income category units and 55% of low and very low-income units assessed as needed in the 2015-2023 Housing Element. (Attachment:34.1) Consequently, there is a strong performance-based incentive for Planning and Development to foster this project.

Given the County’s requirement to report to the State its progress in meeting its share of regional housing needs and the reported \$23M in federal tax credits awarded for the construction of the Golden Inn and Village, there was incentive for multiple county agencies to uncharacteristically accommodate this project and for those in positions of authority to be dismissive of complaints. Nonetheless, neither this relationship, nor the owner/applicant being the Housing Authority of County of Santa Barbara, relieves the Planning and Development Department of monitoring and enforcement duties delegated by the action of the Board of Supervisors and entrusted to them by the citizens of Santa Barbara County. (Attachments: 35-38)

After reviewing the plan documents and auditing parts of this project from permit application to closure, the fundamental weakness appears to be that Planning and Development staff members from various divisions have assumed the role of project development team members, as opposed to that of the monitoring compliance agent. (Attachments: 39-40) Besides the lighting and drainage concerns herein, and those that were under review of the Regional Water Quality Board, further examples of this cooperative effort are illustrated in the misapplication of Substantial Conformity Determinations (SCD). (Attachment 41-42)

Noncompliant plans were submitted to P&D on October 29, 2014 and an application for Substantial Conformity Determination for an additional 6,220 square feet was filed THE VERY NEXT DAY and approved January 21, 2015. The noncompliant plans that included additional rogue square footage, incorrect 20-foot parking lot light poles, and an inadequate drainage system, were stamped by the assigned P&D planner on March 5, 2015 (the day before the grant deadline). It is also noted that although multiple math errors plagued project disclosures, the Phase I permits were issued with the reported total as-built square footage of 86,034 sq. ft., (18,7 % over the Phase I, 72,509 sq. ft. approval), including porches and balconies. From the first SCD application forward, it appeared to be the goal of assigned staff to ensure the uncharacteristic accommodation of this project, regardless of the Conditions of Approval or the specifications of the project presented and approved in public hearing. (Refer to Attachment 4-8)

The original assessment by the appellants revealed that the square footage of the project exceeded approvals by over 18,000 sq. ft. In the Structural Development Table of the staff report dated September 14, 2017, it is admitted that 16,399 sq. ft. (in addition to 2,000 sq. ft. added for a typographical error) have been added to this project without approval by the deciding authority. The extent of the square footage assumed to be collectively compliant for buildings 2,3,4, & 5 via substantial conformity determination (SCD), far exceeds the authority delegated to the Director of Planning and Development.

Chapter 35 of the Land Use Code States in 35.84.040, "C. Substantial Conformity Determinations. The Director may approve a **minor change** to an approved...Final Development Plan....if the Director first determines, in compliance with the County's Substantial Conformity Determination Guidelines (See Appendix H), that the change is in substantial conformity with the approved permit." Appendix H, SCD Guidelines state, "on occasion an applicant requests **slight deviation** from an approved action in order to carry out a project." (emphasis added). Given the aforementioned language, it is clear that the intent of SCD is not for large scale additions of square footage, and this intent is further supported by section 4.f. of the Appendix H Guidelines which reads that the proposed change, "**Does not result in an increase of 1,000 sq.ft. or more than 10 percent of the building coverage of new structures over total project approvals, whichever is less.**"(emphasis added). It is noted that the inclusion of limiting language in policy or law denotes the intent that said limiting language be applied. Nonetheless, as reported in a complaint to the County CEO's office, in instances of SCD findings for the Golden Inn and Village project which exceeded the 1,000 sq.ft. rule, the violations were brushed off by county staff because the 10% was not exceeded using total approved square footage, rather than building coverage of new structures. A review of 4.5 years of SCD applications (2013-2017) revealed only two projects exceeding 15,000 sq.ft. SCD approvals for size increase (a nursery warehouse/office and a storage rental facility), and one for a decrease in square footage of a project at Casa Dorinda.

The applicant alleged that the first request for SCD was to address requirements of minimum unit size and access requirements of the California Tax Credit Committee. However, according to Gina Ferguson, CTCAC Manager, applicants for funds (Housing Authority of Santa Barbara County) would be aware of these requirements prior to early plan development and this is affirmed by the nonconforming plan set. This, coupled with a surprise "free addition" of 7,050 gross square feet of porches and balconies delineated on the plan presented to the BOS in June 2014, but NOT included in the approved gross square footage, would appear to a reasonable observer as a **double dose of concealed square footage.** Withholding accurate square

footage made this project more palatable to the decision makers and lulled the community with misinformation about the Golden Inn and Village and averted dissenting voices in public hearing.

The Board should not knowingly affirm the SCD errors in order to facilitate the proposed revision that includes only omitted square footage attributed to balconies and porches. Although staff have claimed that this square footage was clearly delineated on the BOS approved plan, and used in the permit process, it was omitted from the project summary presentation, absent from discussion during the public hearing, and missing from the findings and the minutes of the proceedings. Much like the consequence of the misrepresentation to CBAR, there is no indication that the decision makers thought they were approving anything other than a 109,741 square foot project. **The lack of transparency clearly reduced the perception of the size of the development slated for a parcel that historically had been the subject of heated dissent.** In fact, the Board commended P&D and the project team, and celebrated the fact that there was no opposition to the project present in the hearing room. Had the project that was built, been the project heard that day, a different story would have unfolded.

A reasonable person could assume that the Golden Inn and Village is the EXACT sort of large project that the limiting language of the Land Use Code for Substantial Conformity Determination was designed to protect against. Unfortunately, the misapplication of SCD, failure to detect the installation of 20' light poles through the monitoring and inspection process before they were installed, and the failure to require retention of storm water run-off as part of the as-built drainage system are all reported to be mistakes or well-intended determinations to act without the preauthorization of the decision-making authority. **These multiple errors and omissions, committed by both the development team and County planning and monitoring personnel all inure to the benefit of the developer;** it is difficult to chalk it up to coincidence and incompetence. There is a pattern of conduct and inappropriate cooperation that has negatively impacted the safety of the neighboring properties and the enjoyment of our homes. It also contributes to diminishing the public trust in County departments and our elected officials.

What variables will it take for the discharge of accountability? One Planning Commissioner suggested that this review process was a waste of time even though the Golden Inn and Village, as built, is an entirely different project than that which was publicly heard and approved. The latest discovery resulting from the simple review of the hard copy plan sets was disclosed to the Planning Commission in September, 2017. **Building 2 of the project was approved with a maximum height of 29 feet but measures in at 35 feet (using the questionable placement of existing grade on the plan), or 6-feet/17.2% over the approval. This is also the maximum height allowance in the Santa Ynez Community Plan.** Buildings 3, 4, and 5 were approved for a maximum height of 23 feet 6 inches, but the family housing units top out at 26 feet 6 inches, **exceeding the approved height by 3 feet.** These heights do not include the numerous unsightly solar panels that are further elevated for maximum sun exposure and are fully visible on all south and west structures, including the carports and trellises. The only explanation provided to the Planning Commission regarding the nonconforming building heights illustrates another example of staff willingness to invent new rules to apply to this project. The planner reported that "mean heights," rather than maximums, were used to formulate the approvals. However, this is contrary to the language in the May and June, 2014 staff reports, the verbiage of the hearing presentations, the written approval documents, as well as the Height Calculation Methodology found on page 13 of the BAR application document. (Attachment: 41.1- 41.2))

The Golden Inn and Village is an important and needed project that the appellants have previously supported philosophically and in public hearing, and via donation. Obviously, not all original Conditions of Approval can be restored, but reasonable remediation can significantly remedy impacts to neighboring properties.

To prevent the residents of Lucky Lane from becoming collateral damage of the nonconforming as-built Golden Inn and Village project, it is recommended that: 1) The proposed plan revision be denied in part and reasonable corrective action be required to remedy, by reduction, the height of the as-built 20 foot light poles on the south side of the project adjacent to 1E1 residential lots; and, 2) direct reasonable remediation to fulfill the intent of the previous agreed upon conditioned system, or a reasonable downstream alternative, to the post-development storm water drainage system that has performed inadequately compared to predevelopment conditions.

For the sake of transparency and good governance, it is also recommended: 3) the maximum building heights be corrected on the record by revision; and, 4) that all square footage added to the project outside of the authority of substantial conformity guidelines be transparently added to the revision language.

Finally, there should be accountability and procedural review to ensure similar actions, errors, and omissions contributing to the circumstances of this wholesale post-development revision package are not repeated.

(Attached for the Commissions review are 78 pages of supporting documents and references which informed the foregoing response.)

ATTACHMENTS

Mark Brooks

From: Mark Brooks
Sent: Friday, August 18, 2017 9:41 AM
To: Joan Hartmann (jhartmann@countyofsb.org)
Cc: Patti Stewart (pjsstewart@verizon.net); Elizabeth Farnum (efarnum@countyofsb.org); 'Miyasato, Mona'; 'mpontes@countyofsb.org'; 'michael@igsb.com'
Subject: Golden Inn & Village - obstruction of information

Joan Hartmann
Third District Supervisor
105 East Anapamu Street
Santa Barbara, CA 93101

Dear Ms. Hartmann:

Although I am looking forward to the upcoming Planning Commission Hearing regarding the Golden Inn & Village lighting and drainage system on August 30. I still have lots of concerns about all parties involved, including the County of Santa Barbara failure to monitor and inspect this project. I have read thousands of pages of county records and documents regarding the Golden Inn & Village project, and it is not good. **I have seen Gov. Codes, Land Use & Development Codes, and Policies and Procedures broken.** I know it's much easier to write me off as that crazy guy on lucky lane, but I'm not crazy.

I filed a complaint about the lighting in March 2016, and it has taken about 530 days just to get to the Planning Commission. If corrections are required it will be more than two years after the complaint before the work is completed. If it must be appealed to the Board of Supervisors it will take almost three years after the complaint for the corrections to be completed. That would be more time than the project took to be built. Do you think this is a reasonable expectation for a citizen?

The County of Santa Barbara staff for the most part has been helpful in answering our question and providing us with documents. But it has been difficult, like finding a needle in a hay stack, trying to figure out what went wrong and how, but we think we have a pretty good idea. **Not only was the parking lot lighting and drainage system intentionally not designed or built as approved by RRM Design Group (Architect), Pro West Construction (Builder), HACSB (Owner). They were fully aware that it did not comply with the Conditions of Approval, it was not a mistake.** They also submitted plans to the Building Department for more than what was approved by the Board of Supervisors. The Senior Living was approved for 46,067 square feet, the Building Permit was issued for 58,425 square feet (increase of 12,358 s/f). The Family Living was approved for 24,442 square feet, the Building Permit was issued for 26,523 square feet (increase of 2,081 s/f). Other structures were added to the project that were not approved by the Planning Commission and Board of Supervisors, industrial metal carports 2,387 square feet, and trellises 1,100 square feet. **This was an increase to the Golden Inn & Village project of 17,926 square feet that was not approved, and they have applied for an additional 10,214 square feet to be built in phase two. This would make the completed project 137,881 square feet, this is an increase of 28,140 square feet more than was approved by the Board of Supervisors.** Keep in mind the Golden Inn and Village Project that was presented to the Santa Ynez Valley Community in the News Press, as well as We Watch at a townhall meeting by RRM/Peikert Group, and approved by CBAR was for 91,065 square feet. **If phase two is completed as proposed it would mean that the Golden Inn & Village project would be 46,816 square feet larger than what your third district constituents were told.**

It will be impossible to make all the wrongs right on the Golden Inn & Village project, and Santa Ynez Valley will never be the same because of it. The county officials that participate in this project should be ashamed of the results, and not fulfilling their obligations to the community. But some things can be, and should be done.

- 1) **The lighting should be corrected to what was originally approved**

- 2) The storm water runoff and drainage system should be corrected as it was originally approved.
- 3) The completed project should not be allowed to exceed the 109,741 square feet that was approved by the Board of Supervisors, this is already more than the 91,065 approved by CBAR and presented to the Santa Ynez Valley Community. Or better yet, parcel 1 should be made a park/garden area "Harry's Park" for the Seniors to enjoy, and the Memory Care Facility be relocated to a more suitable location now that they over developed the project.
- 4) A new Mitigation Negative Declaration Report should be prepared for the as built conditions of the project, at the applicant's expense, and the appropriate mitigation measure should be made to the project.

I would like to inform you as part of our investigation we have contacted the Housing Authority (HACSB) and requested information; most of our request were for emails between HACSB, RRM Design Group, and Pro West Construction. At this time, they are in violation of the California Public Record Act with pending legal action, not one document has been provided to date. We have also contacted RRM Design Group and requested the contact information for the original Lighting Engineer/Consultant who did the work that was approved by the Board of Supervisors. Lisa Plowman from RRM has informed me that no one at RRM remembers who did the work and they do not have any records, email, bills, check stubs, plans, contracts, etc. We also requested on May 31, 2017 that RRM allow us to view and copy the Golden Inn & Village Plans, by not replying they refused. We filed a Plan Copy Affidavit and after 45 days I requested under the HEATH AND SAFTY CODE Section 19851 that the County of Santa Barbara allow me to view and copy the project plans, only then did Lisa Plowman contact David Villalobos granting us permission from Mr. Peiker's for us view and copy the plans. Only 8 business days before the Planning Commission Hearing. Is this the appropriate actions or conduct of a State of California Agency (HACSB) with commissioners appointed by the Board of Supervisors, and RRM Design Group the architectural firm representing a State of California Agency?

As I told you months ago, I have no desire to sue the County of Santa Barbara, but I do want the Golden Inn & Village project to be built as it was originally approved, and not to exceed 109,741 square feet total. I am committed to this outcome because it is what was approved by the Board of Supervisors and agreed on. I also want an investigation with full accounting on what went wrong with this project, and what correction the County will make to ensure that this never happens again in the future. Based on what I have seen I believe this investigation would be best completed by a third party.

Feel free to contact me if you would like to discuss this further.

Sincerely,
Mark Brooks

BROOKS CONSTRUCTION
MARK A. BROOKS
GENERAL CONTRACTOR
LICENSE NO. 931078

POST OFFICE BOX 3
SANTA YNEZ, CA 93460
PH. (805) 680-2066
FAX (805) 690-7300
mark@brookscorp.net
www.brookscorp.net



**NOTICE OF SUBMITTAL OF COMPLETE APPLICATION FOR
REVISION-DISCRETIONARY**

This may affect your property. Please read.

Notice is hereby given that an application for the project described below has been submitted to the Santa Barbara County Planning and Development Department. This project requires the approval of a Revision-Discretionary by the County PC.

To receive additional information regarding this project, and/or to view the application and plans, please contact Dana Eady at 624 West Foster Road, Suite C, Santa Maria, 93455, by email at dcarmich@co.santa-barbara.ca.us, or by phone at (805) 934-6266.

PROPOSAL: THE GOLDEN INN & VILLAGE PARKING LOT LIGHTING REVISION
PROJECT ADDRESS: 890 Refugio RD, Santa Ynez, CA 93460
3rd SUPERVISORIAL DISTRICT

CASE NUMBER: 17RVP-00000-00046 **APPLICATION FILED:** 5/5/2017
ASSESSOR'S PARCEL NUMBER: 141-380-045 141-380-046 141-380-047
ZONING: PI
PROJECT AREA: 7.32 acres

PROJECT DESCRIPTION:

- o Applicant: Lisa Plowman, Agent
- o Proposed Project:

The Housing Authority of the County of Santa Barbara is requesting to revise the approved Golden Inn and Village project to permit the installation of 25 parking lot lights with a maximum height of 20 feet. The approved project allowed for installation of 44 parking lot lights with a maximum height of 8 feet. No other changes to the approved project are requested as a part of the revision.

REVIEW AUTHORITY:

This project is under the jurisdiction of the County PC who will either approve, approve with conditions, or deny the project.

An additional notice of a public hearing or pending action by the County PC regarding this project will be mailed a minimum of 10 days prior to the public hearing or pending action.

ADDITIONAL INFORMATION:

Information about this project review process may also be viewed at:

<http://www.sbcountyplanning.org/permitting/>

Patricia Stewart
3050 Lucky Lane
Santa Ynez, CA 93460

July 31, 2017

Mona Miyasato
County Executive Officer
County of Santa Barbara
105 Anapamu Street
Santa Barbara CA 93101

In Re: Golden Inn and Village Project Information
Complaint Regarding Substantial Conformity Determination Approvals

Dear Ms. Miyasato:

The Golden Inn and Village project development in the Third District of unincorporated Santa Barbara County at the intersection of Hwy 246 and Refugio Road has been fraught with admitted changes that do not conform to the original Conditions of Approval. The Conditions of Approval for the project were adopted by the Board of Supervisors on June 17, 2014 and since that adoption many "errors" have resulted in an adverse impact on the neighborhood, property values, safety issues and reduced enjoyment of our homes and neighborhood.

This correspondence is lengthy because no stone was turned that did not lead to another procedural anomaly or question. My initial interest in this project was limited to the correction of 20 foot light poles installed that were approved in the Conditions of Approval at 8 feet (250% increase in height). However, this interest evolved into one of grave concern involving multiple changes and reported "mistakes" made by the owner/applicant, builder, and Planning and Development Department. The impact of these actions and the County's failure to properly monitor the Conditions of Approval cannot be overstated.

The initial investigation of the height of lighting on the property being incorrect resulted in staff contacting the applicant to require corrective action be taken. According to Jeff Wilson, "The corrective actions consisted of replacing the 20 foot lights with the approved 8 foot lights....a notice of violation was not issued as the applicant was taking steps in achieving voluntary compliance with the inconsistencies with permit conditions of approval." Unfortunately, this "voluntary compliance" was simply to submit an application to amend their way out of blatant noncompliance, and, after the fact, "change the permitted light height of 8 feet to allow the 20 foot light poles to remain."

Perhaps the old adage that it is easier to ask for forgiveness than permission is true. However, in this case it would set an exceedingly dangerous precedent regarding the validity of the Conditions of Approval and the decisions of the Planning Commission and Board of Supervisors. These decisions are

based upon countless hours of staff time, and in this case, a 239 page Final Mitigated Negative Declaration prepared for the project.

The request to amend the height of the light poles is scheduled for presentation at the August 30, 2017, Planning Commission hearing. According to Deputy Director Wilson, "At that time the public will have an opportunity to review the materials and provide comments to be considered by the Planning Commission." A lighting study has been prepared by Heather Gray of Gray Electrical. She has a complaint filed against her which has been submitted to the State Board of Engineers regarding her development of a lighting plan that was inconsistent with the Conditions of Approval in this matter. Consequently she has a conflict in that she clearly has a personal interest in the 20 foot light poles being approved. Ethically, she should recuse herself from assessing the current lighting and from making recommendations for the pending proceedings of the Planning Commission.

Additionally, P&D Planner, Dana Eady stamped as approved the plans with the 20 foot light poles that did not comply with the Conditions of Approval. Although it would be inappropriate to leave a conflicted planner assigned to this project, Ms. Eady has historically composed the staff reports required for the Golden Inn and Village Project. These staff reports unfortunately are lacking in detail, or simply parrot requests and information provided by Lisa Plowman, Project Manager for Peikert RMM Design Group. Many missteps have occurred and I cannot underestimate the influence that the Project Manager for the Architect, Ms. Plowman, having been a former management employee of the Planning and Development Department, has had.

Compliance with SB 341 and the Comprehensive Plan related to the County's need to provide adequate housing for all economic levels in unincorporated Santa Barbara County is undoubtedly at play in this case. As the receiving housing successor agency with the requirement to report to the California Department of Housing and Community Development (HCD) the progress made in meeting its share of regional housing needs and the reported \$23M in federal tax credits awarded for the construction of the Golden Inn and Village, there was incentive for county agencies to uncharacteristically accommodate this project. None the less, neither this relationship, nor the owner/applicant being the Housing Authority of County of Santa Barbara, relieves the Planning and Development Department of monitoring and enforcement duties delegated by the action of the Board of Supervisors and entrusted to them by the citizens of Santa Barbara County.

After reviewing the plan documents several weeks ago and reviewing parts of this project from permit application to closure, the fundamental weakness appears to be that Planning and Development staff members from various divisions have assumed the role of project development team members, as opposed to that of the monitoring compliance agent. Besides the lighting and drainage concerns that are under review of the Regional Water Quality Board, a perfect example of this issue is the misapplication of Substantial Conformity Determinations (SCD).

You will not be pleased when you are fully briefed, but examples are included herein. Building 2- Senior Apartments/Senior Community Center Building was approved by the BOS at 46,067 sq. ft. Bob Havlicek of the Housing Authority reported, "...Building 2 increased from 48,067 gsf to 52,250 gsf (4,183 gsf)

subject to approval by P&D on 01/21/2015 through substantial conformity determination.” Further, the low income family housing approved for 24,442 square feet was increased by 2,037 square feet, via the same SCD finding. In addition, the permit for Building 2 was actually issued for a whopping 58,424 square feet. Unfortunately, the approved square footage and permitted square footage numbers do not match. Regardless, the use of substantial conformity determinations are subject to established criteria. These criteria include the rule that the proposed change does not result in an increase of more than 10% of total project approvals for building coverage of new structures, or 1,000 square feet, whichever is less.

Not only were square footage restrictions for the use of Substantial Conformity Determination violated, there was a failure to consider and meaningfully assess the environmental impact upon drainage/flooding or other mitigated negative declarations (4/25/2014, NGD 00000-407) caused by the increased size of structures and the approximately 3,110 square foot reduction of permeable surface. Additional use of SCD entailed over 2,387 square feet of industrial metal carports topped with solar paneling and 1,100 square feet of trellises to support solar panels over garbage enclosures.

In total, 8,607 square feet (less trellises) have apparently been added to the project via the use of the Substantial Conformity Determination process. There is no similar application of SCD in 2015 and I would venture to guess, there is likely no similar misapplication of this policy. That is undoubtedly because Chapter 35 of the Land Use Code states in 35.84.040, “C. Substantial Conformity Determinations. The Director may approve a **minor change** (emphasis added) to an approved ...Final Development Plan.... if the Director first determines, in compliance with the County’s Substantial Conformity Determination Guidelines (see Appendix H), that the change is in substantial conformity with the approved permit.” Appendix H, SCD Guidelines state, “On occasion, an applicant requests **slight deviation** (emphasis added) from an approved action in order to carry out a project.”

Given the aforementioned language it is clear that the intent of SCD is not for large scale additions of square footage, and this intent is further supported by section 4.f. of the Appendix H Guidelines which reads that the proposed change, “Does not result in an increase of 1,000 sq. or more than 10 percent of building coverage of new structures over total project approvals, **whichever is less.**” (Emphasis added). However, in SCD findings for the Golden Inn and Village project which exceeded the 1,000 sq. ft. rule, it was brushed off as inconsequential because the 10% was not exceeded and, in the case of Building 2, “...was necessary to meet CA Tax Credit Allocation requirements for minimum unit size, and to provide full accessibility in bedrooms, kitchens, and bathrooms.” There was no apparent discussion of reducing assembly area, office/conference space, or other space to accommodate the changes without expansion. I am convinced this is the exact sort of large project that the limiting language was designed to protect against! I also find it hard to believe, the HASBC was unaware of minimum unit size requirements or the alleged access issue requiring expansion.

In fact, it does indeed appear that the owner was fully aware of the project requirements, and may have felt assured to have advanced support from the deciding authority. The application for building permits and plans that were not compliant with the Conditions of Approval for buildings 2-5 were submitted on 10/29/14. The Substantial Conformity application was received by P&D on 10/30/2014; Substantial

Conformity Determination was approved on 1/21/2015; plans that were either rapidly amended or submitted before Substantial Conformity Determination was made, were approved by the County planner on 03/05/2015. Can any private citizen or building contractor expect to have similar gymnastics approved on their permitted projects? I had to move an electrical outlet too close to my swimming pool, but twenty five- 20' light poles, an incorrect drainage system, and over 8,000 square feet in project "creep" is condoned for the Golden Inn and Village at the expense of the surrounding neighborhood. How can this conduct not be considered suspicious and challenge the public trust?

Given the fundamental conflicts of interest affecting the County, the difficulty Planning and Development personnel have exhibited executing impartial oversight of the Golden Inn and Village, it is reasonable and necessary for an uninterested third party, not an employee of the County of Santa Barbara be retained. This third party should conduct site visits and obtain an unbiased updated lighting study for the entire site and review the pending request for revision under the jurisdiction of the Planning Commission (and any future requests for substantial conformity, amendment, or revision). A third party should also prepare any related staff reports and recommendations to the Planning Commission for the August 30, 2017 meeting and for other deciding bodies or decision makers deciding future applications for any change(s) to the project, including Phase II.

As a County employee who proudly served for the better part of 30 years and retired as the Chief Probation Officer, it is difficult to express the profound concern and disappointment experienced when, at every turn, the implication is that the residents of Lucky Lane will pay the price for the errors and/or omissions to, and the unimpeded mutation of, the Golden Inn and Village Project. This is a project that I have previously supported in public meetings, donated money to, and felt confident would be built in compliance with the Conditions of Approval which were carefully designed to facilitate a valuable housing resource while at the same time preserve the surrounding neighborhood and the Santa Ynez Valley community at large.

Based on the foregoing information, there are equally grave concerns about Phase II of this project which already includes a proposal for an additional 10,000 square feet. The effected intersection and reported "Gateway to Santa Ynez" is dangerously close to resembling two "golden" battle ships anchored in a sea of asphalt, complete with strip mall illumination not in conformity with the surrounding properties. There was a time during this process I felt assured such an outcome was impossible.

Thank you for your consideration, time and concern. If you have any questions or comments, please feel free to contact me at 805-331-3380.

Respectfully Submitted,

Patti Stewart

Cc: Joan Hartmann, Third District Supervisor
Michael Cooney, Planning Commission
Mark Brooks
Donald Hartshorn
Jennifer Moran
John Kruissink
Inga Kristoffersen
Gail Thornton
Laurie Gallegos
Julie Fischer
Jeff McNerney



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director

Dianne Black, Assistant Director

March 14, 2014

Lisa Plowman
Peikert Group Architects
10 E. Figueroa St.
Santa Barbara, CA 93101

RE: Initial Study Finding: The Golden Inn & Village
Case Nos. 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009, 12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006
APN(s): 141-380-014

Dear Ms. Plowman:

The California Environmental Quality Act (CEQA) requires preparation of an Initial Study in order to determine whether the project could have the potential to cause a significant environmental impact. One of two different kinds of documents is prepared depending upon the outcome of the Initial Study. A Negative Declaration is prepared if there clearly is no potential for a significant impact. An Environmental Impact Report must be prepared if there is such a potential. However, if we are able to identify measures that could be taken to reduce any potentially significant impact(s) to a level of insignificance, and if the applicant agrees to voluntarily incorporate these measures into the project description, CEQA allows us to prepare a Negative Declaration rather than an Environmental Impact Report.

Planning and Development Staff has prepared an Initial Study dated March 14, 2014, and found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case if the applicant amends the project description to include the mitigation measures included in the Initial Study (attached). Staff will recommend the preparation of a Mitigated Negative Declaration at the time that the applicant returns the attached Agreement to Accept Mitigation Measures. This Mitigated Negative Declaration will require a public hearing.

Your planner will notify you when the draft document is completed and you will have an opportunity to comment on the document at that time. During the public review process, comments are also solicited from the public at large, the adjacent property owners, Federal and State agencies and other County departments.

Please note that the California Department of Fish and Game is required to review all environmental documents prepared on a project and a fee is charged for such review. Fees are assessed pursuant to California Fish & Game Code Section 711.4. Such fees (if applicable) are due at the time of the filing of the Notice of Determination. Failure to pay the applicable Fish & Game fees will prevent further action on your project until payment is made (Fish & Game Code Section 711.4(c)(3)).

Lisa Plowman
March 14, 2014
Page 2

The document may be revised based upon the comments received. When the final document is completed, it will be forwarded to the appropriate decision-making body for consideration. You will have additional opportunity to comment at that time. If you want to discuss the conclusions or other aspects of the Initial Study, you may request to have a meeting with the case planner, myself and/or Deputy Director. If you wish to discuss the Initial Study with a member of staff, please send a request to your case planner within 30 days of receipt of the Initial Study. Please include in your letter the issues you wish to discuss in the meeting.

If you disagree with the conclusions, or any other aspect of the Initial Study, and have discussed the issue(s) with the above staff member(s), you may formally appeal the Initial Study finding including the determination or document type and required mitigation measures to the Director of Planning and Development. If you wish to appeal, please submit your request in writing and describe the reasons for your appeal. Please send a copy of the appeal to the case planner so that we may process your request in a timely manner.

Should you have any questions regarding your project, please contact Dana Eady of my staff at (805) 934-6266.

Sincerely,



JOHN KARAMITSOS, SUPERVISING PLANNER
DEVELOPMENT REVIEW DIVISION - NORTH

Attachments:

1. Agreement to Accept Mitigation Measures
2. Initial Study, dated March 14, 2014

cc w/attachments:

1. Owner/applicant: Harmony Real Estate, LLC, Attn: Teri Harmon, P.O. Box 1800, Santa Ynez, CA 93460


#10

Agreement to Accept Mitigation Measures

The Golden Inn & Village

Case Nos. 12GPA-00000-00002, 12RZN-00000-00002, 12TPM-00000-00009, 12DVP-00000-00014, 13DVP-00000-00005, 13DVP-00000-00006

The mitigation measures attached in the Initial Study dated March 14, 2014 have been agreed to in order to mitigate potentially significant adverse environmental impacts to insignificant levels. The signature below constitutes acceptance of these mitigation measures as part of the overall project description.

 D.P. of
Hrs. Dev. 3/17/14

(Signature & Title of Agent, Owner, or Applicant) (Date)

GOLDEN INN & VILLAGE



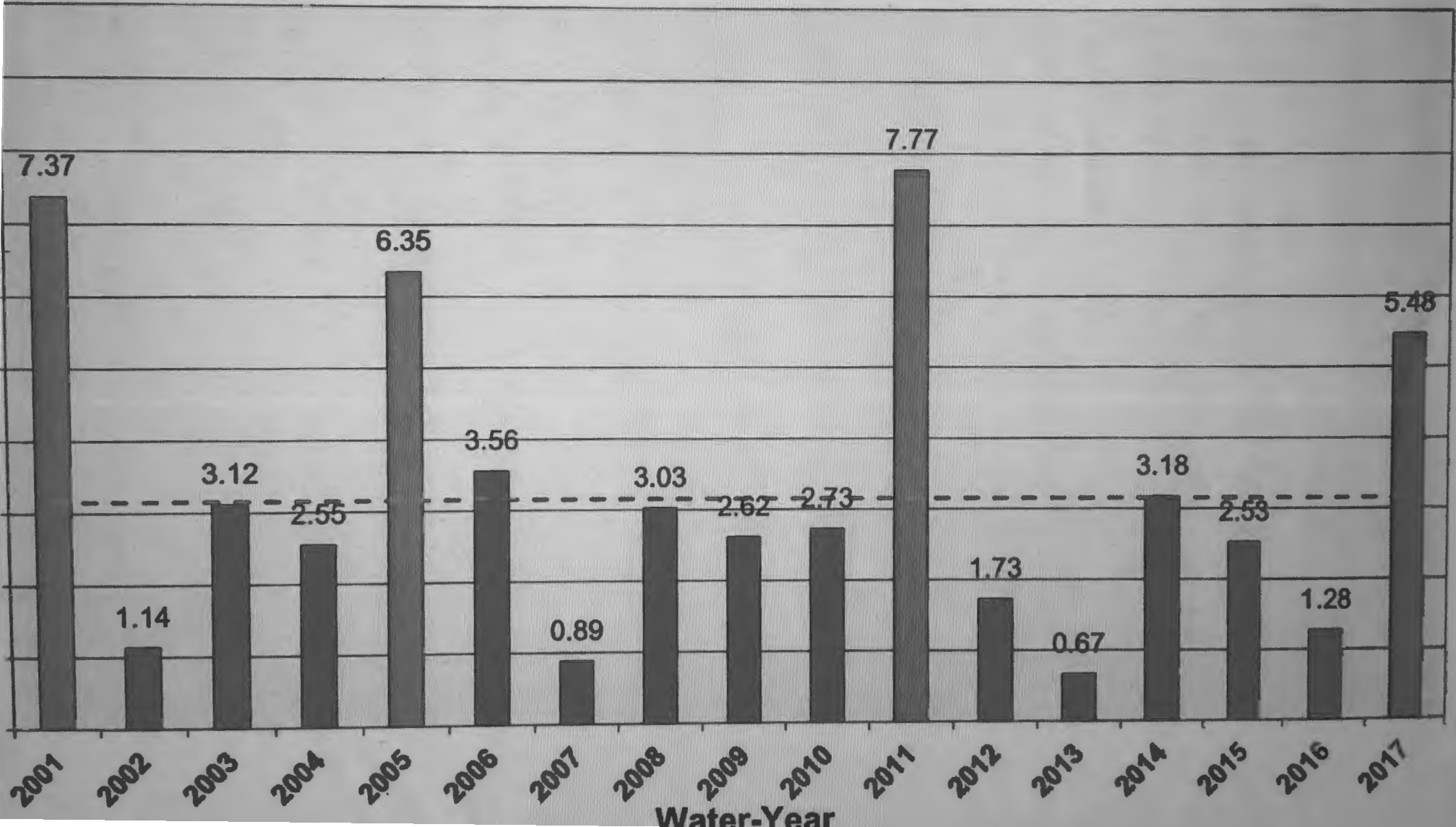
3055 LUCKY LANE
FEBRUARY 2017 FLOOD

ATTACHMENT 12

10-yr event 4.99" 24 hr
7.52" in 24 hr = 100yr



San Ynez Fire Station (#218) Maximum 24 Hour Rainfall 2001 through 2017 (Mean Water-Year Max 24 Rainfall = 3.16")



Get the data from email

83904.pdf



805.568.3440 - www.countyofsb.org/pwd

Official Rainfall Intensity Record

(Maximum Short-Depth-Duration Rainfall, with Average Recurrence Intervals)

Station Number: 218 Latitude: 343623 Longitude: 1200412
 Station Name: Santa Ynez Fire Station #32 Elevation (ft): 600 Rainfall (in.)

WY	5min	10min	15min	30min	1hr	2hr	3hr	6hr	8hr	12hr	24hr	WY Tot
2000-2001	0.11	0.17	0.25	0.44	0.82	1.25	1.65	2.54	3.23	4.58	7.37	25.1
2001-2002	0.10	0.19	0.26	0.37	0.56	0.86	1.00	1.06	1.12	1.12	1.14	7.0
2002-2003	0.12	0.20	0.29	0.54	0.96	1.72	2.08	2.83	2.93	2.93	3.12	16.0
2003-2004	0.14	0.16	0.18	0.24	0.44	0.80	1.14	1.72	2.03	2.43	2.55	10.0
2004-2005	0.25	0.37	0.50	0.72	1.14	1.90	2.50	3.39	3.81	4.31	6.35	35.0
2005-2006	0.16	0.26	0.29	0.41	0.78	1.10	1.46	1.90	2.39	2.83	3.56	17.0
2006-2007	0.15	0.20	0.22	0.34	0.46	0.58	0.72	0.75	0.75	0.84	0.89	6.0
2007-2008	0.23	0.30	0.39	0.47	0.72	1.04	1.38	2.00	2.23	2.62	3.03	15.0
2008-2009	0.15	0.20	0.24	0.41	0.70	0.89	1.19	1.80	2.14	2.37	2.62	13.0
2009-2010	0.24	0.39	0.49	0.71	1.16	1.72	1.78	2.37	2.52	2.58	2.73	21.0
2010-2011	0.14	0.20	0.28	0.53	0.99	1.95	2.73	4.65	5.48	6.41	7.77	26.0
2011-2012	0.17	0.28	0.33	0.37	0.52	0.78	0.99	1.31	1.32	1.61	1.73	11.0
2012-2013	0.08	0.14	0.16	0.24	0.33	0.43	0.49	0.63	0.63	0.65	0.67	6.0
2013-2014	0.16	0.28	0.34	0.57	0.85	1.12	1.25	1.80	1.93	2.74	3.18	7.9
2014-2015	0.26	0.35	0.43	0.58	0.83	1.17	1.42	2.04	2.16	2.46	2.53	8.1
2015-2016	0.15	0.27	0.35	0.48	0.64	0.88	0.96	1.07	1.07	1.20	1.28	10.1
Total	2.61	3.96	5.00	7.42	11.90	18.19	22.74	31.66	35.74	41.68	50.52	241.1
N	16	16	16	16	16	16	16	16	16	16	16	16
Mean	0.16	0.25	0.31	0.46	0.74	1.14	1.42	1.98	2.23	2.60	3.16	15.0
Max	0.26	0.39	0.50	0.72	1.16	1.95	2.73	4.65	5.48	6.41	7.77	35.1
Min	0.08	0.14	0.16	0.24	0.33	0.43	0.49	0.63	0.63	0.65	0.67	6.5
STDev	0.05	0.08	0.10	0.14	0.25	0.46	0.61	1.03	1.24	1.50	2.18	8.3
Reg CV	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43
Reg Skew	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31

Average Recurrence Intervals (In Years)												
2	0.15	0.23	0.28	0.42	0.68	1.03	1.29	1.80	2.03	2.37	2.87	13.77
5	0.21	0.32	0.41	0.61	0.97	1.49	1.86	2.59	2.93	3.41	4.14	19.82
10	0.26	0.39	0.49	0.73	1.17	1.79	2.24	3.12	3.52	4.11	4.98	23.78
25	0.31	0.47	0.60	0.88	1.42	2.17	2.71	3.77	4.26	4.97	6.02	28.65
50	0.35	0.53	0.67	1.00	1.60	2.44	3.05	4.25	4.80	5.60	6.78	32.16
100	0.39	0.59	0.74	1.10	1.77	2.71	3.38	4.71	5.32	6.20	7.52	35.54
200	0.43	0.65	0.82	1.21	1.94	2.97	3.71	5.17	5.84	6.81	8.25	38.85
500	0.48	0.73	0.92	1.37	2.20	3.36	4.20	5.84	6.59	7.69	9.32	43.92
1000	0.51	0.78	0.98	1.45	2.33	3.56	4.45	6.20	7.00	8.16	9.89	46.32
10000	0.63	0.95	1.20	1.79	2.87	4.38	5.48	7.63	8.61	10.04	12.17	58.72

#14

Garnand, Cathleen

From: McGolpin, Scott
Sent: Thursday, August 24, 2017 3:40 PM
To: Frye, Jon
Cc: Garnand, Cathleen
Subject: Re: Golden Inn and Villages Violation

Thanks Jon. Will call you when I get back to my desk.

*Scott D. McGolpin, PE
Director - Public Works*

*County of Santa Barbara
Public Works Department
123 E. Anapamu St.
Santa Barbara, CA 93101*

*(O) 805.568.3010
(C) 805.896.5574*

www.countyofsb.org/pwd

On Aug 24, 2017, at 15:39, Frye, Jon <Jfrye@cosbpw.net> wrote:

Flood Control conditioned the project to mitigate post-project peak stormwater runoff generated onsite to not exceed pre-project stormwater runoff. The site design accomplished this by the use of detention basins.

This condition applies to runoff created by the project site.

Flood Control never conditions a project to have to receive upstream off-site flows and detain those waters. The Subdivision Map Act doesn't give us that authority, since the project itself is not the cause of the upstream flows.

The condition letter included a condition letter that stated "The proposed drainage plan shall accommodate the offsite runoff that currently flows through the site in the existing drainage swale". What that means is that the development cannot do something stupid like build a wall across the flow of the offsite water and block it. Or fill in the existing drainage channel on the project site that conveys this offsite flow. It does not mean anything more than that.

✓ The big rub here is that during the public hearing prior to Planning Commission approval, the applicant/developer made a public statement that said they want intercept some of those offsite flows and put them into a detention basin. Why they said that I don't know, I wasn't present, but perhaps to help sell the project to the PC and the neighbors?

As a result, the PC included that promise as a condition of approval. The only problem was, P&D and the PC never informed Flood Control that they imposed this stricter Flood Control requirement. It'd be like Flood Control putting in our condition letter that the structures have to be painted purple, then not telling anyone about it. So when we reviewed the plans and studies, we only reviewed for conformance to our condition letter.

Add to that, from a plumbing standpoint, it's not a good idea to combine offsite and onsite. That's a whole other topic.

REDACTED

I plan on telling the PC on Wednesday if asked to comment that the project was designed to meet our conditions, and that if the owner offered up to detain the offsite flows, then far be it from Flood Control to let him off the hook for that. It's a promise he made and for him to keep.

Jon

Jonathan S. Frye, PE, CFM
Engineering Manager
Santa Barbara County Flood Control & Water Conservation District
130 East Victoria Street Suite 200
Santa Barbara, CA 93101
Telephone 805-568-3440
Direct 805-568-3444
FAX 805-568-3434

From: McGolpin, Scott
Sent: Thursday, August 24, 2017 3:21 PM
To: Frye, Jon; Garnand, Cathleen
Subject: FW: Golden Inn and Villages Violation

Jon and Cathleen, would you give me feedback on the below please so I can respond to this reporter?

*Thank you,
Scott*

*Scott D. McGolpin, P.E.
Director - Public Works*

*County of Santa Barbara
Public Works Department
123 E. Anapamu St.
Santa Barbara, CA 93101*

*(w) 805.568.3010
(c) 805.896.5574
(f) 805.568.3019*

*e-mail: mcgolpin@cosbpw.net
web: www.countyofsb.org/pwd*

From: Raiza Giorgi [<mailto:news@santaynezvalleystar.com>]
Sent: Thursday, August 24, 2017 3:09 PM
To: McGolpin, Scott
Subject: Golden Inn and Villages Violation

#5 pg 22

NOT IN STAFF REPORT

Eady, Dana

From: Garnand, Cathleen
Sent: Wednesday, August 09, 2017 9:05 AM
To: Eady, Dana
Subject: Golden Inn REV

Retention VS DETENTION

Dana,
I just left you a voice mail message –
The built-portion is able to meet the PCR requirements in the way it was built. That's the good news .
The not-so-good-news is that the new portion will have to meet the PCR requirements entirely within their footprint because the basin cannot be used for meeting the PCR requirements.
This is different than Flood Control for meeting the pre-project / post-project peak runoff requirements. The basin was built to detain runoff from the entire build-out. But it was not built for the entire build-out for retention requirements. Unless the engineer can show me differently (and I doubt because RRM spent fair amount of time re-assessing the basins to squeeze every last drop out of them for meeting the retention requirements), then this means this second phase will have retain the design storm somewhere upstream of the basins.

For your staff report, this should probably be clarified. For example:

This phase of the Golden Inn development must provide a Stormwater Control Plan including a drainage analysis that demonstrates how storm water runoff will be managed to meet Performance Requirements Nos. 1, 2, and 3 of the Post-Construction Requirements (R3-2013-0032). Please note that the detention basins only retain volume for the built-portion, Phase 1, not for the entire developed site. This should not be confused with the detention rate control for peak runoff, which is provided for the entire developed site within the two constructed basins.

It still sounds wonky. Feel free to edit.

Cathleen Garnand
Interim Manager
Project Clean Water
Water Resources Division Public Works Department
123 East Anapamu Street
Santa Barbara CA 93101
(805) 568-3561
www.sbprojectcleanwater.org

#17

Cathleen re no as-built plan set

Eady, Dana

From: Garnand, Cathleen
Sent: Tuesday, May 09, 2017 3:50 PM
To: Merlo, Analise
Cc: Eady, Dana; Vyeniolo, David
Subject: RE: more pictures Golden Inn

Analise. No. Actually I never do get As-Builts, not as a matter of routine. Although that is in my condition letter, I've found it just really doesn't pan out. Maybe time to reconsider that. Like I said to Dana, this is a good way to check-in on our "systems".

cathleen

From: Merlo, Analise
Sent: Tuesday, May 09, 2017 3:48 PM
To: Garnand, Cathleen
Cc: Eady, Dana; Vyeniolo, David
Subject: RE: more pictures Golden Inn

Hi Cathleen,

No, as far as I know we did not receive an as-built. Did you?

Analise

From: Garnand, Cathleen
Sent: Tuesday, May 09, 2017 3:04 PM
To: Merlo, Analise
Cc: Eady, Dana
Subject: more pictures Golden Inn

Analise,

Here's some more pictures showing the area of bioretention #16.

One point of clarification, it is only supposed to receive runoff from the parking stalls, not the entire drive aisle. I misspoke, or mistyped, saying "drive aisle" in my original email. Should say parking stalls.

But the important thing is that the parking stalls don't drain to bioretention, and the bioretention wasn't installed per plans. The landscaping should be 6" lower, but it is higher than the curb cut, and then higher toward fence line. In other words, landscaping runoff slopes into the curb cuts. Should be opposite, curb cuts drain runoff into landscaping. See attached pictures.

In hindsight, what I should have had the plans show in order to contractor, I should make sure there are little flow direction arrows, so it's really obvious the parking stalls drain to bioretention, and drive aisle to inlets. Did you end up with construction As Builts? If so did they revise Bioretention #17 on the AS Builts?

Central Coast Regional Water Quality Control Board

June 1, 2017

Scott McGolpin,
Director of Public Works
Santa Barbara County
123 E. Anapamu Street
Santa Barbara, 93101
E-mail: mcgolpin@cosbpw.net

VIA ELECTRONIC AND CERTIFIED MAIL
Certified Mail No. 7016 1370 0001 7675 9125

Dear Mr. McGolpin:

NOTICE OF VIOLATION AND WATER CODE SECTIONS 13267/13383 TECHNICAL REPORT ORDER BASED ON CENTRAL COAST WATER BOARD PARTIAL PROGRAM EVALUATION OF COUNTY OF SANTA BARBARA MUNICIPAL STORMWATER MANAGEMENT PROGRAM, WDID NO. 3 42M2000047, SANTA BARBARA COUNTY

The purpose of this letter is to communicate the violation and deficiencies identified during a partial program evaluation (Program Inspection) of Santa Barbara County's (County) Stormwater Management Program (Program) conducted on April 25, 2017, by Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff, and to identify actions the County must take to improve its Program. In addition, the Central Coast Water Board is requiring submittal of technical information, pursuant to Water Code sections 13267 and 13383, that describes the actions the County plans to take or has taken to correct identified violations and deficiencies. Central Coast Water Board staff evaluated elements of the County's implementation of Post-Construction Stormwater Management, Illicit Discharge Detection and Elimination (IDDE), and Good Housekeeping provisions of the 2013 General Permit¹, and implementation of the Central Coast Post-Construction Requirements (PCRs)². The partial program evaluation included preparation for, conduct of, and follow-up to an on-site inspection.

Central Coast Water Board staff did not examine all aspects of the County's Program and the County should not consider the results noted in this letter to be a comprehensive evaluation of all Program elements. Central Coast Water Board staff may conduct a more complete review of the County's Program or additional inspections focusing on the same or different Program elements in the future.

During the Program Inspection, Central Coast Water Board staff found a violation of permit conditions associated with implementing the following elements of the County's Program:

¹ State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ, National Pollutant Discharge Elimination System General Permit No. CAS000004, Waste Discharge Requirements for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (2013 General Permit).

² Resolution No. R3-2013-0032 Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (PCRs).

- Post-Construction Stormwater Management:
 - Implementation of Provision E.12, Post-Construction Stormwater Management Program, as required by the 2013 General Permit.
 - Implementation of PCRs

The Program Inspection findings are grouped into the following categories:

1. Program Violations – Areas where the County was out of compliance with the 2013 General Permit or PCRs.
2. Program Deficiencies – Areas where the County’s Program did not achieve the Maximum Extent Practicable (MEP) standard and could result in subsequent violations.

Program Violations

Violation 1 Violation of Provision E.12.k, 2013 General Permit for failure to adhere to PCRs Section B, Post-Construction Requirements

The County provided Central Coast Water Board staff the following information for seven projects implementing the PCRs: 1) approved Stormwater Control Plans (SWCP); 2) records used to determine which post-construction requirements apply; and 3) design documentation submitted by project proponents that include the proposed Stormwater Control Measures (SCM), design details, and design calculations used by the County to evaluate compliance with PCRs. Central Coast Water Board staff used these documents to evaluate whether County approved designs meet the PCRs and to verify construction of the SCMs.

Central Coast Water Board staff identified calculation and Stormwater Control Measure (SCM) design errors in the County approved Stormwater Control Plan (SWCP) and associated construction plans for The Golden Inn and Village. Section B.4 of the PCRs states, “The Permittee shall require Regulated Projects...that create and/or replace >15,000 square feet of impervious surface...to meet the Runoff Retention Performance Requirements in Section B.4.b. and B.4.c. using the LID Development Standards in Section B.4.d.” In addition, Section B.4.g. of the PCRs states, “The Permittee shall not grant final project approval until the [SWCP]...demonstrates the Regulated Project design meets the [PCRs].”

The Golden Inn and Village – This site does not meet PCR Performance Requirements 2 and 3 (water quality treatment and retention) because the following SCMs were not constructed according to the approved plans, and because the County approved a SWCP that contained the following calculation errors and design issues:

1. Bioretention areas 16 and 17 (roughly 2,200 sf combined) specified in the SWCP were not constructed
2. The pervious pavement system was constructed with a traditional paver block and spacing which substantially reduces infiltration (see Exhibit 1).
3. The project engineers did not properly use the County’s SCM Sizing Tool to develop the SWCP and design the SCMs, leading to improper sizing of the two retention basins
 - a. the safety factor applied when using direct infiltration (e.g. infiltration basins) was not applied, and
 - b. one drainage management area was used for the entire site.
4. The retention basins were not drawn on the construction plans to the size specified in the SWCP (see Exhibit 2)

- a. Basin 1 is drawn on construction plans with an approximately 7,570 sf surface area, contradicting page 5 of the SWCP which specifies 9,000 sf is needed to meet the PCRs
 - b. Basin 2 is drawn on construction plans with an approximately 2,700 sf surface area, contradicting page 5 of the SWCP which specifies 3,800 sf is needed to meet the PCRs
5. A “rock swale” subdrain was placed at the bottom of each basin such that the basins function as detention basins, thus substantially reducing the volume retained (see Exhibits 2 and 3).

Based on these errors, Central Coast Water Board staff finds The Golden Inn and Village project does not comply with PCR Performance Requirements 2 and 3. These issues may also lead to inaccuracies in model results presented to show compliance with PCRs and violation of Performance Requirement 4.

Action: The County must correct this violation immediately. Pursuant to Water Code Sections 13267 and 13383, the County is ordered to provide a technical report as described below.

Program Deficiencies

Deficiency 1 The County’s current mechanism used to verify implementation of the PCRs, per Section D of the PCRs, Field Verification of Post-Construction Stormwater Control Measures, is insufficient and may lead to future violation.

PCRs Section D.2 states, “Prior to occupancy of each Regulated Project, the Permittee shall field verify that the Site Design, Water Quality Treatment, Runoff Retention, and/or Peak Management controls have been implemented in accordance with these Post-Construction Requirements.” During the Program Inspection, County staff stated they rely on an “Engineer’s Certification of Approval” to verify accordance with the PCRs. Although Section D.2.a allows for third-party verification, it does not allow for self-certification. On at least two instances the County’s verification mechanism has resulted in SCMs and Site Design measures that do not comply with the PCRs.

The Golden Inn and Village – This site was not constructed in accordance with the County approved plans. The County relied on an “Engineer’s Certification of Approval” to verify the SCMs were constructed according to approved plans; however:

- 1) Bioretention areas 16 and 17 (roughly 2,200 square feet combined) specified in the SWCP were not constructed.
- 2) The pervious paver system was constructed with a traditional paver block and spacing that substantially reduces infiltration (see Exhibit 1).

The County granted a certificate of occupancy on September 23, 2016 for The Golden Inn and Village at 890 Refugio Road, Santa Ynez, California. Central Coast Water Board staff and County staff conducted an onsite inspection on April 25, 2017 and identified the missing SCMs. The “Engineer’s Certification of Approval” submitted was conducted by the same engineering company that prepared the SWCP and designed the SCMs to comply with the PCRs. Central Coast Water Board does not consider this a “third party verification.”

Based on these errors, and those stated in Violation 1, Central Coast Water Board staff finds The Golden Inn and Village project does not comply with PCR performance

Requirements 2 and 3. Although third-party verification is allowed by the PCRs, the County's mechanism used to verify compliance has led to a violation and may lead to future violation.

Kapustiak Residence – This is a new, single family residence project actively under construction at the time of the Program Inspection. In the response to Central Coast Water Board's request for records for the Program Inspection, the County listed this project as a project with less than 2,500 square feet of new and replaced impervious surfaces – the minimum impervious area that triggers the PCRs. During the Program Inspection, County staff stated the project scope changed and the applicant failed to notify the County that the impervious area was increased such that it may trigger the PCRs. It is not clear whether the County granted exemption from the PCRs because the project was approved prior to the PCRs, or because the application to the County stated less than 2,500 square feet of new and replaced impervious area would be constructed.

On November 20, 2014, the applicant submitted a Notice of Intent and permit registration documents pursuant to the Statewide Construction General Permit³ that stated the project would contain roughly 36,000 square feet of new impervious area. On April 15, 2015, the County issued a grading permit (#14GRD-00000-00155) for this site. The County issued another permit on April 3, 2017 (#17RVP-00000-00020) titled "Kapustiak New SFD." Unless discretionary/ministerial approval of project design was given prior to March 6, 2014, the new impervious surface of roughly 36,000 square feet should have triggered Performance Requirements 1 through 4 of the PCRs.

An effective mechanism used to verify compliance with the PCRs will assist in identifying changes to permits after County approval, and will ensure compliance prior to final occupancy.

Action: *The County must correct this deficiency immediately. Pursuant to Water Code Sections 13267 and 13383, the County is ordered to provide a technical report as described below.*

Deficiency 2 The County's inventory of County owned and operated facilities does not include all potential hotspots that occur at the South County General Services Yard.

2013 General Permit Provision E.11.c requires the County to, within year three, "Conduct an annual review and assessment of all municipally owned or operated facilities to determine their potential to impact surface waters." The County has inventoried and assessed its facilities pursuant Provisions E.11.b and E.11.c, and has developed and implemented Stormwater Pollution Prevention Plans (SWPPPs) pursuant Provision E.11.d ahead of schedule for the facilities the County considers hotspots. The County did not consider the South County General Services Yard to be a hotspot, even though pollutant generating activities occur and are likely to continue. This is a deficiency because the County was not planning to develop a SWPPP for this facility based on their assessment. Activities conducted throughout the entire parcel have potential to generate pollutants. For example, during the onsite inspection, Central Coast Water Board staff identified vehicle and equipment cleaning, road sand storage, and improperly stored materials and waste including rusting/chipping pipes and what appeared to be asbestos piping (see Exhibit 4).

³ National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity, State Water Resources Control Board Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ.

The County should consider this entire parcel a hotspot given the intensity of use, potential for materials to migrate out of the covered areas and work bays, and potential for hazardous materials to be spilled.

The South County Fleet Services (i.e. "garage"), operates within the South County General Services Yard. Central Coast Water Board staff identified evidence of waste oil leakage and/or past spillage possibly due to improper maintenance of the 550-gallon waste oil container at the rear of the garage (Exhibit 5). The SWPPP for the garage mentions the container itself as a best management practice; however, the SWPPP does not state any frequency of inspection/maintenance, pump-out procedures and/or frequency of cleaning that should occur to ensure the container functions properly and is not a pollutant source. In addition to addressing the inspection/maintenance schedule, to minimize this pollutant source, the tank should have a permanent cover to prohibit contact with rainfall.

Action: *To correct this deficiency, the County must, pursuant 2013 General Permit Provision E.11.d, update/develop a SWPPP that covers all activities conducted on this parcel/facility. The County must upload along with its 2017 Annual Report due on October 15, 2017, the updated SWPPP to the Stormwater Multiple Application & Report Tracking System.*

Technical Report per Water Code Sections 13267 and 13383

Pursuant to Water Code Sections 13267 and 13383, **the County is ordered to provide a technical report by August 30, 2017** containing the following:

1. In response to Violation 1 and Deficiency 1, for the following projects, provide documentation that: 1) specifies which post-construction requirements were applied and why, 2) verifies the project designs meet the applicable post-construction requirements, and 3) verifies that SCMs were constructed according to plans and function properly; for projects that do not meet the applicable post-construction requirements, describe corrections that were made/will be made and when, or describe the plan to mitigate for lost treatment, retention, and peak flow capacity where no corrections are proposed:
 - a. The Golden Inn and Village
 - b. Kapustiak Residence
2. In response to Deficiency 1, describe and establish an effective mechanism to verify all post-construction measures are properly designed, constructed, and functioning prior to occupancy.

Next Steps and Consequences of Violations

The violations cited above may subject you to enforcement by the Central Coast Water Board for every day the violations continue. The County must work to remedy these violations immediately. In making the determination of whether and how to proceed with further enforcement action, the Central Coast Water Board will consider your responses to the required technical report described above, the time it takes to correct the identified violations/implement the actions listed above, and the sufficiency of the corrections/actions.

In accordance with California Water Code section 13385(a), the County's violations of the General Permit as described in this Notice of Violation subjects the County to civil liability. Pursuant to Water Code section 13385(c), the Central Coast Water Board may impose civil liability for up to \$10,000 per day for each violation. If the Central Coast Water Board elects to refer the matter to the Attorney General, the superior court may impose civil liability for up to \$25,000 per day for each violation (Water Code 13385(b)).

The violations documented in this Notice of Violation support the requirement to provide the Technical Report by **the dates indicated**. The report is necessary for the Central Coast Water Board to determine compliance with the 2013 General Permit. The report is also necessary to determine the potential or actual harm to human health or the environment from non-compliance. The burden, including costs of the report, bears a reasonable relationship to the need for the reports and the benefits to be obtained from them.

Failure to comply with the requirement to submit the Technical Report made pursuant to Water Code section 13267, subdivision (b), may result in administrative civil liability pursuant to Water Code section 13268 up to \$1,000 per day. Pursuant to Section 13385 of the Water Code, a violation of a Water Code Section 13383 requirement may subject you to civil liability of up to \$10,000 per day for each day in which the violation occurs.

Any person aggrieved by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the order, except that if the thirtieth day following the date of the order falls on a Saturday, Sunday, or state holiday, the petition must be received by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Conclusion

Central Coast Water Board staff identified violations and deficiencies in the County's program during a partial program evaluation conducted on April 25, 2017. The County must address the violations and deficiencies cited in this letter and respond by taking the required actions and submitting the required technical report. Central Coast Water Board staff is available to continue working with the County to assess its correction of the violations and to facilitate its implementation of a stormwater program that complies with the General Permit, is increasingly effective at reducing the discharge of pollutants to the maximum extent practicable, and protects water quality. We credit the County's success in implementing the PCRs to the substantial effort the County dedicated to integrating the Post-Construction Requirements into the County's codes and business practices. Central Coast Water Board staff recognizes the County's efforts to comply with the General Permit and protect water quality.

Please direct questions or comments pertaining to this letter to **Lucas Sharkey** at **805-594-6144** or via email at **Lucas.Sharkey@waterboards.ca.gov**, or Dominic Roques at (805) 542-4780.

Sincerely,

Michael J. Thomas
Assistant Executive Officer

Enclosure:
Exhibits

Cc (by email): with Enclosure

Cathleen Garnand, County of Santa Barbara,
Dominic Roques, Central Coast Water Board,
Lucas Sharkey, Central Coast Water Board,
Todd Stanley, Central Coast Water Board,

cgarnan@cosbpw.net
Dominic.Roques@waterboards.ca.gov
Lucas.Sharkey@waterboards.ca.gov
Todd.Stanley@waterboards.ca.gov

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Report\2016-11-22_SW_Cnty_of_Santa_Barbara_MS4_Program_NOV_final.docx

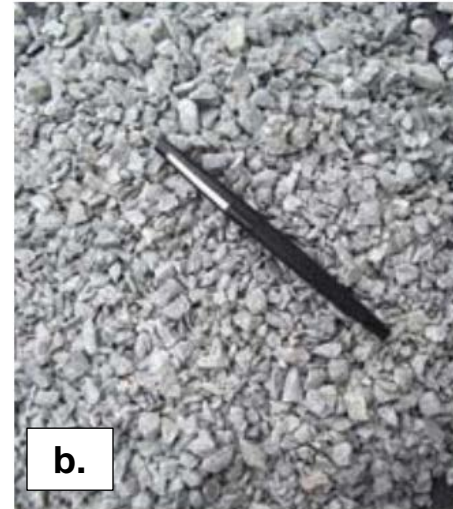
EXHIBITS

Figure 4. No 8. bedding material and joint material. Finer gradations may be used such as No. 89, 9 or 10. Sand is never used.

Exhibit 1. The Golden Inn and Village – Detail 5 on Sheet LC-6 of the August 25, 2016 Arcadia Studio Construction Details, specified a 1/2 inch gap between paver blocks filled with ASTM No. 8 aggregate (generally between 3/8 -inch and 1/4 -inch washed stone). The pavers were not constructed with sufficient gap (Photo a.), and used fine sand to fill the gaps instead of the specified jointing material (Photo b, Credit: Rob Burak, 2007, *Construction of Bases for Permeable Interlocking Concrete Pavements – Part 1*). A reduced spacing filled with sand inhibits the ability for infiltration and has high potential for clogging and failure. Traditional paver blocks set in this formation are not considered permeable pavement because they do not readily infiltrate stormwater.

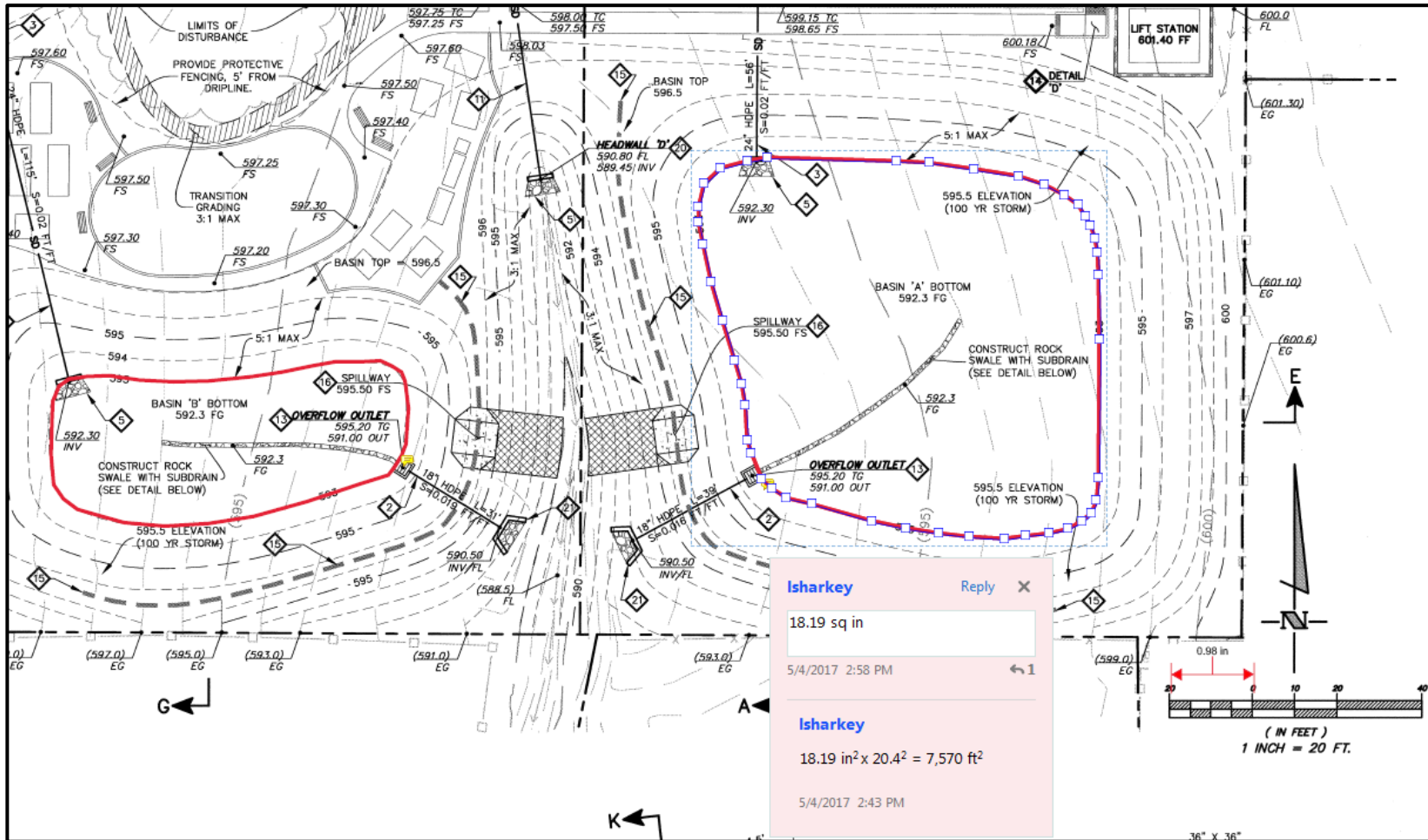


Exhibit 2. Golden Inn and Village - The areas of the two basins as drawn to scale on Sheet C-5.2 (Basin 1 = 7,570 SF and Basin 2 = 2,746 SF) are smaller than that calculated in the August 18, 2015 SWCP prepared by RRM Design Group (Basin 1 = 9,013 SF and Basin 2 = 3,808 SF). The “rock swale with subdrain” specified in the plans, substantially reduces the retention volume of the two basins.

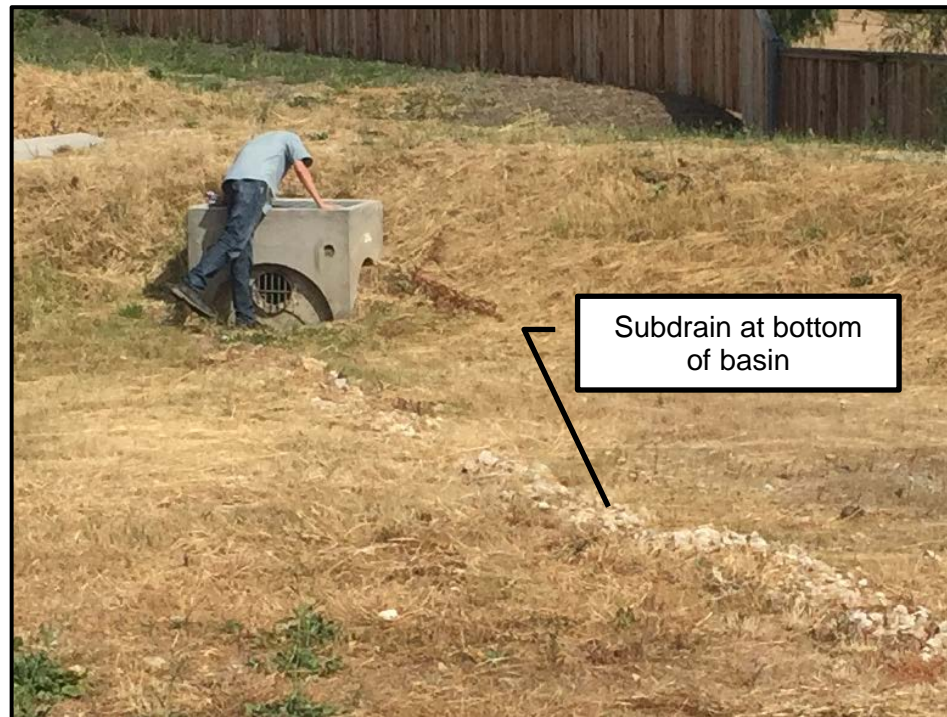
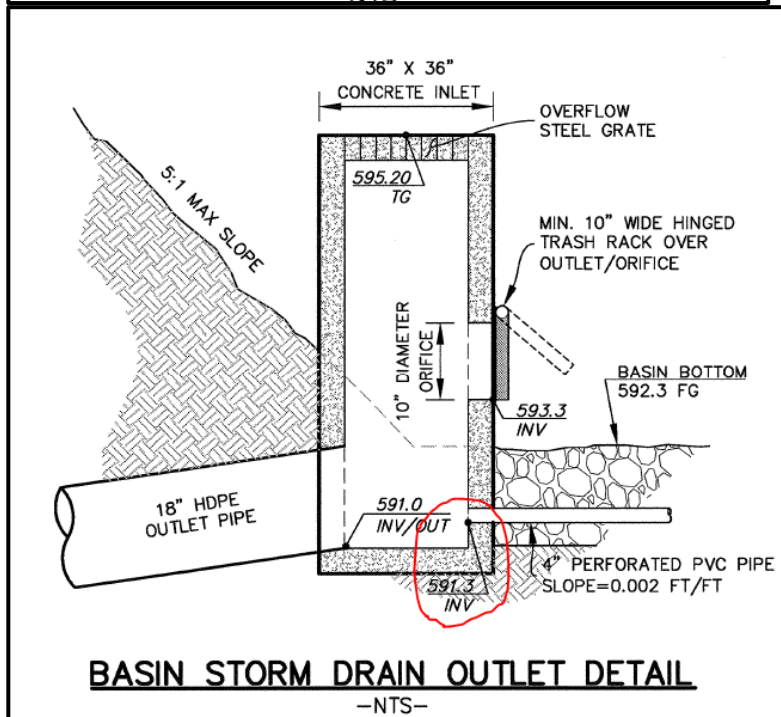
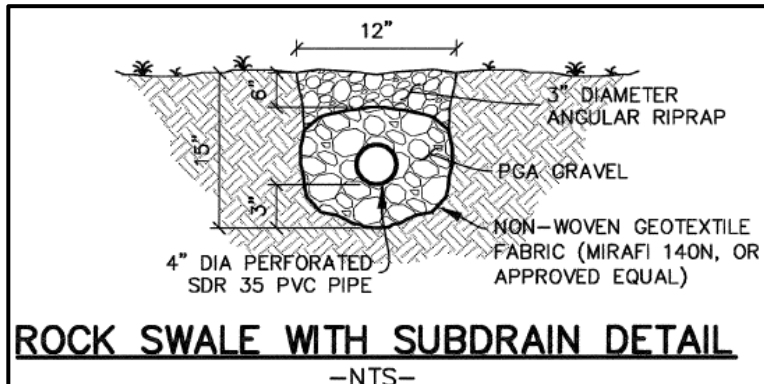


Exhibit 3. Golden Inn and Village - The retention basin was not designed and constructed to function as a retention basin. The 4-inch perforated PVC pipe in the rock swale subdrain (see Rock Swale With Subdrain Detail, Sheet C-5.2) at the bottom of the basin, allows the retention capture volume to leave the basin through the bypass structure (see Basin Storm Drain Outlet Detail, Sheet C-5.2, and photo).



Dedicated to helping seniors in need with affordable housing & care services.

September 18, 2017

Board of Directors

Susan Weber
V.P. & Treasurer

Steve Reden
Secretary

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Fred Rice
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Founder, President & CEO

Rona Barrett

Chairman Emeritus
William A. Trowbridge
(deceased)

Santa Barbara County Planning Commission
c/o Dana Eady, Planner
County of Santa Barbara
Development Review Division
624 W. Foster Rd., Ste. C
Santa Maria, CA 93455

Re: Golden Inn and Village
Case No. 17AMD-00000-00002

Dear Dana,

It was brought to our attention that at the recent Planning Commission Hearing regarding The Golden Inn and Village Commissioner St. John requested information regarding the Proposed Amendment to the Development Plan for the Assisted Living and Memory Care Project at The Golden Inn, Case No. 17AMD-00000-00002.

The Rona Barrett Foundation is working with a potential not for profit operator / partner and our Architect, Hochhauser Blatter, to further refine our design. These refinements will also address the comments and suggestions we received from CBAR at our last presentation to them.

The overall project statistics will be consistent with our latest submittal, with regard to:

- Building area (1st & 2nd Floors) – 46,591 SF *36,991 approved*
- Basement Storage area – 1,181 SF
- Number of beds – 60
- Building height – 2 stories, 31'-6" *27' approved*
- Parking – 37 spaces

Handwritten calculations:
 46,591
 1,181

 47,772

36,991

In addition, the road and parking layout, the building setbacks from Refugio Road and State Highway 246, and the separation between the Assisted Living / Memory Care building and the existing residential buildings will remain consistent with the original approved design.

Handwritten calculations:
 46,591
 36,991

 96,000
 1,181

 10,781

The Rona Barrett Foundation is a 501(c)(3) organization Tax ID# 77-0555412.
This letter is a receipt for your tax-deductible donation.
No goods or services were exchanged for this contribution.

Phone: 805.688.8887
Fax: 805.688.2777
P.O. Box 1559
Santa Ynez, CA 93460

www.ronabarrettfoundation.org
info@ronabarrettfoundation.org
facebook.com/ronabarrettfoundation



#19

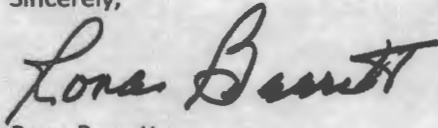
The request for additional building area is primarily to accommodate a "neighborhood" based design that will enhance the quality of life for residents and foster a more intimate social setting that is particularly important to residents who have cognitive challenges and to those more limited in mobility. It will also allow more flexibility with regard to activities and health and wellness programs as they will be more centered within the neighborhood.

The number of occupants approved under the Development Plan is unchanged and the increased square footage will not impact the bases of the original project approval.

We are very enthusiastic about the progress we have made to date, and we look forward to bringing this project back to staff and the CBAR for their review. The Rona Barrett Foundation remains committed to seeing this very important and much needed project come to fruition.

Please feel free to contact me should you have any questions or concerns.

Sincerely,



Rona Barrett
Founder & CEO

The Rona Barrett Foundation is a 501(c)(3) organization Tax ID# 77-0555412.
This letter is a receipt for your tax-deductible donation.
No goods or services were exchanged for this contribution.

Eady, Dana

From: Plowman, Lisa A. [maplowman@rrmdesign.com]
Sent: Thursday, July 20, 2017 5:35 PM
To: Russell, Glenn
Cc: Wilson, Jeffrey; Mason, Steve; John Polanskey; Larry Deese (larrydeese@HASBARCO.ORG); Eady, Dana
Subject: Golden Inn and Village Stormwater

Follow Up Flag: Follow up
Flag Status: Completed

Dear Glenn,

We are in the process of preparing a letter for Dana Eady that discusses the issue regarding detention off-site stormwater from the YMCA on-site for the Lucky Lane residents. Below is an excerpt from our draft letter:

“At the time the Golden Inn and Village was going through the entitlement process in 2014, the neighbors along Lucky Lane approached the Housing Authority and asked them if they could do anything to address the stormwater coming from the development north of Highway 246. They had noticed an increase since the development of the YMCA and during large storm events their existing culvert (approximately 18 inches) could not accommodate the stormwater. As a result, the water would flow over the top of Lucky Lane.

The Housing Authority was open to investigating a way to detain some of the off-site stormwater to help the neighbors and even discussed this at the Planning Commission hearing. However, as the civil engineer further investigated this potential detention it became clear that this was not something that would be supported by County Flood Control and was in fact against their policy. As a result, detention of off-site stormwater was not accommodated within the Golden Inn detention basins.

However, it should be noted that the existing conditions were improved for Lucky Lane residents through the improvements made to the existing channel. These improvements include a widening of the channel and the installation of a step at the inlet which was requested by the Army Corps of Engineers. These improvements were intended to decrease the velocity of the stormwater as it traverses the Golden Inn Site. “

In our meeting on June 16, 2017, you mentioned that P&D could obtain something in writing from Flood Control regarding this policy we reference above. We think this would be helpful for the Planning Commissioners as they review the issues that could arise during the hearing in August on the Development Plan Revision.

Please let me know if you have any question.

Best,
Lisa



LISA PLOWMAN
Planning Manager
10 East Figueroa Street, Suite 1
Santa Barbara, CA 93101
(805) 963-8283
rrmdesign.com



Mark Brooks

From: Nancy Emerson <fnemerson@comcast.net>
Sent: Tuesday, June 20, 2017 2:17 PM
To: John Polansky; Bob Havlicek; Dana Eady; Elizabeth Farnum
Subject: Golden Village Inn Lighting that Faces Lucky Lane Residents
Attachments: LED_s and Over-lighting.pdf; Streetlights on Highway 246 and feeder streets.docx

Dear John, Bob, Dana and Mark/other Lucky Lane residents,

On June 6, 2017 I did a 8:30 - 9:15 p.m. site visit to the Brooks residence and back yard and Golden Inn and Village's interior street at its south end. I read a new article on overlighting and LEDs (attached) and Bob Havelicek's June 16 letter to the neighbors on Lucky Lane. Now I am responding for the Save Our Stars Committee of WE Watch about the lighting issues affecting the residents of Lucky Lane since Golden Inn and Village opened in early Fall 2016.

It is difficult for anyone not living on Lucky Lane to fully appreciate the **nightly, negative** impact on a dark neighborhood of the new lighting at Golden Inn and Village. And the longer one is stressed, the greater the difficulty with light trespass. All of us share responsibility for not promptly recognizing the extent of the light trespass problems they were facing and that includes me. My early daytime visit to look at the fixtures resulted in me thinking that because the light source was recessed (full cutoff), the interior streetlight should be ok. Once I visited the Golden Inn and Village at night, I began seeing problems, but not until June 6 did I pick up the glow from the two story building. I appreciate the several night time visits John has made to the development and along Lucky Lane for HASBARCO.

It seems to me that we are dealing with an issue where all of the involved parties wanted dark sky friendly outdoor lighting. However, none of us, other than the homeowners, realized what the unintended consequences of lighting choices were until well after the lighting had been installed. Everyone is dealing with a relatively new lighting technology (LEDs). We are learning that overlighting is too often the unintended result of using energy efficient LEDs. There are problems with the potentially useful directionality feature of LEDs. Another unintended consequence resulted from the decision to use 20 foot streetlight poles after noting height of existing lighting on three sides of the Highway 246-Refugio intersection. The height of the YMCA and the SYV Christian Academy fully shielded lighting did not impact the neighborhood because fixtures did not use LEDs. Neither did the high school's non-conforming entry and security lighting. However, like neighborhoods all over the Valley, it does experience skyglow when the stadium lights are lit. Funds were initially allocated for replacing the field's non-LED sports lighting with specially designed dark sky friendly fixtures. Unfortunately, those funds were needed for unexpected expenses and no funds are yet available for this project. Skyglow makes it harder to see the stars and wastes energy but light trespass directly and negatively impacts people's lives.

Dimming the onsite LED streetlights and modifying the fence are two mitigations that have been immediately helpful to Lucky Lane homeowners and are appreciated by them. Planting of new trees and shrubs along fence is good and will help eventually if plants are evergreens and grow taller than the fence.

I think all of us in the Valley appreciate how important the Golden Inn and Village is for Valley residents and other eligible persons in our county. In fact Lucky Lane homeowners did not act like NIMBYs but supported this project though they realized it would change their neighborhood. We all recognize that the Assisted Living and Memory Care units are needed and must be built as soon as possible. They involve complex funding, timelines and requirements. It is in everyone's interest to deal effectively with Lucky Lane's continuing light trespass problems:

- * Overlighting and directionality problems of LEDs in full cutoff streetlights located on the southern interior street next to the two story building. I think street's family housing is not a problem.
- * Overlighting of LEDs in above building's interior central hall lights and outdoor uplight over entry
- * Playground light fixtures
- * LED streetlights on Refugio

Because the fence and the homes' back yards and windows are lower than the streetlights, a rim of light is still seen around the streetlights but this is not a major problem. The most serious problem results from the LEDs as described in paragraph 3. Along the interior street, the two story building is being bathed in light from its streetlights. These, coupled with 1 small uplight over the entry and the very intense interior LED lights along the entry hall, cause a reflected glow, almost like daylight. It makes the two story building a looming presence in their homes and yards. It may be negatively impacting residents in the apartments, too. Another irritant is intense intermittent light from parked vehicles with lighted headlights facing toward their homes. The lights of a large pickup truck parked in the family housing lot shone into the Brooks backyard during much of my site visit.

So, what do I recommend?

1. Ask the lighting engineer to consult with the manufacturer about the intensity and directionality of the LEDs in the streetlight. I think LED directionality problems can be corrected and are the responsibility of the manufacturer and/or the lighting engineer.
2. Reduce overlighting in interior hall fixtures. The uplight on the entry is not needed, is non-conforming and should be removed.
3. Why is there a street light and bollard sidewalk lighting in the children's playground? I see no reason to light that area as children should not be using the equipment at night. If it is lit for pet owners, for public health reasons they should not walk their dogs in a children's play area. I would remove this lighting, eliminating light trespass.
4. I understand why County Planning added a requirement of streetlights near the high school-Highway 246-Refugio intersection. However, I think 3 high intensity streetlights with no glass lens in less than 1/2 block is overlighting for this neighborhood. Too much light results in less safety for pedestrians and more light trespass on Lucky Lane. Any streetlights should be the same intensity and have a glass lens like the excellent CALTRANS Highway 246-Refugio Road intersection lights. I would suggest that the middle street light is sufficient. (See attached list of streetlights on feeder streets to Highway 246 between Alamo Pintado in Solvang and Meadowvale on east end of Santa Ynez. None of them approach the density or intensity of these streetlights.
5. Request that vehicle owners turn off engines and headlights as soon as they park.)

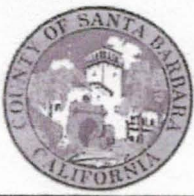
It is important that lighting engineers and government agencies remember that the Santa Ynez Valley is a rural area, not a brightly lit city like Santa Maria or Lompoc. Using the Lighting Zone designations of the Model Outdoor Lighting Ordinance developed by the Illuminating Engineering Society, North America (IESNA) and the International Dark Sky Association (IDA), Santa Ynez and its neighborhoods would be classified, within a scale of LZ0-LZ4, as:

"LZ1: Low ambient lighting: Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.

Or LZ2: Moderate ambient lighting: Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline."

Hoping that everyone's needs can be met satisfactorily and trust levels restored,

Nancy Emerson, Chairperson, Save Our Stars Committee



Planning and Development

NOTICE OF SUBMITTAL OF COMPLETE APPLICATION FOR REVISION-DISCRETIONARY

This may affect your property. Please read.

Notice is hereby given that an application for the project described below has been submitted to the Santa Barbara County Planning and Development Department. This project requires the approval of a Revision-Discretionary by the County PC.

To receive additional information regarding this project, and/or to view the application and plans, please contact Dana Eady at 624 West Foster Road, Suite C, Santa Maria, 93455, by email at dcarmich@co.santa-barbara.ca.us, or by phone at (805) 934-6266.

PROPOSAL: THE GOLDEN INN & VILLAGE PARKING LOT LIGHTING REVISION

PROJECT ADDRESS: 890 Refugio RD, Santa Ynez, CA 93460

3rd SUPERVISORIAL DISTRICT

CASE NUMBER: 17RVP-00000-00046 APPLICATION FILED: 5/5/2017

ASSESSOR'S PARCEL NUMBER: 141-380-045 141-380-046 141-380-047

ZONING: PI

PROJECT AREA: 7.32 acres

PROJECT DESCRIPTION:

- o Applicant: Lisa Plowman, Agent
- o Proposed Project:

The Housing Authority of the County of Santa Barbara is requesting to revise the approved Golden Inn and Village project to permit the installation of 25 parking lot lights with a maximum height of 20 feet. The approved project allowed for installation of 44 parking lot lights with a maximum height of 8 feet. **No other changes to the approved project are requested as a part of the revision.**

REVIEW AUTHORITY:

This project is under the jurisdiction of the County PC who will either approve, approve with conditions, or deny the project.

An additional notice of a public hearing or pending action by the County PC regarding this project will be mailed a minimum of 10 days prior to the public hearing or pending action.

ADDITIONAL INFORMATION:

Information about this project review process may also be viewed at:

<http://www.sbcountyplanning.org/permitting/>

COUNTY OF SANTA BARBARA
CENTRAL BOARD OF
ARCHITECTURAL REVIEW

NOTICE OF PUBLIC HEARING

CASE NUMBER: **16BAR-00000-00118**
DATE OF HEARING: **JULY 8, 2016**
MEETING BEGINS: 9:15 A.M.
LOCATION: SOLVANG MUNICIPAL COURT
1745 MISSION DRIVE, SUITE C
SOLVANG, CA 93463
SUBJECT: HOUSING AUTHORITY OF THE COUNTY OF SANTA
BARBARA SIGNAGE AND LIGHTING

*The Representatives of the following items should be in attendance at this CBAR Meeting
by 9:30 A. M.*

Housing Authority of the County of Santa Barbara

16BAR-00000-00118

Signage and Lighting

Santa Ynez

16AMD-00000-00007/ 16CUP-00000-00011 (Dana Eady, Planner)

Jurisdiction: DVP

Request of RRM Design Group, Bonnie Sangster, agent for the applicant, Housing Authority of the County of Santa Barbara, Larry Deese, to consider Case No. 16BAR-00000-00118 for **conceptual, preliminary and final approval of a monument sign of approximately 18 square feet and site lighting including 20 foot light pools**. The following structures currently exist on the parcel: 60 Independent Senior Apartment Buildings, 28 Family Apartments (in construction) and 60 Assisted Living Apartments (future construction.) The proposed project will not require grading. The property is a 7.3 acre parcel zoned DR & PI and shown as Assessor's Parcel Numbers 141-380-045, -046, -047, located at **890 North Refugio Road** in the Santa Ynez area, Third Supervisorial District.

Anyone interested in this matter is invited to appear and speak in support or in opposition to the projects. Written comments are also welcome. All letters should be addressed to Planning and Development, Central Board of Architectural Review, Attention: Hearing Support, 123 E. Anapamu Street, Santa Barbara CA 93101.

Maps and/or staff analysis of the proposals may be reviewed at Planning and Development, 123 E. Anapamu Street, Santa Barbara, or 624 W. Foster Road, Suite C., Santa Maria, a week prior to the public hearing.

For further information, please contact the Planner Dana Eady at (805) 934-6266, or the CBAR secretary, Anita Hodosy-McFaul, at (805) 884-6833 or via FAX at (805) 568-2030.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Central Board of Architectural Review Board prior to the public hearing.

PLEASE NOTE: This is the only notice you will receive regarding this project coming before the Central BAR. Please notify Hearing Support Staff at (805) 884-6833 if you would like to be notified of subsequent meetings regarding this project.

VII. CONFLICT OF INTEREST BIENNIAL REVIEW 2016: Table to the next CBAR meeting.

VIII. STANDARD AGENDA:

- Housing Authority of the County of Santa Barbara**
- 1. 16BAR-00000-00118 Signage and Lighting Santa Ynez**
16AMD-00000-00007/ 16CUP-00000-00011 (Dana Eady, Planner) Jurisdiction: DVP
 Request of RRM Design Group, Bonnie Sangster, agent for the applicant, Housing Authority of the County of Santa Barbara, Larry Deese, to consider Case No. 16BAR-00000-00118 for **conceptual, preliminary and final approval of a monument sign of approximately 18 square feet and site lighting including 20 foot light pools.** The following structures currently exist on the parcel: 60 Independent Senior Apartment Buildings, 28 Family Apartments (in construction) and 60 Assisted Living Apartments (future construction.) The proposed project will not require grading. The property is a 7.3 acre parcel zoned DR & PI and shown as Assessor's Parcel Numbers 141-380-045, -046, -047, located at **890 North Refugio Road** in the Santa Ynez area, Third Supervisorial District.
ACTION: Brady moved, seconded by Clough and carried by a vote of 4 to 0 (Miller-Fisher and Lash absent, Erickson abstained) to grant preliminary and final approval of 16BAR-00000-00118.
- 2. 13BAR-00000-00262 Sierra Madre Farms/Wagner New Tier II Winery Buellton**
16ZCI-00000-00026 (Dana Eady, Planner) Jurisdiction: Development Plan
 Request of Urban Planning Concepts, agent and Talyor/ Lombardo, Tom Taylor architect for the owner, John Wagner, to consider Case No. 13BAR-00000-00262 for **final approval of a new Tier II Winery of approximately 17,380 square feet.** The following structures currently exist on the parcel: Alma Rosa tasting room of approximately 800 square feet and adobe structure of approximately 200 square feet and four residences. The proposed project will require approximately 5,760 cubic yards of cut and approximately 6,260 cubic yards of fill. The property is a 101.66 acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 083-170-015, located at **7250 Santa Rosa Road** in the Buellton area, Third Supervisorial District. (Continued from 1/10/14, 2/14/14, 3/14/14, 4/08/16 & 6/10/16)
 Public Comment: Nancy Emerson
COMMENT:
 • **Lighting and signage are acceptable.**
ACTION: Donovan moved, seconded by Erickson and carried by a vote of 4 to 0 (Miller-Fisher and Lash absent, Wright abstained) to grant final approval of 13BAR-00000-00262.
- 3. 16BAR-00000-00103 DS Ranch, LLC Farm Employee Dwelling Los Alamos**
16LUP-00000-00248 (Nereyda Montano, Planner) Jurisdiction: Ridgeline - Rural
 Request of Jones & Jones, LLP, Brett Jones, agent for the owners, DS Ranch, LLC, to consider Case No. 16BAR-00000-00103 for **conceptual review, preliminary and final approval of a farm employee dwelling of approximately 1,667 square feet.** The following structures currently exist on the parcel: 7 structures including main residence and agricultural structures totaling 27,346 square feet. The proposed project will require approximately 42 cubic yards of cut and approximately 141 cubic yards of fill. The property is a 122.36 acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 133-100-050, located at **9945 Alisos Canyon Road** in the Los Alamos area, Third Supervisorial District.
COMMENT:
 • **Well planned**
ACTION: Brady moved, seconded by Donovan and carried by a vote of 4 to 0 (Miller-Fisher and Lash absent, Erickson abstained) to grant preliminary and final approval of 16BAR-00000-00103.

**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: **Board of Architectural Review**
Attn: Nicole Lieu, Planner

FROM: **Dana Eady, Planner**

DATE: **July 6, 2016**

RE: 16BAR-00000-00018, 16AMD-00000-00007, 16CUP-00000-00011
HACSB Signage and Lighting (Golden Inn & Village)
APNs 141-380-045, -046, -047/ 890 N. Refugio Road, Santa Ynez

Preliminary review indicates that the project complies with all of the requirements of the DR & PI zones and is compatible with the requirements of the Land Use Development Code and the policies of the Comprehensive Plan including the Santa Ynez Valley Community Plan.

This project may proceed for:

- | | |
|-------------------------------------|---------------------|
| <input checked="" type="checkbox"/> | CONCEPTUAL |
| <input checked="" type="checkbox"/> | PRELIMINARY |
| <input type="checkbox"/> | REVISED PRELIMINARY |
| <input type="checkbox"/> | PRELIMINARY/FINAL |
| <input checked="" type="checkbox"/> | FINAL |

APPROVAL by your board.

Background Information:

The Golden Inn and Village project was approved by the Santa Barbara County Board of Supervisors in 2013. The project description and environmental review completed for the project indicate that the light poles installed throughout the project site would be a height of 8 feet. The plans approved by the CBAR show the light poles at a height of 8' to 14'. Following project approval, it was determined that in order to meet the IESNA parking lot lighting recommendations, a significant number of eight foot poles would be required. In addition, the plan using eight foot poles would result in a greater potential for lighting trespass. As a result, the applicant installed a smaller number of light poles at a height of 20 feet. Staff is currently processing an amendment to the approved development plan for the change in height of the light poles. CBAR review and approval is required prior to approval of the amendment. The

applicant is also proposing to install a new 18 sq. ft. entry monument sign which is also included for review.

Project Description:

Request of RRM Design Group, Bonnie Sangster, agent for the applicant, Housing Authority of the County of Santa Barbara, Larry Deese, to consider Case No. 16BAR-00000-00118 for **conceptual, preliminary and final approval of a monument sign of approximately 18 square feet and site lighting including 20 foot light poles.** The following structures currently exist on the parcel: 60 Independent Senior Apartment Buildings, 28 Family Apartments (in construction) and 60 Assisted Living Apartments (future construction.) The proposed project will not require grading. The property is a 7.3 acre parcel zoned DR & PI and shown as Assessor's Parcel Numbers 141-380-045, -046, -047, located at **890 North Refugio Road** in the Santa Ynez area, Third Supervisorial District.

Any revisions to the project plans and any additional information regarding this project should be directed to my attention for further review of project consistency. An amendment to this notice will then be returned to your Board. Additional conditions may be applied to the project at the Land Use Permit phase if additional information indicates a need to condition the project to achieve consistency with policies. **Final permit approval is subject to my review.**

c: Case File (to Planner)
Anita Hodosy, P&D

G:\GROUP\PERMITTING\Case Files\AMD\16 Cases\16AMD-00000-00007 Golden Inn\BAR Memo 7-6-15.docx

Activity Summary

Status Date

Comment: Received a complaint regarding the parking lot lights being installed that are 20 feet tall. Begin research. Review conditions - the conditions state 8 feet tall light standards in the parking area.

3/9/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.0 Analise Merlo

Comment: Review building plans which show the light standards at 20 feet. Site visit to look at lights. Met with Brian Balyardt (project super). Discussed lighting. Drove around site and took photos. Drive time.

Meeting with John Z. to discuss complaint. He required that I research case more, including SCD. Call to Dana to discuss case. No revision was made to the light standards. Should be 8 feet... but the plans show 20 feet. She requested I pull the BAR plans (who approved the lights).

3/10/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.2 Analise Merlo

Comment: Research regarding lighting. Call to Dana. Meeting with John Z.

3/11/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.0 Analise Merlo

Comment: Review building plans which show the light standards at 20 feet. Site visit to look at lights. Met with Brian Balyardt (project super). Discussed lighting. Drove around site and took photos. Drive time.

Meeting with John Z. to discuss complaint. He required that I research case more, including SCD. Call to Dana to discuss case. No revision was made to the light standards. Should be 8 feet... but the plans show 20 feet. She requested I pull the BAR plans (who approved the lights).

3/11/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.0 Analise Merlo

Comment: Research lighting issue. Looked for BAR plans in shed and back office (boxes). None found. Meeting with Josie and Star to pull BAR plans. Research old emails and Dana's LUP electronic file. Printed info for PMC file. Meeting with John Z.

3/11/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: -2.0 Analise Merlo

Comment: Inspection notes for incorrect date. Inspection completed on 03/09/2016. Removed hours.

3/14/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.8 Analise Merlo

Comment: Research lighting height issues. Pulled Building plans. Meeting with Beth. Pulled grading/improvement plans. Meeting with David V.

3/15/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.0 Analise Merlo

Comment: Research lighting height complaint. Research all Dana's files for CBAR stamped set. Research for ZCI issued - could not find. Meeting with John Z.

3/17/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.4 Analise Merlo

Comment: Extensive research. Found ZCI issued by Dana. Call to Dana. Found CBAR stamped set of plans with lighting. Meeting with John Z. Copies. Email to management. Management's direction to require the 8 foot light poles requested that I let the applicant know. Email sent to Bonnie Sangster, Project Manager with RRM and Brian Galyard with ProWest (construction manager) stating:

After research and follow-up discussions with P&D management regarding the allowable height of the light fixtures, the conditions of approval and environmental document require the light fixtures be 8 feet tall. Therefore, the department will require the recently installed 20+ feet lights posts be replaced with 8 foot light posts.

Call and phone meeting with Bonnie and electrical engineer. Stated the lights need to be 8 feet - unless they obtain a revision/ammdment to the conditions.

3/22/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 0.3 Analise Merlo

Comment: Research and email sent to management regarding lighting.

3/24/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.5 Analise Merlo

Comment: Request from management to research all CBAR hearings and listen to tapes. Emails from management regarding the number of lights and requested copies of the CBAR plans and the Building plans. Research and printed all CBAR minutes. Listened to most of the hearing tapes.

3/25/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.3 Analise Merlo

Activity Summary

Status Date

- 8/26/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.2 Analyse Merlo
 Comment: Email from Jon Fry stating that the rip wrap will need to be removed from the waste. Research and email to Will asking about trail. Email received from Will that trail and lights needed in ROW. Email to Brian - general to get info on trail and lights. Research other existing clearance issues.
- 9/12/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.5 Analyse Merlo
 Comment: Extensive meeting regarding potential occupancy clearance and following research.
- 9/13/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.5 Analyse Merlo
 Comment: Meetings and research regarding occupancy issues.
- 9/14/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.5 Analyse Merlo
 Comment: Meetings, emails, complaints, and phone calls regarding occupancy clearance issues.
- 9/15/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 4.0 Analyse Merlo
 Comment: Extensive site visit and drive time. Meetings, emails, complaints, and phone calls regarding occupancy clearance issues.
- 9/19/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 0.5 Analyse Merlo
 Comment: Meetings, emails, complaints, and phone calls regarding occupancy clearance issues.
- 9/20/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.5 Analyse Merlo
 Comment: Meetings, emails, complaints, and phone calls regarding occupancy clearance issues.
- 9/21/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.5 Analyse Merlo
 Comment: Meetings, emails, complaints, and phone calls regarding occupancy clearance issues.
- 9/23/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 4.0 Analyse Merlo
 Comment: Extensive site visit and drive time. Meetings, emails, complaints, and phone calls regarding occupancy clearance issues.
- 9/23/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 2.5 Analyse Merlo
 Comment: Extensive site visit and drive time. Meetings, emails, complaints, and phone calls regarding occupancy clearance issues.
- 9/23/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: -4.0 Analyse Merlo
 Comment: Wrong date. Removed 4.0 hours from this date and placed on 09/15/2016.
- 9/26/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.5 Analyse Merlo
 Comment: Occupancy clearance issues/questions/review.
- 10/11/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 0.2 Analyse Merlo
 Comment: Request from management for a status on the project. Prep for meeting tomorrow- cleaned file.
- 10/12/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 0.1 Analyse Merlo
 Comment: Meeting and update to management regarding status.
- 10/13/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 4.2 Analyse Merlo
 Comment: Prep and onsite meeting regarding occupancy clearance. Conditional occupancy clearance given with notes on the building job card. Also completed Accela updates to the building permits stating - Conditional occupancy clearance signature today with the following items to be completed within the next 90 days: Parking lot light pole heights approved, bark the vacant lot (where the job trailer and equipment were located, a letter is needed from the Landscape Architect regarding completion of the landscaping per plan, and the WELO certificate is needed from the Landscape Architect.

 Meeting with Angela and Mark. Updated list of occupancy items and sent to the Golden Inn. Printed for file.
- 10/13/2016 Activity: Final Inspection - Const/Occ — Status: Non-Compliance Time Spent: 0.0 Analyse Merlo
 Comment: Occupancy clearance given for the family and senior buildings - conditions still need to be completed including: lighting, landscaping, and reports.
- 11/30/2016 Activity: Construct Cond Monitoring — Status: Monitoring In Progress Time Spent: 1.6 Analyse Merlo

Case log 5 weeks later build finished

#27.2

Eady, Dana

From: Merlo, Analise
Sent: Monday, May 01, 2017 2:01 PM
To: Eady, Dana
Cc: Zorovich, John; Wilson, Jeffrey
Subject: FW: Golden Inn and Village Lighting
Attachments: map-Lighting letter to County - 4-11-16-ADMIN.pdf; 2016-04-07_Site Lighting Documentation.pdf; doc06515520160324100039.pdf; 036.jpg

Hi Dana,

I just wanted to make sure that you received this original letter and the lighting discussion/photometric from the lighting engineer in your lighting application package. This letter and lighting photometric was sent to me last April and reviewed by Kim , John, Dianne, (etc) by email, but I wanted to make sure it was also given to you in your application package.

This "site lighting documentation" letter has some information that I think is valuable. After review of the Gray Electrical letter I have a few thoughts for tomorrow's meeting:

- 1) Looking at "Image A", you can see that the current 20 foot light pattern spills just to the property line, **but also spills very heavy on the building** – which is the neighbors main source of complaint.
- 2) Looking at "Image C", the lights would be replaced by 8 foot poles, but additional lights would have to added to the south parking lot side and would need **backlight shielding to prevent the light from spilling into the property to the south.**
- 3) Since it appears that backlight shielding can be added to prevent light spill on the 8 foot lights, **perhaps backlight shielding could be added to the 20 foot light to prevent light spill onto the building.**
- 4) Another thought – Since the source of the complaint is regarding **4 lights** on the south side of Building 2, could the lights (on just the one side of the building) be changed to 8 foot and leave the rest at 20 foot? Or, perhaps the **11 lights** that reflect off the building that face neighboring properties (Building 2, 3, 4 and 5) could be changed to 8'?
- 5) Once last thought – the lights appear to be located where the building/railings have been painted white (which reflects more light) and I believe that they stated that the railings are plastic (which would tend to reflect even more light). If these white areas were painted a darker color and backlight shielded were added to the lights, it could reduce the light reflection significantly (see the attached photo showing the light reflecting off of the white railing).
- 6) Please note that my photos were taken (attached photo .036) before additional work occurred on the lights (replacing the lenses to lower wattage and adjusting the lenses to tilt as far away from the building as possible). Dana has completed a couple additional site visits (after my photos were taken in January) and stated that there was significant improvements to the light spillage onto the building.

Hope this helps for tomorrow's discussion.

Analise



Analise Merlo, Planner

PUBLIC COMMENT: None

CBAR COMMENT:

a. Signs are handsome.

ACTION: Brady moved, seconded by Donovan and carried by a vote of 6 to 0 (Lash abstained) to grant preliminary/final approval of 12BAR-00000-00191.

4. 12BAR-00000-00175 Higgins Residence Remodel and Addition Santa Ynez
12LUP-00000-00365 (Tammy Weber, Planner) **Jurisdiction: Ridgeline- Rural**

Request of Jones and Jones, LLP, F. Evans Jones, architect for the owners, Mr. and Mrs. Roger Higgins, to consider Case No. 12BAR-00000-00175 for **preliminary/final approval of residence remodel and addition of approximately 799 square feet.** The following structures currently exist on the parcel: a residence with a garage of approximately 6,365 square feet, barn of approximately 3,200 square feet with a detached residential unit of approximately 1,200 square feet and equipment storage barn of approximately 1,000 square feet. The proposed project will not require grading. The property is a 19.76 acre parcel zoned AG-I-20 and shown as Assessor's Parcel Number 135-310-008, located at **2995 Calle Bonita** in the Santa Ynez area, Third Supervisorial District. (Continued from 10/12/12)

PUBLIC COMMENT: None

CBAR COMMENT:

a. Gutters and top-band should be powder coated.

ACTION: Erickson moved, seconded by Ettinger and carried by a vote of 7 to 0 to grant preliminary and final approval of 12BAR-00000-00175.

5. 12BAR-00000-00196 Mill Enterprises, LLC Commercial Trellis Santa Ynez
12LUP-00000-00383 (Kim Probert, Planner) **Jurisdiction: Commercial**

Request of Jones and Jones, Evans Jones, architect for the owner, Mill Enterprises, LLC , to consider Case No. 12BAR-00000-00196 for **conceptual review/preliminary/final approval of new shade trellis of approximately 567 square feet over an existing ground level deck.** The following structures currently exist on the parcel: commercial building of approximately 1,501 square feet on ground floor and a second floor office space of approximately 625 square feet, and a deck of approximately 447 square feet. The proposed project will not require grading. The property is a 9,583 square foot parcel zoned C-2 and shown as Assessor's Parcel Number 143-182-001, located at **1120 Faraday Street** in the Santa Ynez area, Third Supervisorial District.

PUBLIC COMMENT: None

CBAR COMMENTS:

a. Project looks good. Nice integration with existing structure.

ACTION: Erickson moved, seconded by Miller-Fisher and carried by a vote of 7 to 0 to grant preliminary/final approval of 12BAR-0000-00196.

6. 12BAR-00000-00194 Rona Barrett Foundation Mixed-Use Complex of Affordable Senior and Family Living Facilities Santa Ynez
12GPA-00000-00002/12RZN-00000-00002 (Gary Kaiser, Planner) **Jurisdiction: Commercial**

Request of Peikert Group Architects, Lisa Plowman agent for the owner, Rona Barrett Foundation, to consider Case No. 12BAR-00000-00194 for **conceptual review of a mixed-use complex of affordable senior and family living facility of approximately 91,065 square feet.** No structures currently exist on the parcel. Grading to be determined. The property is a 7.34 acre parcel zoned I-E-1 and shown as Assessor's Parcel Number 141-380-014, located at **Highway 246 and Refugio Road** in the Santa Ynez area, Third Supervisorial District.

PUBLIC COMMENT:

- Patty Stewart (No Position)
- Mark Brooks (No Position)

CBAR COMMENTS:

a. This could be a fantastic project for the community and the environment.

Site Design

- b. The site plan is well-conceived, including circulation, for this large development on a prominent corner.
- c. As brought to the attention of the CBAR by members of the public, past drainage history and impact to adjacent down-slope properties require critical attention to drainage, including expansion of designated onsite retention/retardation areas onsite to ensure adequacy as necessary. As stated by the applicant, the detention basin sizing, etc. is to be reviewed for adequacy by the applicant's engineer.

Architecture

- d. Architecturally, the materials fit the rural character at a pedestrian scale
- e. The North and South elevations, which will convey the personality of the project to the community currently, feel like the backs of the building. There appears to be too much conventional, unbroken roofline which should be articulated and broken up. Consider options for stepping back building planes.
- f. More relief and fenestration on the north side are needed. Consider variations in other treatments, including colors, to address façade concerns.
- g. The Garden wall may be problematic; look at options for additional landscaping to achieve the desired public-private space balance.
- h. The loading dock needs to be hidden from the SR 246 view corridor.

Landscaping

- i. There is a nice balance between native and interior exotic plants.
- j. The use oaks and sycamores along the SR 246 frontage is successful; eliminate the Deodor cedar.
- k. Carefully consider the plant list with respect to long-term maintenance. Avoiding short-lived, susceptible, high maintenance plants will be beneficial.
- l. Address AB 1881 landscape irrigation requirements.

Lighting

m. Provide a detailed lighting plan.

Project received conceptual review only, no action was taken. Applicant may return for further conceptual review. (Erickson abstained from this project.)

Rancho Guacamole

7. 12BAR-00000-00002 Residence Remodel/Addition, New Guest House Gaviota
12LUP-00000-00287 (J. Ritterbeck, Planner) **Jurisdiction: Coastal**

Request of Britton Jewett, architect for the owner Steve Bershad, to consider Case No. 12BAR-00000-00002 for preliminary/final approval of a residence remodel and addition of approximately 1,356 square feet and new guest house of approximately 887 square feet with covered terrace of approximately 1,251 square feet. The following structures currently exist on the parcel: a residence of approximately 1,535 square feet with screened porch of approximately 171 square feet and covered terrace of approximately 400 square feet, attached guest house of 469 square feet and second attached guest house of approximately 418 square feet and attached accessory storage of approximately 74 square feet and covered terrace of approximately 192 square feet. The proposed project will require approximately 40 cubic yards of cut and approximately 600 cubic yards of fill or will not require grading. The property is a 600 acre zoned Ag-II-100 and shown as Assessor's Parcel Number 081-200-017, located at 575 Refugio Road in the Gaviota area, Third Supervisorial District. (Continued from 2/10/12)

PUBLIC COMMENT: None

- 4. 14BAR-00000-00179 Povah Residence Addition and Garage Santa Ynez**
 14LUP-00000-00316 (Melisa Mooney, Planner) **Jurisdiction: Ridgeline - Rural**
 Request of James Macari, architect for the owners, Pat and Virginia Povah, to consider Case No. 14BAR-00000-00179 for **preliminary and final approval of residence addition of approximately 155 square feet and new garage of approximately 465 square feet.** The following structures currently exist on the parcel: a residence of approximately 2,927 square feet, garage of approximately 500 square feet and barn of approximately 2,400 square feet. The proposed project will require approximately 720 cubic yards of cut and approximately 657 cubic yards of fill. The property is a 10.61 acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 135-320-058, located at **2695 Long Canyon Road** in the Santa Ynez area, Third Supervisorial District. (Continued from 9/12/14)
- PUBLIC COMMENT:**
 Nancy Emerson, Save Our Stars Committee/Women's Environmental Watch. No Position.
- CBAR COMMENTS:**
- All plans to note colors of new construction to match existing structure.
 - Plans to include light fixture cut sheets, and note Night Sky compliance.
- ACTION:** Ettinger moved, seconded by Lash and carried by a vote of 5 to 0 (Lash absent) to grant preliminary approval of 14BAR-00000-00179. Applicant may return for final approval on consent.
- 5. 14BAR-00000-00150 Verizon Wireless at Lake Cachuma Santa Ynez**
 14CUP-00000-00016 (Melissa Mooney, Planner) **Jurisdiction: Condition of Permit**
 Request of Jay Higgins, agent for the owner, Verizon Wireless, to consider Case No. 14BAR-00000-00150 for **a site visit of a telecommunications facility of approximately 900 square feet.** Several unrelated structures currently exist on the parcel. The proposed project will require approximately 100 cubic yards of cut and fill. The property is a 140 acre parcel zoned AG-100 and shown as Assessor's Parcel Number 145-200-005, located at **2680 Highway 154**, in the Santa Ynez area, Third Supervisorial District. (Continued from 8/29/14)
- Project received a site visit at this time only, review comments listed in Item #6.**
- 6. 14BAR-00000-00150 Verizon Wireless at Lake Cachuma Santa Ynez**
 14CUP-00000-00016 (Melissa Mooney, Planner) **Jurisdiction: Condition of Permit**
 Request of Jay Higgins, agent for the owner, Verizon Wireless, to consider Case No. 14BAR-00000-00150 for **further conceptual review/preliminary approval of a telecommunications facility of approximately 900 square feet.** Several unrelated structures currently exist on the parcel. The proposed project will require approximately 100 cubic yards of cut and fill. The property is a 140 acre parcel zoned AG-100 and shown as Assessor's Parcel Number 145-200-005, located at **2680 Highway 154**, in the Santa Ynez area, Third Supervisorial District. (Continued from 8/29/14)
- PUBLIC COMMENT:** None
- CBAR COMMENTS:**
- Consider turning the pole antenna – shelter configuration 180 degrees (i.e., shelter on north side of pole rather than south side), and moving the development to the southeast in order to reduce visibility from all public vantage points.
 - Provide renderings/representative photographs of faux pine and eucalyptus tree towers.
- Project received further conceptual review only, no action was taken. Applicant was requested to return for further conceptual and preliminary approval.**
- 7. 12BAR-00000-00194 Rona Barrett Foundation Mixed-Use Complex of Affordable Senior and Family Living Facilities Santa Ynez**
 12GPA-00000-00002/12RZN-00000-00002 (Dana Eady, Planner) **Jurisdiction: Commercial**
 Request of Peikert Group Architects, Lisa Plowman agent for the owner, Rona Barrett Foundation, to consider Case No. 12BAR-00000-00194 for **preliminary approval of a mixed-use complex of affordable senior and family living facility of approximately 91,065 square feet.** No structures currently exist on the parcel. Grading to be determined. The property is a 7.34 acre parcel zoned 1-E-1 and

shown as Assessor's Parcel Number 141-380-014, located at **Highway 246 and Refugio Road** in the Santa Ynez area, Third Supervisorial District. (Continued from 11/09/12)

PUBLIC COMMENT:

Nancy Emerson, Save Our Stars Committee/Women's Environmental Watch. No Position.

CBAR COMMENTS:

- a. **The architecture is well-developed and finely articulated.**
- b. **Depict, in full context, elevations and/or three-dimensional representations of Phase I development as viewed from SR 246. Provide these renderings without landscaping and if desired by the applicant, the same renderings with landscaping at maturity.**
- c. **Reduce the number of Toyon, and replace with appropriate alternative native species, in order to safeguard against potential fire-blight impacts.**
- d. **Check on the health status of Raywood Ash in the Santa Ynez Valley.**
- e. **Note that Ceanothus will attract deer to the site.**
- f. **The footprint of the Alzheimer's facility (which may remain unbuilt for an extended period of time) is to be fully designed and integrated in to the Phase I site design.**
- g. **Concerns with drainage capacity along Luck Lane remain.**

ACTION: Miller Fisher moved, seconded by Brady and carried by a vote of 4 to 0 (Erickson abstained, Lash absent) to grant preliminary approval of 12BAR-00000-00194. Applicant may return for final approval.

8. **14BAR-00000-00212** **Stewart Family New Residence** **Santa Ynez**
(No Assigned Planner) **Jurisdiction: Ridgeline - Rural**

Request of Mark Stewart, agent, and Perkins Engineering, agent for the owners, Mark Stewart, Dick Stewart and Pat Stewart, to consider Case No. 14BAR-00000-00212 for **conceptual review of a new residence of approximately 1,200 square feet.** The following structures currently exist on the parcel: a barn of approximately 864 square feet. The proposed project will require approximately 5 cubic yards of cut and fill. The property is a 18.98 acre parcel zoned AG-I-20 and shown as Assessor's Parcel Number 135-310-041, located at **3209 Calzada Ridge Road** in the Santa Ynez area, Third Supervisorial District.

PUBLIC COMMENTS:

Nancy Emerson, Save Our Stars Committee/Women's Environmental Watch. No Position.
Jim Nicholas. No Position.

CBAR COMMENTS:

- a. **The CBAR appreciates the low-impact grading approach to the project, the modesty of the house size, and the limited exterior lighting.**
- b. **The slope of the roofline matches the site topography. A planted roof could be an interesting element.**
- c. **Use dark, tinted glass in all windows as low-E is insufficient. In particular, the gabled windows introduce night-lighting concerns through the potential "lantern effect."**
- d. **Provide a Landscape Plan.**

Applicant received conceptual review only, no action was taken. Applicant was requested to return for further conceptual and preliminary approval.

9. **14BAR-00000-00195** **Denunzio New Two Story Residence** **Solvang**
14LUP-00000-00260 (Melissa Mooney, Planner) **Jurisdiction: Ridgeline- Rural and D-Overlay**

Request of Adam Cunningham, agent for the owner, A.J. Denunzio, to consider Case No. 14BAR-00000-00195 for **further conceptual review of a new two story residence on a raised foundation, with first floor of approximately 2,167 square feet, and second floor of approximately 999 square feet, and attached garage of approximately 726 square feet.** The following structure currently exists on the parcel: a barn of approximately 3,000 square feet. The proposed project will not require grading or tree removal. The property is a 5.69 acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 137-070-068, located at **2636 Baseline Avenue** in the Ballard area, Third Supervisorial District. (Continued from 9/12/14)

I. CONSENT AGENDA:

- C-1. 14BAR-00000-00123 Vantine New Residence and Garage Los Olivos**
14LUP-00000-00212 (John Zorovich, Planner) **Jurisdiction: Design Overlay**

Request of Jose L Esparza, architect for the owner, Richard Vantine, to consider Case No. 14BAR-00000-00123 for **final approval on consent of a new residence and attached garage of approximately 2,449 square feet with covered porches of approximately 347 square feet.** The following structure currently exists on the parcel: a shop of approximately 1,211 square feet. The proposed project will require approximately 475 cubic yards of cut and approximately 399 cubic yards of fill. The property is a 33,830 square foot parcel zoned RR-5 and shown as Assessor's Parcel Number 135-104-005, located at **2552 Railway Avenue** in the Los Olivos area, Third Supervisorial District. (Continued from 7/18/14, 8/29/14 & 11/07/14)

ACTION: Ettinger moved, seconded by Donovan and carried by a vote of 6 to 0 (Erickson not present at this time) to grant final approval on consent of 14BAR-00000-00123.

- C-2. 14BAR-00000-00194 Mikkelsen Residence Second Story Addition Santa Ynez**
14LUP-00000-00351 (John Karamitsos, Planner) **Jurisdiction: Ridgeline-Rural**

Request of Minarc, agent, for the owners, Monique and Ole Mikkelsen, to consider Case No. 14BAR-00000-00194 for **final approval on consent of a second story addition of approximately 545 square feet to a two story residence.** The following structure currently exists on the parcel: a two story residence of approximately 4,842 square feet. The proposed project will not require grading. The property is a 17.52 acre parcel zoned AG-I-20 and shown as Assessor's Parcel Number 135-310-039, located at **3040 Canada Este** in the Santa Ynez area, Third Supervisorial District. (Continued from 9/12/14 & 10/10/14 & 11/07/14)

ACTION: Ettinger moved, seconded by Donovan and carried by a vote of 6 to 0 (Erickson not present at this time) to grant final approval on consent of 14BAR-00000-00194.

V. CBAR MEMBERS INFORMATIONAL BRIEFINGS:

VI. STAFF UPDATE:

VII. STANDARD AGENDA:

- 1. 12BAR-00000-00194 Rona Barrett Foundation Mixed-Use Complex of Affordable Senior and Family Living Facilities Santa Ynez**
12GPA-00000-00002/12RZN-00000-00002 (Dana Eady, Planner) **Jurisdiction: Commercial**

Request of Peikert Group Architects, Lisa Plowman agent for the owner, Rona Barrett Foundation, to consider Case No. **12BAR-00000-00194 for final approval of a mixed-use complex of affordable senior and family living facility of approximately 91,065 square feet.** No structures currently exist on the parcel. Grading to be determined. The property is a 7.34 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 141-380-014, located at **Highway 246 and Refugio Road** in the Santa Ynez area, Third Supervisorial District. (Continued from 11/09/12 & 10/10/14)

ACTION: Miller Fisher moved, seconded by Lash and carried by a vote of 5 to 0 (Erickson abstained, and Donovan recused - in lieu of a No vote over concerns with drainage issues on Lucy Lane) to grant final approval of 12BAR-00000-00194.



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director
Dianne Black, Director of Development Services
Jeffrey S. Hunt, Director Long Range Planning

TO: **Central Board of Architectural Review**
Attn: John Karamitsos

FROM: **Dana Eady, Planner**
Development Review Division

DATE: **December 10, 2014**

RE: **The Golden Inn and Village (Rona Barrett Foundation)**
Case No. 12BAR-00000-00194 / 14ZCI-00000-00113
Meeting Date: December 12, 2014

Preliminary review indicates that the project complies with the all zoning requirements and is compatible with the requirements of the County of Santa Barbara Land Use & Development code and the policies of the Comprehensive Plan including the Santa Ynez Valley Community Plan.

This project may proceed for:

- | | |
|-------------------------------------|---------------|
| <input type="checkbox"/> | CONCEPTUAL |
| <input type="checkbox"/> | PRELIMINARY |
| <input checked="" type="checkbox"/> | FINAL |
| <input type="checkbox"/> | REVISED FINAL |

Approval by your board.

Project Description: Request of Peikert Group Architects, Lisa Plowman agent for the owner, Rona Barrett Foundation, to consider Case No. **12BAR-00000-00194 for final approval of a mixed-use complex of affordable senior and family living facility of approximately 91,065 square feet.** No structures currently exist on the parcel. Grading to be determined. The property is a 7.34 acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 141-380-014, located at **Highway 246 and Refugio Road** in the Santa Ynez area, Third Supervisorial District. (Continued from 11/09/12 & 10/10/14)

CBAR MINUTES OF October 10, 2014

COMMENTS:

- The architecture is well-developed and finely articulated.
- Depict, in full context, elevations and/or three-dimensional representations of Phase I development as viewed from SR 246. Provide these renderings without landscaping and if desired by the applicant, the same renderings with landscaping at maturity.**
- Reduce the number of Toyon, and replace with appropriate alternative native species, in order to safeguard against potential fire-blight impacts.
- Check on the health status of Raywood Ash in the Santa Ynez Valley.
- Note that Ceanothus will attract deer to the site.

- f. The footprint of the Alzheimer's facility (which may remain unbuilt for an extended period of time) is to be fully designed and integrated in to the Phase I site design.
- g. Concerns with drainage capacity along Luck Lane remain.

G:\GROUP\PERMITTING\Case Files\GPA\12Cases\12GPA-00000-00002 The Golden Inn\CBAR memo 12-12-14.docx

The Health and Safety Code sections 50105, 50106, 50079.5, and 50093 establish the income limits for extremely low income households at 30% of area median income (AMI), for very low-income households at 50% of AMI, for low-income households at 80% of AMI, and for moderate income households at 120% of AMI, respectively.

**Table 6.1 – Regional Housing Needs Allocation (1/1/2014 – 9/30/2022)
Unincorporated Santa Barbara County**

Income Category	Total Units Allocated	Percentage of Total
Very-Low	159	24%
Low	106	16%
Moderate	112	17%
Above Moderate	284	43%
Unincorporated Area Total	661	100%

92.45% of total MI VL

115

Source: Regional Housing Needs Allocation (RHNA) Plan 2014-2022 (SBCAG 2013)

60
27
+ 60

147
55
24 VL
22% of total

Unaccommodated Need

The land inventory in the County's 2003-2008 Housing Element did not contain sufficient sites to meet the County's 2003-2008 RHNA of 6,064 units. State law required the County to carry over the shortfall, or "unaccommodated need," of 172 units from the 2003-2008 Housing Element planning period to the 2009-2014 Housing Element planning period. This unaccommodated need (172 units) was added to the County's 2009-2014 RHNA (1,017 units). Specifically, the County's 2009-2014 RHNA increased from 1,017 units to 1,189 units. (Adjustments for annexations of unincorporated areas to incorporated cities (188 units) reduced the County's 2009-2014 housing need to 1,001 units.)

In 2010, the County rezoned land for affordable housing to meet its unaccommodated need from the 2003-2008 RHNA. In particular, the County rezoned portions of Key Sites 3 and 30 in the Orcutt Community Plan area to Multifamily Residential – Orcutt (MR-O) (20 units/acre). The rezones established "by right" development potential of 372 very-low/low income housing units.

The land inventory in the County's 2009-2014 Housing Element contained ample sites to satisfy the unaccommodated need from 2003-2008 Housing Element planning period (172 units) and the County's 2009-2014 RHNA. As a result, the County does not have any unaccommodated need to carry over into the 2015-2023 Housing Element planning period.

RHNA Adjustment for Annexations

Pursuant to Government Code section 65584.07(c), the County may reduce its RHNA if a city annexes unincorporated land between the period of adoption of a final RHNA and the due date of the associated housing element update. In practice, the County and the incorporated city negotiate a transfer of RHNA and enter into a mutually acceptable transfer agreement. The

#34.1

Formal Complaint Letter

June 13, 2017

Mona Miyasato
County Executive Officer
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101

Formal complaint: Planning and Development Department, County of Santa Barbara
Golden Inn & Village, 890 Refugio Road, Santa Ynez, CA

Complainants:

Patti Stewart; 3050 Lucky Lane, Santa Ynez, CA
Mark Brooks; 3055 Lucky Lane, Santa Ynez, CA
Donald Hartshorn; 2980 Lucky Lane, Santa Ynez, CA
Jennifer & Tim Moran; 3025 Lucky Lane, Santa Ynez, CA
John Kruissink; 3033 Lucky Lane, Santa Ynez, CA (non-resident owner)
Inga Kristoffersen; 788 N. Refugio Road, Santa Ynez, CA
Gail Thornton; 790 N. Refugio Road, Santa Ynez, CA
Laurie Gallegos; 3110 Lucky Lane, Santa Ynez, CA
Julie Fischer; 3095 Lucky Lane, Santa Ynez, CA
Jeff McNerney; 3112 E. Hwy 246, Santa Ynez, CA

Dear Ms. Miyasato:

The residents of Lucky Lane in Santa Ynez and surrounding residential properties request your intervention regarding the following complaint. We were pleased to see your mission statement on the county webpage, "We strive day to day to administer the laws of the state and ordinances and policies of the elected Board of Supervisors, in the highest traditions of civic professionalism and competency." We affirm that this is a reasonable expectation of our County Officials.

We are filing this formal complaint because Director Glenn Russell of the Planning and Development Department has failed to perform his duties, responsibilities, and functions designated by State law (Section 35.100.060).

- 1) Failed to perform the duties and functions prescribed in the Santa Barbara County Development Code.
 1. 35.80 - PERMIT APPLICATION FILING AND PROCESSING
 2. 35.82 - PERMIT REVIEW AND DECISIONS
 3. 35.84 - POST APPROVAL PROCEDURES
 4. 35.86 - DEVELOPMENT AGREEMENTS
 5. 35.106 - NOTICING AND PUBLIC HEARINGS
 6. 35.108 – ENFORCEMENT AND PENALTIES
- 2) Failed to preform responsibilities assigned by the Board and the Commission.
- 3) Failed to supervise operations, and Director responsibilities delegated to Department staff.

COMPLAINT REGARDING THE GOLDEN INN & VILLAGE DEVELOPMENT LOCATED AT 890 REFUGIO ROAD, SANTA YNEZ, CA 93460. APPROVED BY THE BOARD OF SUPERVISORS HEARING OF JUNE 17, 2014.

“Planning & Development is responsible for enforcing the County’s ordinances to ensure that all structures and uses comply with the applicable standards and permit requirements adopted by the Board of Supervisors that are intended to maintain public health, safety and welfare, while protecting community values and natural resources. The code enforcement program is reactive (complaint driven) with the Building and Safety division responding to each complaint.”

- 1) **CONDITIONS OF APPROVAL** - Department staff failed to verify that all plans and plan documents submitted by the Owner/Applicant complied with the Conditions of Approval. The building permit issued by the Department staff was not consistent with the Conditions of Approval, resulting in the project being developed not as approved by the Board of Supervisors and has had significant impact. The following construction items are not as approved by the Board and should not have received final clearance as stated in the Conditions of Approval.
 - a) **Parking Lot Lighting** – approved 8-foot tail lights, built 20-foot tail lights
 - b) **Parking Spaces** - less than the minimum required for the originally approved development. The project has added 19,400 s/f, and has applied for an amendment for an additional 10,214 s/f without adding any parking.
 - c) **Drainage system** – not built as approved.
 - d) **Hydrology, Bio-Treatment** – not built as approved
 - e) **Manage off site storm water** – not built as approved

- 2) **MITIGATION MEASURES FROM NEGATIVE DECLARATION (14NGD-00000-00007)** - Department staff failed to execute the MONITORING required in the Conditions of Approval by the Board of Supervisors *“Monitoring: Prior to Final Building Inspection Clearance, permit compliance monitoring staff shall inspect to ensure that the work is completed and as it was approved.”* The following construction items are not in compliance and should not have received final clearance as stated in the Conditions of Approval.
 - a) **Aest-10 Lighting:** Department staff was required to ensure that exterior lighting fixtures was installed as approved, NOT BUILT AS APPROVED.
 - b) **Noise-02 Construction Hours:** Department staff was required to spot check the building site, the approved start time was 8:00am, the project started at 7:am for two years. WAS NOT ENFORCED.
 - c) **NPSDES-22 Storm Water Retention-Parking Area BMP:** Department staff was required to inspect the installation prior to Final Building Inspection Clearance. NOT BUILT AS APPROVED AND WAS ISSUED A NOTICE OF VIOLATION BY THE CALIFORNIA WATER BOARD.
 - d) **NPSDES-15 Storm Water Retention-Pervious Parking:** Department staff was required to site inspect for installation prior to Final Building Inspection Clearance. NOT BUILT AS APPROVED AND WAS ISSUED A NOTICE OF VIOLATION BY THE CALIFORNIA WATER BOARD.
 - e) **NPDES-16 Storm Water Retention-Roof Runoff Collection:** Department staff was required to site inspect for installation prior to Final Building Inspection Clearance. NOT BUILT AS APPROVED AND WAS ISSUED A NOTICE OF VIOLATION BY THE CALIFORNIA WATER BOARD.

- 3) **COUNTY RULES AND REGULATION/LEGAL REQUIREMENTS** - the Department staff failed to enforce and monitor.
 - a) **Rules-29 Other departments:** Compliance with Department/Division letters required as follows.
 - i) **Air Pollution Control District:** Fugitive Dust Control – Department staff failed to monitor minimum water trucks requirements during construction as required. Department staff failed to monitor stockpiled material treatment as required. WAS NOT ENFORCED.
 - ii) **Flood Control Water Agency:** Department staff failed to provide County Flood Control Conditions of Approval that pertained to storm water runoff. Department staff failed to inform County Flood Control of square footage of structures added to the project after it was approved. NOT BUILT AS APPROVED AND WAS ISSUED A NOTICE OF VIOLATION BY THE CALIFORNIA WATER BOARD.

- iii) **Public Works Project Clean Water:** Department staff failed to provide Public Works Project Clean Water Conditions of Approval that pertained to storm water treatment (BMPs) NOT BUILD AS APPROVED AND WAS ISSUED A NOTICE OF VIOLAION BY THE CALIFORNIA WATER BOARD.
 - b) **Rules-30 Plans Requirements:** Department staff failed to verify that the Conditions of Approval were printed on the plans as required by the Board of Supervisors, resulting in the project being developed not as approved by the Board of Supervisors and has had significant impact.
 - c) **Rules-31 Mitigation Monitoring Required:** Department staff failed to execute the MONITORING required in the Conditions of Approval by the Broad od Supervisors *“Monitoring: Prior to Final Building Inspection Clearance, permit compliance monitoring staff shall inspect to ensure that the work is completed and as it was approved.”* This has Resulted in the issuance of the Final Clearance on a project that is in VIOLATION OF THE CONDITIONS OF APPROVAL BY THE BOARD OF SUPERVISORS, and has resulted in the County of Santa Barbara being issued a NOTICE OF VIOLATION BY THE CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD, June 1, 2017.
 - d) **Rule-32 Contractor Subcontractor Notification:** Department staff failed to verify the Owner/Applicant notified all the contractors and subcontractors in writing of the site rules, restrictions, and the **Conditions of Approval.**
- 4) **PUBLIC HEARING NOTICE:** (Government Code Section 65091, 65092, 65094) Department staff failed to properly issue Public Hearing Notice for CBAR Hearing (16BAR-00000-00118). See attached complaint.

A complaint was file on March 2016 when the parking lot lights were being installed, the work was not stopped and no Correction Notice was issued. Complaints about the drainage system, detention basins, and the storm water treatment (BMPs) have also been made. We have been working with Planning and Development staff for about thirteen months and have not been able to get any corrections made to the project, have not even been able to get a correction notice issued.

Other complaints/violations under investigation or enforcement at this time on this project:

1. California Architects Board
2. Board for Professional Engineers (three cases)
3. Contractor Licensing Board
4. California Water Board – Central Coast Regional Water Quality Control Board
5. Planning and Development Complaint – Drainage system and detention basin complaint.
6. Planning and Development Complaint - Parking lot lighting complaint.
7. Planning and Development Complaint – Parking lot spaces complaint

List of Attachments:

1. May 11, 2017 Supervisor Hartmann, Meeting Summary (att.pg.1-19)
2. April 25, 2017 Robert Havlicek Executive Director, HACSB, Letter. (att.pg.20-21)
3. May 22, 2017 Robert Havlicek Executive Director, HACSB, Letter. (att.pg.22)
4. May 23, 2017 Glenn Russell, Ph.D., Director Planning and Development, formal complaint. (att.pg.23)
5. May 24, 2017 David Villalobos, Planning Commission, Hearing Notice formal complaint. (att.pg.24-41)
6. June 2, 2017 Supervisor Hartmann, Hearing Notice issue letter. (att. pg.42-58)
7. June 6, 2017 Michael Hamilton, RRM Design Group (Civil Engineer), Board Engineer Complaint. (att.p.59-61)
8. June 7, 2017 Detlev Peikert, RRM Design Group (Architect), Architect Board Complaint. (att.pg.62-76)
9. June 7, 2017 Heather Gray (Electrical Engineer) Board for Professional Engineers Complaint. (att.pg.77-87)
10. June 1, 2017 California Water Board, Notice of Violation. (att.pg.88-97)


If you have any questions or need additional information, please feel free to contact Mark Brooks (805 680-2066, mark@brookscorp.net). We look forward to your attention and support in this matter.

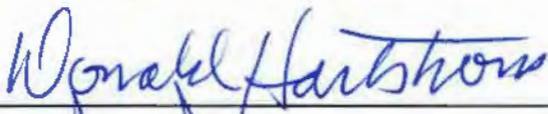
ATTACHMENT PAGES 1-97 AVAILABLE UPON REQUEST

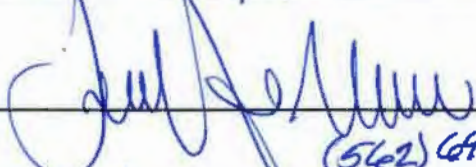
Signature Page
Planning and Development Department Formal Complaint

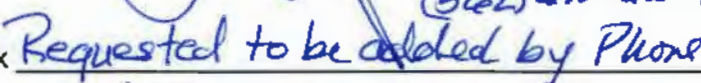
Respectfully Submitted:

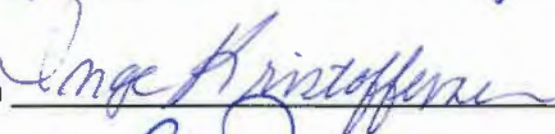
Patti Stewart  Date: 06/13/17

Mark Brooks  Date: 6/13/17

Donald Hartshorn  Date: 6-14-17

Jennifer Moran  Date: 6/13/17

John Kruissink  Date: 6/13/17
(562) 698-6604
Requested to be added by Phone

Inga Kristoffersen  Date: 6/13-17

Gail Thornton  Date: 6/13/17

Laurie Gallegos  Date: 6/13/17

Julie Fischer  Date: 6/13/17

Jeff McNerney  Date: 6-13-17

Cc: Joan Hartmann, Third District Supervisor
Michael Cooney, Planning Commission

Critical Project Personnel Golden Inn & Village

The following is a list of all the people that would have had to fail to read the Conditions of Approval for the Parking Lot Lighting and the Drainage System for it to be a mistake. At least 6 Planning Department staff, at the bear minimum 23 building industry professionals, and 6 owners' that were involved in the plan development process.

Santa Barbara County Planning Department Staff

1. Dana Eady – Planner (involved in the project from the beginning)
2. Analise Merlo – Permit compliance staff (at pre-construction meeting)
3. Zoraida Abresch – Supervising Planer (at pre-construction meeting)
4. David Vyenielo - Grading Inspector (at pre-construction meeting)
5. Jim Pierce - Building Inspector
6. Other County plan compliance staff

Santa Barbara County Public Works

1. Cathleen Garnand – Project Clean Water (at pre-construction meeting)
2. Doug Robertson – Roads Division (at pre-construction meeting)
3. Other County Flood Control compliance staff

Project Owners Rona Barrett foundation & The Housing Authority of Santa Barbara County (HACSB)

1. Rona Barrett – involved in design and plan development.
2. Bob Havlicek - CEO HACSB (involved in the project from the beginning) (at pre-construction meeting)
3. John Polanskey – HACSB (involved in the project from the beginning) (at pre-construction meeting)
4. Sheree Aulman – HACSB (at pre-construction meeting)
5. Jason Rojas – HACSB (at pre-construction meeting)
6. John – HACSB/Surf Development Company, Involved in the plan development.

Peikert + RRM Design Group Architect

1. Detlev Peikert – Architect (involved in the project from the beginning)
2. Lisa Plowman – Project and Planning Manager (involved in the project from the beginning) (at pre-construction meeting)
3. Bonnie Sangster (at pre-construction meeting)
4. Civil Engineer – Joshua Roberts
5. Civil Engineer – Michael Hamilton
6. Plan review and document preparation staff.

Gray Electrical Consulting + Engineering, LLC

1. Heather Gray – Engineer
2. Plan review and document preparation staff.

Pro West Construction – General Contractor

1. Joe Linden – Partner/Executive (at pre-construction meeting)
2. Mike Fekete – Project Superintendent (at pre-construction meeting)
3. Armondo Robles – Project Engineer (at pre-construction meeting)
4. Rick Armero – Geotechnical Engineer (at pre-construction meeting)
5. Other project management staff
6. Plan bidding team

Grading Contactor?

1. Grading Contractor
2. Plan bidding team

Contractor who installed the drainage system?

1. Contractor
2. Plan bidding team

Electrical Contractor?

1. Electrical Contractor
2. Plan bidding team

August 20, 2017

To: Santa Ynez Neighbor
From: Lucky Lane Residents

RE: Golden Inn & Village Project noncompliance with the Conditions of Approval.

Phase I of the Golden Inn & Village project has been completed. Although we welcome our new neighbors, the residents of Lucky Lane have grave concerns about how the project has failed to comply with the conditions required by the Planning Commission and unanimously approved by the Board of Supervisors on June 17, 2014. Anyone who drives by the intersection of Highway 246 and Refugio Road will recognize that this project density is unprecedented in the unincorporated areas of the Santa Ynez Valley.

Phase I: The Golden Inn & Village project was built Larger than the Board of Supervisors approved.

- 1. Low Income Senior Apartment Building:** Sixty (60) low income senior apartments, buildings and property are owned and operated by the Housing Authority of the County of Santa Barbara. The building was approved for approximately 46,067 square feet; **the building permit was issued for 58,425 Square Feet. (an increase of 12,358 square feet)**
- 2. Low Income Family Apartment:** Twenty-Seven (27) low income family apartments in three separate buildings. The Housing Authority of the County of Santa Barbara owns and operates these buildings and property. The buildings were approved for 24,442 square feet; **the building permit was issued for 26,523 square feet. (an increase of 2,081 square feet)**

Phase I was approved for 70,509 square feet; the building permits were issued for 84,948 total square feet. The total increase built in Phase 1 above what was approved by the Board of Supervisors 14,439 square feet.

Note: The Housing Authority of the County of Santa Barbara is a public agency organized under State Law and is funded by the Department of Housing and Urban Development (HUD); it is not a County agency.

The Parking Lot Area Lighting: Was not built as it was approved by the Board of Supervisors. The Parking Lot Lighting was approved for 44- 8 foot tall lights, the builder installed 25- 20 foot tall lights. The Architect (RRM Design Group) has applied for a Plan Revision to allow the 20 foot tall lights with no height reduction or correction. The 20 foot tall lights reflect off of the structures and cannot be easily mitigated with landscaping. We are requesting that the application for plan revision be denied and the project be corrected to the conditions approved by the Board of Supervisors. (see attached photographs)

The Rain Water Run-Off, Drainage System: Was not built as it was approved by the Board of Supervisors and has resulted in flooding of the neighboring properties and Lucky Lane. The State Water Board has also issued a Notice of Violation and has required corrections. We are requesting the Drainage System be corrected to the Conditions of Approval. (see attached flood photos)

Phase II: The Golden Inn & Village project has already been approved and is to be built in the near future.

- 1. Assisted Living/Memory Care Facility:** This facility will include 60 beds and be owned and operated by an organization that specializes in elder memory care. The Building was approved for 36,991 square feet. The Architect has applied for a plan revision to increase the building by 10,214 square feet. **The proposed new building, if the revision is approved, would be 47,205 square feet. We are requesting that the application for plan revision be denied.**

Phase I has been completed: Approved by the Board of Supervisors vs. Built.

Senior Apartments:	46,067 s/f Approved	vs	58,425 s/f Built
Family Housing	24,442 s/f Approved	vs	26,523 s/f Built
Carports	None Approved	vs	2,387 s/f Built
Trellises	None Approved	vs	1,100 s/f Built
TOTAL PHASE I	70,509 S/F Approved	vs	88,435 s/f Built (Increase 17,926 s/f)

Phase II to be built in the near future: Approved by the Board of Supervisors vs. Proposed.

Assisted Care Facility	36,991 s/f Approved	vs	47,205 s/f Proposed (Increase 10,214 s/f)
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Phase I and Phase II TOTAL 107,500 s/f Approved vs 135,640 s/f Built/Proposed (Increase 28,140 s/f)

Keep in mind the Golden Inn & Village project that was presented to the Santa Ynez Valley Community at the local Board of Architectural Review Hearings was for 91,065 square feet (*information base on county records*).

Please let your voice be heard and help protect the Santa Ynez Valley from further damage.

THE PLANNING COMMISSION HEARING IS WENSDAY, AUGUST 30, 2017 at 9:00 AM, Planning Commission Hearing Room, Rm. 17, 123 E. Anapamu Street, Santa Barbara, CA 93101.

Attached for your convenience is a Correction Request document that you can submit, or we can submit on your behalf; Submit to David Villalobos, Hearing Support dvillalo@co.santa-barbara.ca.us Phone 805.568.2058. All documents to be considered by the Planning Commission must be received by August 25, 2017. Substantiating documents are available upon request. Please feel free to call us for more information or to share your input.

You can also contact you County Supervisor:

Joan Hartmann, Third District Supervisor
105 East Anapamu Street
Santa Barbara, CA 934101
Phone: (805) 568-2192
jhartmann@countyofsb.org

Thank you for your concern and support,

Mark Brooks
3055 Lucky Lane
805-680-2066
mark@brookscorp.net

Patti Stewart
3050 Lucky Lane
808-331-3380
pjstewart@verizon.net

HEIGHT CALCULATION METHODOLOGY - January 2007

1. Structures Outside Summerland (pg 13)
2. Structures on Areas Subject to the Hillside/Ridgeline Regs. (pg 15)
3. Sample Site Statistics Table (pg 16)

1. Height Calculations for All Structures Not Subject to the Ridgeline/Hillside Development Regulations:

Methodology applies to: Structures located outside of the Summerland Planning Area.

Except for structures located within the Coastal Zone on property zoned with the VC View Corridor Overlay, the height of a structure (not including fences and walls) is determined by the vertical distance between the existing grade and the uppermost point of the structure directly above that grade. If the structure is located within the Coastal Zone on property zoned with the VC View Corridor Overlay, then the height of the structure (not including fences and walls) is determined by the vertical distance between the **average finished grade** and uppermost point of the structure directly above that grade.

The height of the structure shall not exceed the applicable **height limit** (see Diagram 1 below) except for certain limited **exceptions** discussed below.

In addition to the height limit applicable to a structure as described above, a structure subject to the Ridgeline and Hillside Development Guidelines shall not exceed a maximum height of 32 feet as measured from the highest part of the structure, excluding chimneys, vents and noncommercial antennas, to the lowest point of the structure where an exterior wall intersects the **finished grade** or the **existing grade**, whichever is lower (see Diagram 2 below).

1. In the case where the lowest point of the structure is cantilevered over the ground surface, then the calculated maximum height shall include the vertical distance below the lowest point of the structure to the finished grade or the existing grade, whichever is lower.
2. This 32 foot limit may be increased by no more than three feet where the highest part of the structure is part of a roof element that exhibits a pitch of four in 12 (rise to run) or greater.

EXCEPTIONS

1. Chimneys, church spires, elevator, mechanical and stair housings, flag poles, noncommercial antennas, towers, vents, and similar structures which are not used for human activity may be up to 50 feet in height in all zones subject to compliance with the F Airport Approach Overlay and the VC View Corridor Overlay. **The use of towers or similar structures to provide higher ceiling heights for habitable space shall be deemed a use intended for human activity.**

2. Portions of a structure may exceed the applicable height limit by no more than three feet where the roof exhibits a pitch of four in 12 (rise to run) or greater.
3. Architectural elements (portions of a building that exceed the height limit and extends beyond the roof of the building) with an aggregate area less than or equal to 10 percent of the roof area or 400 square feet, whichever is less, may exceed the height limit by no more than eight feet when approved by the BAR.
4. Special exemptions for oil/gas equipment (see Article II, Section 35-127.1.a).

DEFINITIONS

Existing Grade: The existing condition of the ground elevation of the surface of a building site at the time of permit application, including Board of Architectural Review applications, that represents either (1) the natural grade prior to the placement of any fill on the site or the excavation or removal of earth from the site, or (2) the manufactured grade following the completion of an approved grading operation including grading approved in conjunction with the subdivision of the site.

Finished Grade: The height of the manufactured grade of that portion of the lot covered by the structure following the completion of an approved grading operation.

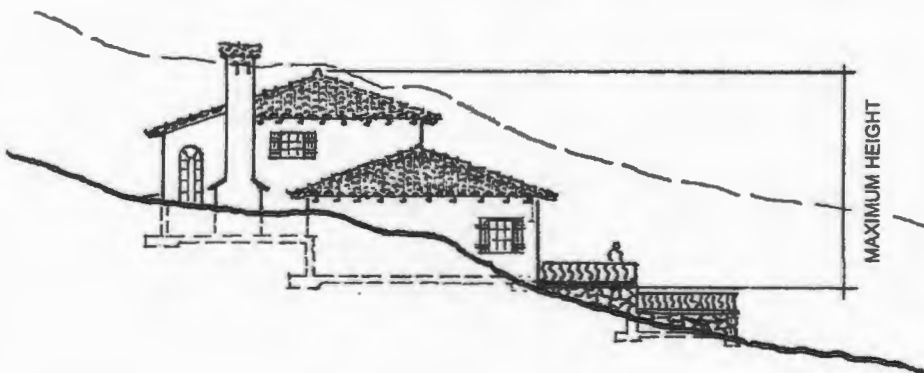
Finished Grade, Average: The average height of the manufactured grade of that portion of the lot covered by the structure following the completion of an approved grading operation.

Height Limit: The maximum allowed height of a structure as established by an imaginary surface located at the allowed number of feet above and parallel to the existing grade.

Diagram 1



Diagram 2





AS BUILT 20 FOOT TALL LIGHTS



AS APPROVED 8 FOOT TALL LIGHTS



AS BUILT 20 FOOT TALL LIGHTS



AS APPROVED 8 FOOT TALL LIGHTS



AS BUILT 20 FOOT TALL LIGHTS



AS BUILT 20 FOOT TALL LIGHTS



AS BUILT 20 FOOT TALL LIGHTS



AS BUILT 20 FOOT TALL LIGHTS



LUCKY LANE FLOOD / GOLDEN INN & VILLAGE ATTACHMENT 47



Golden Inn & Village Project Summary Approved vs Built.

As Of
July 10, 2017

Action Letter approved by the Board of Supervisors June 24, 2014

1. Approved Final Development Plan (12DVP-00000-00014) (BLDG 1) Assisted Living /Memory Care Facility approximately **36,991 square feet**.
2. Approved Final Development Plan (13DVP-00000-00005) (BLDG 2) Low Income Senior Living Apartments approximately **46,067 square feet**.
3. Approved Final Development Plan (13DVP-00000-00006) (BLDG 3, 4 ,5) Low Income Employee/Family Apartments in three separate buildings totaling approximately **24,442 square feet**.

Approved five free standing structures totaling approximately 107,500 square feet.

Building Permits issued

1. Building Permit issued 4/5/17 (14BDP-00000-00978) (BLDG 2) Low Income Senior Living Apartments **58,425 square feet**.
2. Building Permit issued 4/5/17 (14BDP-00000-00979) (BLDG 3) Low Income Employee/Family Apartments **8,193 square feet**.
3. Building Permit issued 4/5/17 (14BDP-00000-00980) (BLDG 4) Low Income Employee/Family Apartments **10,137 square feet**.
4. Building Permit issued 4/5/17 (14BDP-00000-00981) (BLDG 5) Low Income Employee/Family Apartments **8,193 square feet**.
5. SCD/LUP issued 11/6/15 (15LUP-00000-00409) Carports **2,387 square feet**

PROJECT SUMMARY APPROVED vs BUILT

<i>BLDG 1 (Approved to be built)</i>	<i>36,991 square feet</i>
BLDG 2 (Built)	58,425 square feet
BLDG 3 (Built)	8,193 square feet
BLDG 4 (Built)	10,137 square feet
BLDG 5 (Built)	8,193 square feet
Carports (Built)	2,387 square feet
TOTAL BUILT/APPROVED TO BE BUILT	124,326 square feet

Proposed Amendment (17AMD-00000-00002) 10,214 square feet

Assisted Living/Memory Care Facility (BLDG 1) 2/13/17

TOTAL BUILT, APPROVED TO BE BUILT, PROPOSED AMENDMENT 134,540 SQUARE FEET

TOTAL OVER APPROVED PROJECT 27,040 SQUARE FEET, 25.15% INCREASE.

There has also been two Substantial Conformity Determinations applied for and approved, see details below. Notations refer to **Santa Barbara County Code – Chapter 35 – County Land Use & Development Code, Appendix H Substantial Conformity Determination Guidelines.**

14SCD-00000-00040 applied for on 10/30/14 one day after the plans were submitted, and approved 2/24/15. **FAILED TO MEET GUIDELINES, SHOULD NOT HAVE BEEN APPROVED.**

1. **BLDG 2 add 4,182 square feet**, failed to meet Determination Guidelines.
 - a. Note: Appendix H 1.d - Result in the need for additional mitigation measures. Increase roof approximately 2,091 s/f, decrease permeable surface 2091 s/f.
 - b. Note: Appendix H 4.f – The increase in square footage is greater than the maximum allowed for Substantial Conformity. **1,000 s/f or no more than 10% of building coverage over total project approvals, whichever is less.**
2. **BLDG 3, 4, 5, add 2037 square feet**, failed to meet Determination Guidelines.
 - a. Note: Appendix H 1.d - Result in the need for additional mitigation measures. Increase roof approximately 1,017 s/f, decrease permeable surface 1,017 s/f.
 - b. Note: Appendix H 4.f - The increase in square footage is greater than the maximum allowed for Substantial Conformity. **1,000 s/f or no more than 10% of building coverage over total project approvals, whichever is less.**
3. Two **Trellises add 1,110 square feet**, failed to meet Determination Guidelines.
 - a. Note: Appendix H 4.f - The increase in square footage is greater than the maximum allowed for Substantial Conformity. **1,000 s/f or no more than 10% of building coverage over total project approvals, whichever is less.**
 - b. Note: Appendix H 4.m - needed CBAR approval.

15SCD-00000-00036 applied for on 6/16/15 and approved 8/26/15. **FAILED TO MEET GUIDELINES, SHOULD NOT HAVE BEEN APPROVED.**

1. **Carports add 2,387 square feet**, failed to meet Determination Guidelines.
 - a. Note: Appendix H 4.f - The increase in square footage is greater than the maximum allowed for Substantial Conformity. **1,000 s/f or no more than 10% of building coverage over total project approvals, whichever is less.**
 - b. There is also a phone call on 10/27/15 from a neighboring property owner noted in the county records, and if this was a complaint it should have been taken in to consideration.

The Golden Inn & Village project that was originally presented to the residences of the Santa Ynez Valley at a CBAR Hearing on November 9, 2012, was for conceptual review of a mixed-use complex of affordable senior and family living facility. **Approximately 91,065 square feet on one 7.34-acre parcel.** Requested by the Peikert Group Architects, agent for the Rona Barrett Foundation, owner.



Project Approved by the Board of Supervisors June 24, 2014

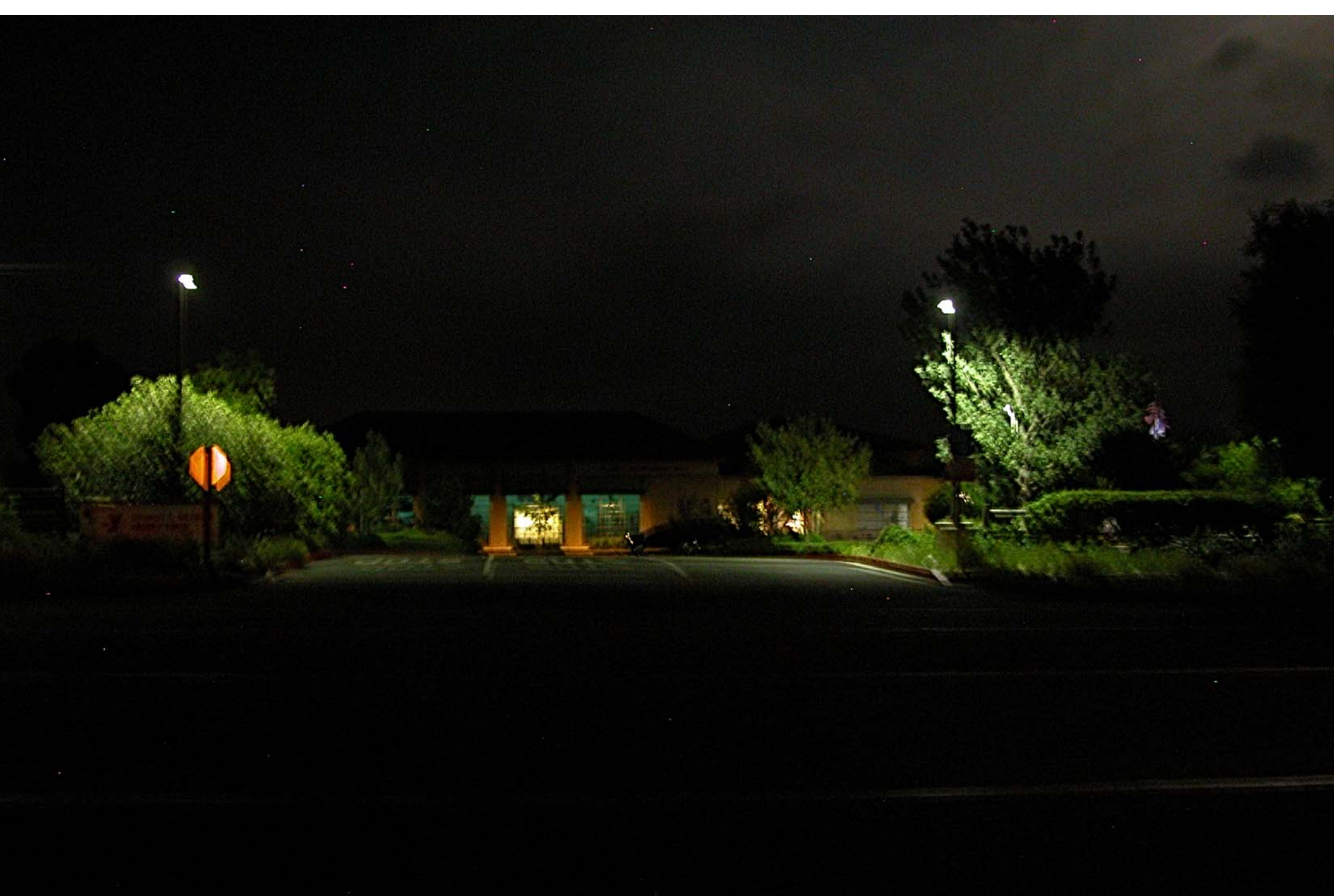
The Golden Inn and Village project that was presented to the Planning Commission and approved by the Board of Supervisors on June 24, 2014, was for five free-standing two story structures totaling **approximately 107,500 square feet on three separate legal parcels equaling 7.34 acres.** Requested by the Peikert Group Architects, agent for the Rona Barrett Foundation, owner.

The Golden Inn & Village project has grown since the original presentation at the CBAR Hearing (91,065 square feet), to the current as built with amendments (134,540 square feet). That is a difference of 43,475 square feet, a 47.74% increase from what was originally presented to the Santa Ynez Valley. Because it is low Income housing it is entitled to a density bonus that Santa Barbara County is using to over build the site. And because of the way it was presented to the Santa Ynez Valley the majority of community still thinks it is owned and operated by the Rona Barrett Foundation. And have no idea that parcel 2 and 3 is owned and operated by the Housing Authority of the County of Santa Barbara, and parcel 1 is to be sold to a yet to be named organization, and the Rona Barrett Foundation upon completion will not own or operate any part of this project. (Ownership information obtained from Peikert Group Architects letter to the County of Santa Barbara Planning Department).

GOLDEN INN & VILLAGE



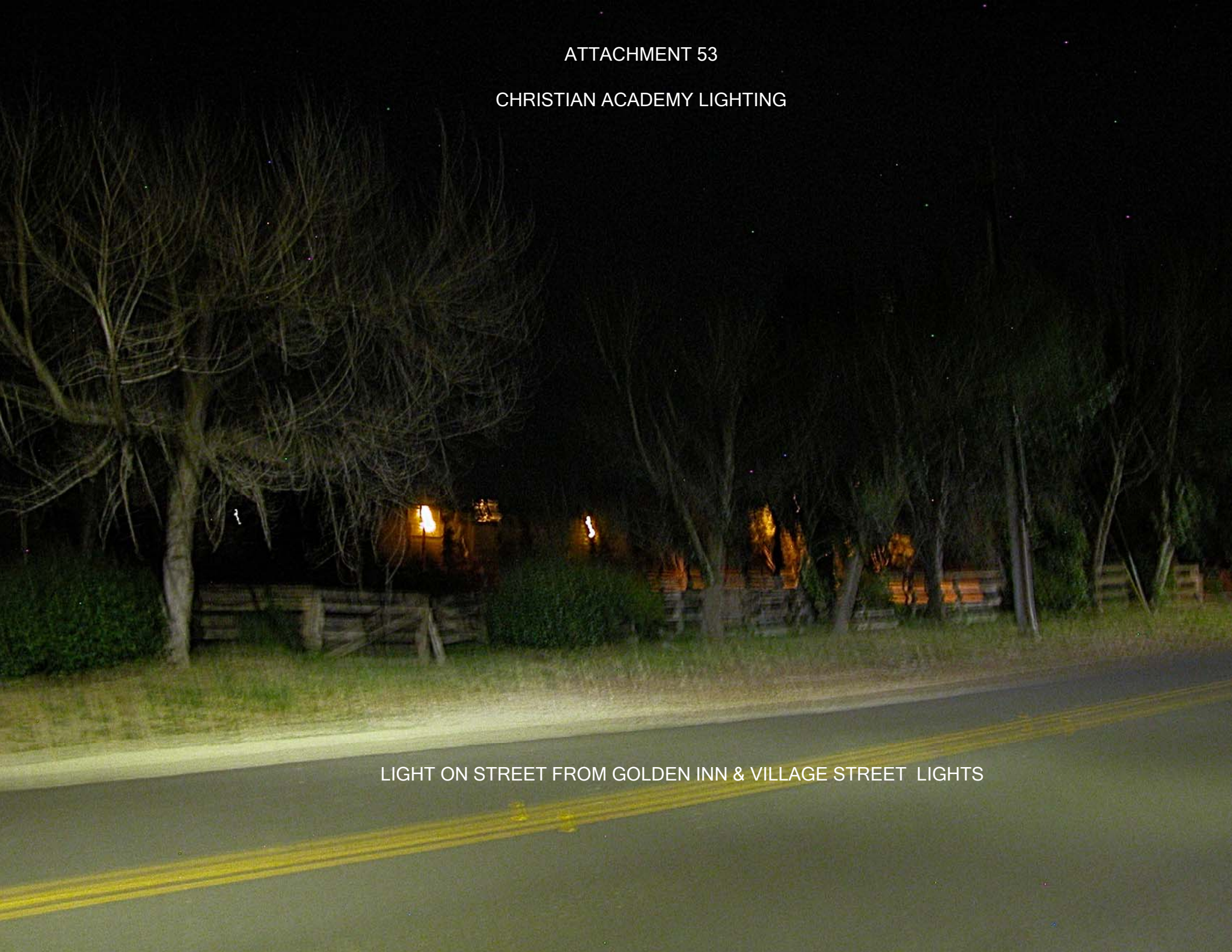
3055 LUCKY LANE
FEBRUARY 2017 FLOOD
ATTACHMENT 51



ATTACHMENT 52
YMCA LIGHTING

ATTACHMENT 53

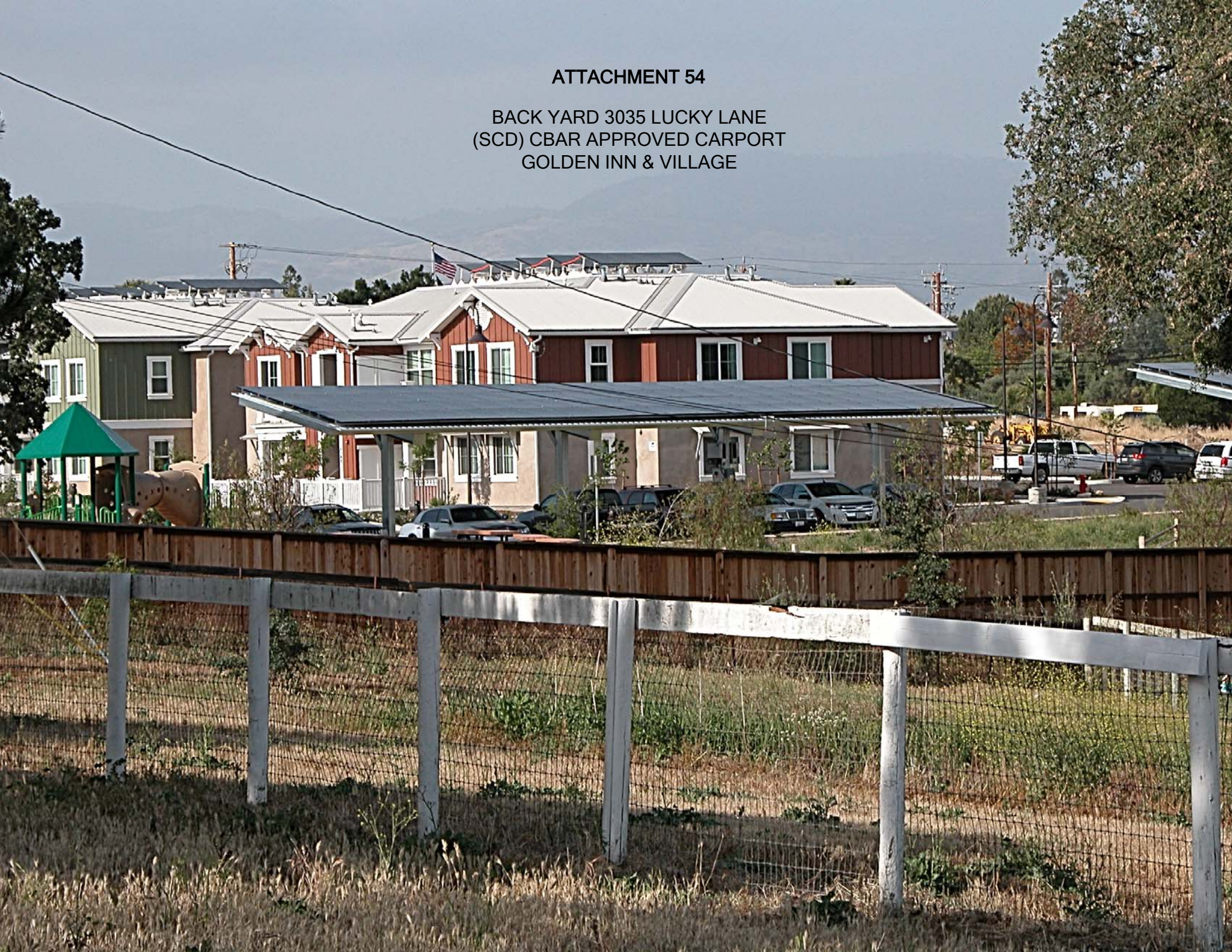
CHRISTIAN ACADEMY LIGHTING



LIGHT ON STREET FROM GOLDEN INN & VILLAGE STREET LIGHTS

ATTACHMENT 54

BACK YARD 3035 LUCKY LANE
(SCD) CBAR APPROVED CARPORT
GOLDEN INN & VILLAGE



ATTACHMENT 55
BACK YARD 3035 LUCKY LANE
(SCD) CBAR APPROVED CARPORT
GOLDEN INN & VILLAGE





BACKYARD 3055 LUCKY LANE GOLDEN INN & VILLAGE
PICTURE TAKEN 6/27/17 AFTER 9 PM LIGHTING AT 50%
LIGHTING AT 80% BEFORE 9 PM

ATTACHMENT 56

ATTACHMENT 57

GOLDEN INN & VILLAGE

PICTURE TAKEN 6/27/17 AFTER 9 PM LIGHTING AT 50%
LIGHTING AT 80% BEFORE 9 PM



9. NOTICING REQUIREMENTS

Why We Notice

California state planning (Government Code) and environmental (Public Resources Code) laws include requirements for noticing, public hearings and preparation of CEQA documents for both public and private development projects. The State's land use and environmental laws are based, in part, on the constitutional principles of due process which require that land owners be apprised of regulations and actions which may affect their property rights.

State legislation spells out that planning and environmental regulation are most effective when they have active involvement of the public and the support of broad public consensus.

Noticing is designed to ensure that all interested parties have an opportunity to learn about and participate in the public review of development projects. P&D's noticing requirements give the public notice early in the review process. If neighbor concerns arise, it is much easier and less costly for the applicant and architect to alter plans early in the process.

While specific requirements differ depending on the type and location of a project, in general:

- Notices of pending development or available environmental documents are mailed to neighboring property owners and/or residents and posted on project sites.
- Notices of environmental hearings, decisions or documents are mailed to neighbors and interested parties.
- Notices of public hearings are mailed and/or posted in public locations and on the department website.
- Discretionary projects also require published notice via newspaper display or legal ads.

NOTE: *At times the noticing requirements will not capture all of the neighbors who may obviously be interested in a project. It is important to consider who might be interested in what is going on. If you think a person or entity will be interested, make sure they get notice of proceedings. When requesting labels, you may ensure that certain neighbors are included, for example, all of the neighbors within a certain block or all of the neighbors abutting a portion of a creek.*