

Downie, Chelsea

Subject: FW: Parkhill Estates v.2
Attachments: Appeal of Land Use Permit 883 SA Creek Rd.pdf; 1000 SA Creek Road CUP.PDF

From: Jeff Nelson [<mailto:jeff@jeffnelsonlaw.com>]
Sent: Monday, May 21, 2012 9:43 AM
To: 'SupervisorCarbajal@sbcbos1.org'; 'dfarr@countyofsb.org'; 'jgray@co.santa-barbara.ca.us'; 'steve.lavagnino@countyofsb.org'
Cc: 'Tuttle, Alex'; 'Russell, Glenn'; 'Ghizzoni, Michael'; 'rbahl@co.santa-barbara.ca.us'; 'Villalobos, David'
Subject: Parkhill Estates v.2

Dear Chair Farr & Supervisors,
To add to the record and our input...

Attached are links to County documents we previously sent to the staff.

- B'nai B'rith was required to do improvements to the Tuckers Grove/San Antonio Creek Road connection which P&D staff did not require them to do when they got land use clearance, although P&D says that was covered or deemed unnecessary in a subsequent permit for another party whose property is adjacent to that road connection.
- Also attached is a letter related to the permitting of that other home near that road connection (Fee). It confirms that the County made a commitment to local residents that it would maintain this road link as emergency access after its use as a fully functioning road was switched to emergency access in the 1970s.

In any case, no project in that area was ever required to have a focused EIR on this issue and the County has represented that it will continue to maintain it as a fully functioning emergency road connection, as that was the very justification for limiting its use to less than a full public road.

There is no nexus between that issue and the build-out of Parkhill Estates v.2 which is proposed exactly consistent with the General Plan, which includes multiple elements including the Land Use Element and the Housing Element.

Jeff Nelson
The Nelson Law Firm
735 State Street Suite 212
Santa Barbara California, 93101
Phone (805) 845-7710
jeff@jeffnelsonlaw.com

THE CITY

AGENDA ITEMS

October 22, 2001

ITEM #: _____

Santa Barbara County Planning Commission
Attn: Commissioner Farr

MEETING
DATE: _____

Subject: Fee Appeal of Revocation of Land Use Permit

Commissioner Farr,

My name is Ken Simpson and I am a neighbor of Mr. David Fee who is in the process of appealing the revocation of his Land Use Permit (#00-LUS-164 GO). It would appear that he is actually appealing an appeal filed August 20, 2000 (#01APL-00000-00014).

When Mr. Fee began his work on the Site at 883 San Antonio Creek Road, it was under the guise of Utility installation with a Permit for that purpose. In the ensuing months, he proceeded to bring in dump truck load after dump truck load of boulders, trees, etc. and generally used this site as a storage facility for his work and equipment. He then began grading the Site without permit, built walls both on site, and along the existing road within the County Right-of Way.

It is my understanding that during this time period he was told by County Inspectors to cease work on at least a couple of occasions, yet he continued his grading, wall building etc. During this process, the amount of material and equipment that was moved up and down this stretch of San Antonio Creek Road was tremendous for the amount of work that should have been occurring there, even if it were to have been Permitted and Legal.

In August of last year an appeal was filed and the necessary action was finally taken that required Mr. Fee not only to cease work, but to restore the property as best he could to original condition. He has now for arguments sake, done twice the grading that should have been necessary to develop the Site and it will once again need to be graded in order to construct a home with any semblance of a yard. Three grading operations for one small building Site seems a bit excessive to me with the negative impact on the 4 neighbors who adjoin Mr. Fee's Parcel.

It is my understanding that this is not the first time that Mr. Fee has chosen the most expedient, yet not properly permitted route to Site Development. It seems to be his normal way of going about whatever his business might be.

My main concern at this point is that Mr. Fee has, or at least did have the property on the market for sale. I am not aware of what the County may have already exacted from Mr. Fee in the way of fines for repairs within the County's road Right-of Way or if they are even concerned with this issue. The portion of San Antonio Creek Road from the last existing home at address 885 on the westerly side

of the Street, to the bottom of the hill at the northeasterly end of Tucker's Grove Park is in a terrible state of disrepair. This is the direct result of Mr. Fee's use of this Site for storage of his heavy equipment and the multitude of daily trips with that equipment and the above mentioned boulders, trees etc.

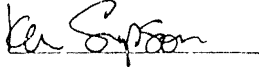
Since this is one of only two fire exits out of the area when a fire burns in a southerly direction from San Marcos Pass, we who live on this stretch of road are concerned that this road be maintained in good repair specifically for that purpose. When the County closed off this road through Tucker's Grove Park, the residents here were assured that it would always be maintained so that in the event of a fire (such as the Painted Cave fire), exiting the area via this road would not be a problem. Unfortunately, Mr. Fee's activities including the illegal alteration of the natural drainage has caused the southerly edge of the road to erode in places as well as the destruction of some of the paved areas.

I am aware that Temple B'nai Brith was required as a condition of their recent Building Permit to maintain this section of road for fire access. It seems to me that would only be fair if Mr. Fee had left them something structurally sound to work with from the beginning

It is my opinion that Mr. Fee should be responsible for making all necessary repairs to the road prior to, or as a condition of the sale of the property, or if he really does intend to build, a bond should be posted for that work prior to re-issuance of a Building Permit.

I can be contacted at work at the following number (805) 966-2224.

Thank You,



Ken Simpson

905 San Antonio Creek Road

Santa Barbara, Ca. 93111



COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST
SANTA BARBARA, CALIF. 93101-2056
PHONE (805) 568-2000
FAX (805) 568-2100

October 26, 2001

David Fee
2182 Sycamore Canyon Road
Santa Barbara, CA 93108

PLANNING COMMISSION
HEARING OF OCTOBER 24, 2001

RE: Fee Appeal of Land Use Permit Revocation, 01APL-00000-00014

Hearing on the request of David Fee, owner to consider the Appeal 01APL-00000-00014 [appeal filed August 20, 2000], of the Planning and Development Department's decision to revoke the land use permit 00-IUS-164-GO, that would have allowed the construction of a single family residence of approximately 2,927 square feet in the I-E-1 Zone District under Article III. The application involves AP No. 067-100-014, located at the southern terminus of San Antonio Creek Road adjacent to Tucker's Grove Community Park, addressed as 883 San Antonio Creek Road, Goleta area, Second Supervisorial District.

Dear Mr. Fee

At the Planning Commission hearing of October 24, 2001, Commissioner Farr moved, seconded by Commissioner Oberdeck and carried by a vote of 3-0 (Needham Farnum absent) to:

1. Adopt the required findings for the project specified in Attachment D of the staff report dated October 17, 2001, and
2. Deny the appeal, 01APL-00000-00014

Decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or any interested person adversely affected by such decision. Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within ten (10) calendar days of the date of the Planning Commission's decision. **The appeal period for this project ends on November 5, 2001 at 5:00 p.m.**

If this decision is appealed a filing fee for non-applicant appeals is \$435, for applicant appeals the fee is \$2,000 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA

If this action is appealed this letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period and to collect the required appeal fee

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11

eight to ten feet of non-engineered rock retaining wall had also been constructed. Also observed was a recreation vehicle that had been attached to utilities and appeared to be inhabited.

- 12/6/00 - A site inspection determined that sand has been imported onto the site to be used for a new walkway. Because there is no current valid building permit on file at this time, the importation of sand does not constitute construction material but rather, constitutes additional grading.
- 12/7/00 - From another site investigation it appears that soil and material have been relocated on-site.
- 2/14/01 - The appellant was directed to submit an application for complete restoration of the site, in order to return the site to its original configuration contours.
- 3/9/01 - Mr. Fee submitted the land use (01LUP 00000 00226) and grading (01GRD 000000 0041) permit applications for site restoration.
- 5/9/01 - The Land Use Permit (01LUP 00000 00226) for site restoration was approved.
- 5/15/01 - The Grading Permit (01GRD 000000 0041) for site restoration was issued.

The appellant eventually did bring the property in conformance with the applicable zoning ordinance regulations subsequent to the revocation of the permit. However, on the date the permit was revoked, the property was not in compliance with applicable zoning provisions. Therefore, staff correctly determined that the property was not in compliance with all laws, rules and regulations pertaining to zoning uses and any other applicable zoning provisions.

7.9 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within ten calendar days of said action.

ATTACHMENTS

- A Appellant's appeal submittal
- B Letter of revocation
- C History of activities
- D Findings

CONDITIONS OF APPROVAL

1-LUP-053 GO
Name: B'nai B'rith Pre-School, Caretaker's Residence & Parking
Address: 1000 San Antonio Creek Road
040-11

ZONING PERMIT ISSUED

SANTA BARBARA CO PLANNING & DEVELOPMENT
SANTA BARBARA COUNTY CONDITIONAL USE PERMIT
ARTICLE III, CHAPTER 35
85-CP-060 RV01

A Conditional Use Permit is Hereby Granted:

Congregation B'nai B'rith
PROJECT ADDRESS: ZONE:
Article III, 1-E-1, (Single Family

Residential)

Goleta, Second

A Pre-school Building (4,573 sq. ft.),
Caretaker's Residence (1,936.5 sq. ft.), additional parking lot
improvements and landscaping.

PERVISORIAL

1:

This permit is subject to compliance with the following condition(s):

This Revised Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A through G dated September 22, 1999, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

Project Description:

The applicant, B'nai B'rith, is requesting a revision to their existing Conditional Use Permit (85-CP-060) to expand the existing B'nai B'rith facility (temple and "social hall", outdoor chapel, pre-school building, caretaker's residence) located at 1000 San Antonio Creek Road by adding a 4,115 square foot (sf) classroom building and replacing a mobile home with a permanent 1,190 square foot caretaker's residence (see Attachment 1, Vicinity Map).

Classroom Building: The proposed 4,573 square foot classroom building would be 183' 2" by 34', and would be located approximately 100 feet from the southern site boundary and approximately 77 feet and 105 feet from the eastern and western site boundaries respectively. The proposed classroom building would provide six pre-school classrooms each with a bathroom, storage closet and teacher's office. A pre-school office, reception area and bathroom will be located at the western end of the classroom building. Each classroom will have an outdoor play yard. The play yard will be enclosed with a five foot high wood fence with interior fencing that may be removed to enlarge the play yard area. The proposed expansion would provide additional space to accommodate 35 additional children (capping enrollment to 72 students) and six additional staff members added to the existing 16 staff members (temple and pre-school) and 2 caretakers), for a total of 24 staff members. The new building would be located south of the existing pre-school classrooms and temple on a portion of the existing asphalt play area. The structure's exterior facing would be compatible to the B'nai B'rith temple and existing pre-school classrooms.

Caretaker's Residence: The proposed 1,936.5 square foot single family residence would be 65' 2" by 30', and would be located approximately 66' from the western site boundary, 41' southwest of the existing temple, and 28' northwest of the proposed classroom building. The proposed caretaker's residence will replace the mobile home currently being used as the caretaker's residence, that is proposed to be removed. The proposed caretaker's residence would include a workshop and storage area in addition to two bedrooms, a bathroom, living and dining area, kitchen, and one car garage. The structure's exterior facing would be compatible to the B'nai B'rith temple and existing pre-school building.

Parking Area: An existing parking area approximately 128' by 130' is located in the northern section of the property. The existing parking area will be improved and restriped providing parking for 74 vehicles and two handicap parking spaces (76

total). Vehicles may enter the existing parking area via San Antonio Creek Road. A one-way access driveway will encircle within the existing parking lot. A two-way driveway leading to the proposed parking area connects to the southwest corner of the existing parking lot. The proposed parking area is approximately 144' by 32' and would be located in the southwest corner of the property in an area currently being used as an overflow parking area. The proposed parking area would provide parking for up to twelve vehicles in addition to two handicap spaces (16 total) for a total of onsite striped parking to 91 spaces. A one car garage is proposed for the caretaker's residence. The layout of the site plan provides a 30' turning radius adjacent to the proposed parking area for fire apparatus and easy access for parents picking up their children.

Other Improvements: The project would involve removing the existing access driveway to the overflow parking area and redesigning this driveway for two-way traffic which will connect to the new parking area. A new fire hydrant will be installed immediately north of the caretaker's residence. Five exterior hooded pole lights with directional shields, would be installed in the proposed parking area to improve lighting and site security.

Proposed Landscaping: Seven Pepper trees and possibly one pine tree will be removed to construct the caretaker's residence. Two Pepper trees will be removed that are located within the proposed access driveway to the new parking area. The asphalt play area between the existing and proposed pre-school buildings will be replaced with a grass field. Oaks will be planted along the western edge of the proposed parking area, oak trees, olive trees, shrubs and groundcover will be installed adjacent to the proposed classroom building and caretaker's residence. Existing landscaping would be improved with new plantings within the existing parking area and south of the proposed classroom play yard area.

Modification to Section 35-263.1 of Article III: Section 35-263.1 of Article III states where non-residential parking areas abut residentially zoned or developed property, a wall or solid fence of not less than five-feet in height shall be erected and maintained between the parking area and the adjoining residentially zoned or developed property. The property west of the project site is zoned Single Family Residential (R-E-1) with single family dwellings located above the proposed parking area. Consequently, a wall or solid fence would not adequately screen the proposed parking area. Section 35-255.9 allows for modifications to parking requirements, such as a wall or solid fence. In this case, proposed landscaping along the western property line will be more aesthetically pleasing than a wall or solid fence, as required by the zoning ordinance.

Modification to Section 35-256.1 of Article III: Section 35-256.1 of Article III states a Single Family Dwelling and two family dwellings shall provide two parking spaces per dwelling unit. The proposed caretaker's unit provides a one-car garage. Section 35-315.12.1 allows for modifications to parking requirements. The applicant requests a modification to provide one parking space instead of two spaces as required by the zoning ordinance.

Existing Activities/Uses: The applicant has stated that the proposed expansion is to allow existing programs and ministries to function more efficiently and to accommodate existing and proposed school enrollment and activities. Existing use consists of over 30 programs/special events. These include pre-school, after school care programs (Monday-Friday, 32 students and 8 staff); Parent Meetings (4 times/year, 20 people); Religious School (3 times/week/September-May, 10-100 people); Religious School dinners (2 Thanksgiving Luncheon and Passover Seder (1 each/year, 30 people); B'nai B'rith Lodge dinner (4th Thursday/January-October, 50 people); Religious Services (Friday Evenings 1-4 times/month, 70 people); Religious Minyan and Torah study (Saturdays, 10-15 people); Introduction to Judaism (5 Sundays/January-May, 20 people); B'nai Mitzvah Family Class (4 weeks only/October-November, 20 people); B'nai Mitzvahs (30 times/year, 175 people); B'nai Mitzvah receptions (25 times/year, 175 people); Temple Choir (August-June, 15 people); Teen Choir (October-January, 25 people); Rosh Hashanah and Yom Kippur (2 services each/September only, 750 people); Hanukkah Concert (1 Sunday/December, 350 people); Leadership Development classes (first Tuesday/October-April, 13 people); Temple fund-raisers (3 evenings/year, 200 people); Purim Play and Carnival (1 Sunday/February or March, 200 people); Temple Board meetings (1/month, 32 people); Committee Meetings (10 times/month, 5-15 people); and other religious traditions of the Jewish Community (various times/year, 10-25 people). Existing structures on the property include a temple, pre-school building, "Abraham's Outdoor Chapel", recreational play yard (asphalt and grass) and parking area.

No increase in the existing Church seating capacity of 240 seats is proposed as part of this CUP revision. There would be no change in the current school schedule which is as follows: student drop-off: 7:30 a.m.; student pick-up: 1:00 p.m. and 6:00 p.m. (Monday through Friday). The applicant has provided a matrix of existing activities and events as part of this application (see Attachment 3). The applicant does not propose any additional expansion of existing programs or ministries as a result of the proposed building expansion. By Temple policy, B'nai B'rith does not lease out any space for any program of any other organization. No changes in this policy are proposed with this application.

Grading: The project would require approximately 75 cubic yards of excavation and 755 cubic yards of fill. It is anticipated that approximately 572 cubic yards of soil would be excavated and recompacted to adjust for shrinkage to provide a level building pad for the proposed classroom building, caretaker's residence, and to facilitate proper drainage within the proposed parking area.

Additional Information: Access to the site is provided from San Antonio Creek Road located on the north side of the site. Water would be provided by the Goleta Water District. Sewer service would be provided by the Goleta Sanitary District.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto.

33. The Final Landscape Plan shall provide the following: (1) ample landscaping along the western property boundary to screen the proposed parking area from adjacent residences, (2) ample landscaping along the perimeter of the caretaker's residence, (3) additional plantings along the northern property line, (4) all oak trees shall be a minimum 15 gallon in size, (5) all Majestic Beauty olive trees shall be 24" box or a fast growing variety should be selected, (6) all dead trees shall be replaced with a compatible species, and (7) clinging vines and shrubs shall be planted along the south facing pre-school play yard fence. **Plan requirements:** The applicant shall submit landscape plans for review and approval by P&D and the Board of Architectural Review prior to approval of Land Use Permits. Specified landscaping shall be incorporated in the landscape plan. **Timing:** Landscaping shall be installed prior to occupancy clearance. **MONITORING:** Permit Compliance shall photodocument installation and maintenance of landscaping per plan. Permit Compliance signature is required for release of performance security.
34. The existing trash storage area shall modified to be architecturally compatible with the project design. The storage area shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate. The trash storage area shall be maintained in good repair. **Plan Requirement:** The applicant shall submit architectural drawings of the trash storage enclosure for review and approval by P&D and the Board of Architectural Review prior to approval of Land Use Permits. Location and design of trash storage area shall be denoted on project plans. **Timing:** Trash storage area shall be installed prior to occupancy clearance. **MONITORING:** Permit Compliance shall inspect prior to occupancy clearance.

PROJECT SPECIFIC CONDITIONS

35. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete and asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements:** This requirement shall be printed on the grading and construction plan. Permittee shall provide P&D with receipts for recycled materials or for separate bins. **Timing:** Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance. **MONITORING:** P&D shall review receipts prior to occupancy clearance.
- 35a. **Plan Requirements and Timing:** The applicant shall prepare a Parking Plan which demonstrates that adequate off-street parking will be available for daily temple operations and all special events. The plan shall include copies of parking agreements between Congregation B'nai B'rith and other nearby facilities demonstrating that a combined total of a maximum of 134 additional parking spaces will be available. The plan shall provide for shuttling of congregates between the off-site parking area(s) and the temple. The plan and agreements shall be reviewed and approved by P&D and County Counsel and shall be executed prior to approval of a land use permit for the Congregation B'nai B'rith project. Proof of renewal of the parking agreements shall be provided to P&D annually. If the offsite parking agreement cannot be renewed, the County may require the applicant to initiate a modification of the Conditional Use Permit for the temple to ensure that adequate parking is available. **MONITORING:** P&D shall ensure compliance with agreements prior to approval of Land Use Clearance and Permit Compliance shall periodically monitor compliance in the field.
- 35b. The applicant shall submit a plan to improve the abandoned portion of San Antonio Creek Road through Tuckers Grove Park to an operational level for emergency access. The plan shall include cost estimates for tree trimming and installation of a guard rail and/or directional ground sign and reflectors along the southern edge of the emergency access road pursuant to County Standards. All tree trimming shall be evaluated and conducted under the direction of a P&D approved arborist/biologist. **Plan Requirements:** The Emergency Access Improvement Plan shall be submitted for review and approval to P&D, County Counsel, Public Works, County Fire, and County Parks Department. **Timing:** Funding for the initial improvements shall be provided by the applicant prior to approval of Land Use Permits and shall be equal to the value of a guard rail and/or directional ground sign, tree trimming, and labor costs. The County shall complete the work as shown on the approved Emergency Access Improvement Plan. **MONITORING:** P&D and County Fire shall inspect tree trimming and guard rail and/or directional ground sign and reflectors installations for compliance with the approved plan prior to occupancy clearance.
- 35c. The applicant shall submit a revised Emergency Disaster Plan which addresses evacuation of pre-school children in the event of an area fire. **Plan Requirements:** The plans shall specify an off-site location where children will be evacuated to and the method of evacuation. If made available by the County, evacuation shall occur through Tucker's Grove Park. Parents of children attending the pre-school shall be notified in writing of the evacuation plan and shall be instructed to not attempt to access the site during a fire emergency. **Timing:** The plan shall be prepared in coordination with Planning and Development and other applicable agencies and shall be approved by Planning and Development prior to Land Use Clearance.

PREVIOUSLY APPROVED CONDITIONS OF 85-CP-060

Church and Allied Facilities Conditions:

review and approval to P&D, County Counsel, Public Works, County Fire, and County Parks Department. **Timing:** Funding for the initial improvements shall be provided by the applicant prior to approval of Land Use Permits and shall be equal to the value of a guard rail and/or directional ground sign, tree trimming, and labor costs. The County shall complete the work as shown on the approved Emergency Access Improvement Plan.

MONITORING: P&D and County Fire shall inspect tree trimming and guard rail and/or directional ground sign and reflectors installations for compliance with the approved plan prior to occupancy clearance.

Condition 35c. is added

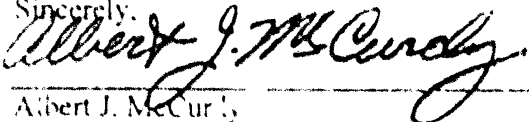
35c. The applicant shall submit a revised Emergency Disaster Plan which addresses evacuation of pre-school children in the event of an area fire. **Plan Requirements:** The plans shall specify an off-site location where children will be evacuated to and the method of evacuation. If made available by the County, evacuation shall occur through Tucker's Grove Park. Parents of children attending the pre-school shall be notified in writing of the evacuation plan and shall be instructed to not attempt to access the site during a fire emergency. **Timing:** The plan shall be prepared in coordination with Planning and Development and other applicable agencies and shall be approved by Planning and Development prior to Land Use Clearance.

The attached findings and conditions reflect the Planning Commission's action of September 22, 1999.

Decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or any interested person adversely affected by such decision. Appeal applications may be obtained at the Planning & Development Department or the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing, together with the applicable fee, must be filed with the Clerk of the Board of Supervisors within ten (10) calendar days of the date of the Planning Commission's decision. The appeal period ends on October 4, 1999.

If this decision is appealed a filing fee for non-applicant appeals is \$435, for applicant appeals the fee is \$2,000 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA.

Sincerely,



Albert J. McCurdy
Secretary to the Planning Commission

xc Case File: 85-CP-060 RV01
Planning Commission File
Richard Corral, Planning Technician
Address File: 1000 San Antonio Creek Road, Goleta, CA 93117
Applicant/Owner: Congregation B'nai B'rith, 1000 San Antonio Creek Road, Goleta, CA 93117

36. A church and allied facilities shall be permitted in accordance with the application of B'nai B'rith Church, Case no. 66-C.P-98, on property generally described as Assessor Parcel No. 59-040-05 and -09, generally located on the east side of the proposed southerly extension of San Antonio Creek Road, southerly of Via Los Santos, Goleta Valley.
37. All buildings and structures shall observe residential setbacks.
38. No driveway shall exceed thirty feet in width at the property line.
39. Compliance with provisions of the County Road Department letter of January 13, 1967 as follows:
- a. Provide the County Road Department with a letter agreeing to construct asphaltic driveways from the church parking lot to San Antonio Road southerly to Cathedral Oaks Road.
 - b. Redesign parking lot frontage to provide two driveways, not to exceed thirty feet in width, rather than three as shown.
 - c. The east side of the existing barricade on the south side of Via Los Santos may be removed and a temporary driveway constructed to serve the proposed church.
 - d. The grade and alignment of San Antonio Creek Road extension shall be set by the County Road Department.
 - e. Prior to the start of any improvements within the road right-of-way, the applicant shall obtain a Road Encroachment Permit and Excavation Permit for the County Road Department per Ordinance 1491 dated November 26, 1963.
 - f. Prior to final approval of subject development plan, all conditions of approval on Lot Split 10,604 shall have been complied with and Lot Split shall have been recorded.
 - g. The discrepancy which appears between the Lot Split plat and the development plan on the south property line shall be resolved prior to approval of either.
- Note: Lot Split plat shows 205.65 feet
Development Plan shows 195.00 feet
- h. Compliance with the above conditions prior to occupancy of any building within proposed project.

40. Compliance with provisions of the County Health memorandum of January 10, 1967, as follows:
- a. All development shall be connected to and served by potable water from an approved source.
 - b. All development shall be connected to and served by the public sewer. No private sewage disposal installation to be permitted.
41. Compliance with provisions of the Director, Division of Intergovernmental Services letter of January 9, 1967, as follows:
- a. That they shall annex the property in question to County Service Area No. 3. Said annexation shall be completed prior to issuance of any occupancy permit.
 - b. That they shall adhere to Board Resolution No. 66-622 relative to street lighting policy.

Outdoor Church Service Conditions:

42. The size, shape, location of the outdoor chapel shall be developed in substantial conformity with Planning Commission Exhibits Nos. 1 and 2, dated August 17, 1983.
43. Surrounding area of the outdoor chapel shall be landscaped to the satisfaction of the Resource Management Department Landscape Planner.
44. The applicant shall obtain a Zoning Clearance and Building Permit.
45. Noise generated by the outdoor chapel use shall not exceed 65 dBA at a structure used for human habitation.
46. The outdoor chapel shall be used as follows:
- a. Not after 9:00 p.m.
 - b. For services of the Temple.
 - c. In lieu of indoor facilities, i.e. not in addition to indoor facility.
 - d. Maximum twenty (20) times a year.
47. No sound amplification shall be utilized.

~~Four~~ Seven Pepper trees and possibly one pine tree will be removed to construct the caretaker's residence.

Condition 33 is revised

The Final Landscape Plan shall provide the following: (1) ample landscaping along the western ~~ample landscaping along the perimeter of the caretaker's residence,~~ (3) additional plantings along the northern property line, (4) all oak trees shall be a minimum 15 gallon in size, (5) all olive trees shall be 24" box or a fast growing olive tree from the "Majestic Beauty" variety, (6) all dead trees shall be replaced with a compatible species, and (7) clinging vines and shrubs shall be planted along the south facing pre-school play yard fence. ~~Clinging vines and/or vertical planting shall also be provided on any masonry walls or property boundary to screen the proposed parking area from adjacent residences.~~ (2) ~~solid fence where appropriate, as determined by P&D, to soften the visual effects of the structures.~~ **Plan requirements:** The applicant shall submit landscape plans for review and approval by P&D and the Board of Architectural Review prior to approval of Land Use Permits. Specified landscaping shall be incorporated in the landscape plan. **Timing:** Landscaping shall be installed prior to occupancy clearance.

MONITORING: Permit Compliance shall photodocument installation and maintenance of landscaping per plan. Permit Compliance signature is required for release of performance security.

Condition 35a is added

35a. Plan Requirements and Timing: The applicant shall prepare a Parking Plan which demonstrates that adequate off-street parking will be available for daily temple operations and all special events. The plan shall include copies of parking agreements between Congregation B'nai B'rith and other nearby facilities demonstrating that a combined total of a minimum of 134 additional parking spaces will be available. The plan shall provide for shuttling of congregates between the off-site parking area(s) and the temple. The plan and agreements shall be reviewed and approved by P&D and County Counsel and shall be executed prior to approval of a land use permit for the Congregation B'nai B'rith project. Proof of renewal of the parking agreements shall be provided to P&D annually. If the offsite parking agreement cannot be renewed, the County may require the applicant to initiate a modification of the Conditional Use Permit for the temple to ensure that adequate parking is available.

MONITORING: P&D shall ensure compliance with agreements prior to approval of Land Use Clearance and Permit Compliance shall periodically monitor compliance in the field.

Condition 35b is added

35b. The applicant shall submit a plan to improve the abandoned portion of San Antonio Creek Road through Tuckers Grove Park to an operational level for emergency access. The plan shall include cost estimates for tree trimming and installation of a guard and/or directional ground sign and reflectors along the southern edge of the emergency access road pursuant to County Standards. All tree trimming shall be evaluated and conducted under the direction of a P&D approved arborist/biologist. **Plan**