

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for Morton Appeal of Brous Horse Barn and Hay Barn

Alice McCurdy

Hearing Date: January 6, 2016

Deputy Director: Alice McCurdy

Staff Report Date: December 17, 2015

Division: Development Review

Case Nos.: 15APL-00000-000014
(15LUP-00000-00276)

Supervising Planner: Anne Almy

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Environmental Document: Notice of Exemption pursuant to Section 15301(l) and 15303(e) of the CEQA Guidelines

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OWNER/APPLICANT:

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(805) 681-8855

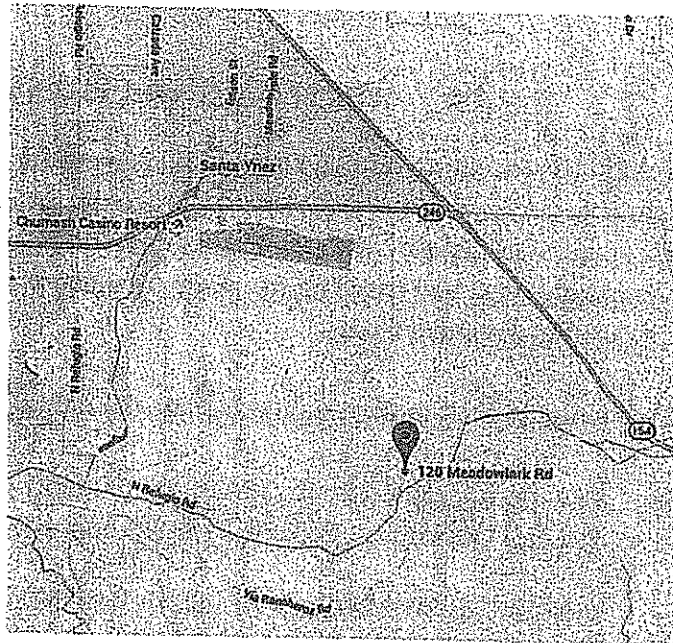
OWNER'S AGENT & ARCHITECT:

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APPELLANTS:

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This site is identified as Assessor's Parcel Number 141-390-015, located at 120 Meadowlark Road, in the Santa Ynez area, Third Supervisorial District.

Application Submitted: July 16, 2015
Director's Approval of Land Use Permit: July 16, 2015
Appeal Filed: July 27, 2015

1.0 REQUEST

Hearing on the request of Suzanne Kramer-Morton, Joel Morton, and Ramon and Sandra Guerrero, appellants, to consider Case No. 15APL-00000-00014 [application filed on July 27, 2015] to appeal the Director's approval of 15LUP-00000-00276, in compliance with Chapter 35.102 of the County Land Use and Development Code, on property located in the AG-I-5 Zone; and to determine the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15301(l) and 15303(e), included as Attachment C.

The application involves Assessor Parcel No. 141-390-015, located at 120 Meadowlark Road, in the Santa Ynez area, Third Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and deny the appeal, Case No. 15APL-00000-00014, and affirm the decision of the Director to approve the Brous Hay Barn and Horse Barn, based upon the project's consistency with the Comprehensive Plan, including the Santa Ynez Valley Community Plan, and based on the ability to make the required findings within the County Land Use and Development Code.

Your Commission's motion should include the following:

1. Deny the appeal, Case No. 15APL-00000-00014, of the decision of the Director to approve the Land Use Permit, Case No. 15LUP-00000-00276;
2. Make the required findings for approval of the modified project, Case No. 15LUP-00000-00276, specified in Attachment A of this staff report, including CEQA findings;
3. Determine that the modified project, 15LUP-00000-00276, is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15301(l) and 15303(e), as specified in Attachment C; and
4. Grant *de novo* approval of the modified project, Case No. 15LUP-00000-00276, subject to the conditions included as Attachment B, thereby affirming the decision of the Director.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project is being considered by the County Planning Commission (CPC) based on Section 35.102 of the County Land Use and Development Code, which states that any Land Use Permit approval of the Director, other than temporary uses and trailers, may be appealed to the CPC. The CPC's review of the project is *de novo*.

4.0 ISSUE SUMMARY

The proposed project is located in an inland Existing Developed Rural Neighborhood (EDRN), nominally Meadowlark Ranch, on a lot zoned AG-I-5, in the Santa Ynez Valley Community Plan Area. At 29.39 acres, the lot is conforming as to size. The project would include the demolition of an existing, unpermitted horse barn that was constructed within the flood plain of the Santa Ynez River. The project would also include the construction of a replacement horse barn and a hay barn, located outside of the flood plain and clustered with other existing agricultural accessory structures on the subject lot. No trees are proposed for removal, and grading would include less than 50 cubic yards of cut and fill.

Staff approved a Land Use Permit (LUP) for the proposed project on July 16, 2015. The appellants appealed staff's decision, asserting that the site design, specifically the setbacks, height, density, and use of the proposed project would be incompatible with the surrounding neighborhood. The appellants cite the Meadowlark Ranch's Protective Covenants and Restrictions (PC&Rs) throughout their appeal letter. Private agreements, such as Protective Covenants and Restrictions, are not enforced by the County.

As discussed below, the proposed project, as originally approved, would comply with the Comprehensive Plan, including the Santa Ynez Valley Community Plan, and the development standards of the Santa Barbara County Land Use and Development Code (LUDC). Since approval of the permit in July, the applicant and appellants have discussed and revised the site plan. As modified, the project would comply with all County development standards, as well as the requirements of the Meadowlark Ranch Association PC&Rs. Regardless, the appellants remain opposed to the project based on the intensity of the equestrian use.

Through course of this appeal, two sets of building and zoning violations were brought to staff's attention. The submitted site plan includes the proposed development and existing development as such: a single family dwelling, a residential second unit, five accessory structures (four permitted tack rooms and one unpermitted agricultural accessory structure used for storage), three barns, a corral, and the unpermitted fourth barn proposed for demolition. The tack rooms were the subject of a zoning violation in 2001 (01ZEV-00000-00195), as they were being used as

guest houses by the previous owner of the property. The structures were then legalized as tack rooms with restrooms, with no bathing facilities, through a series of Land Use and Building Permits. At the time that the applicant purchased the property, the four structures had the showers re-installed. The applicant has confirmed that the four structures are currently being used as guest houses, and that they each have showers. The conditions of approval for the subject Land Use Permit have been expanded to incorporate the conversion of the accessory structures back to tack rooms with restrooms, without bathing facilities prior to the completion of the subject Land Use Permit to ensure compliance with the approved permit history (Condition 14, Attachment B). The fifth structure, permitted as a detached residential second unit, will be renamed on the site plan, and would be allowed to retain the bathing facilities.

Additionally, the originally approved site plan included mislabeled structures that do not match the permit history. The structure labeled as a detached residential second unit (DRSU) on the originally submitted site plan was built as an agricultural accessory structure, with no record of permit history for the structure. The structure labeled as "Accessory Structure #1" on the originally submitted site plan was permitted as a DRSU. In 2005, when the previous owner of the property was permitting the DRSU, the agricultural accessory structure was under construction without permits. The 2005 Conditional Use Permit and Land Use Permit for the DRSU do not explicitly call out the structure within the project description; however, the structure is included on the approved site plan for the construction of the DRSU. The Assessor's Office lists the structure as an agricultural accessory structure, and it is currently being used for storage. The project description of the subject Land Use Permit has been expanded to include the validation of the agricultural accessory structure.

The evidence presented herein supports the approval, on a *de novo* basis, of the Land Use Permit case number 15LUP-00000-00276, as redesigned pursuant to the modified site plan and as conditioned herein.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Inland, Rural, Santa Ynez Valley Community Plan Area, Meadowlark Existing Developed Rural Neighborhood (EDRN), A-I-5, Agriculture, 0.2 units/acre
Ordinance/Zone	County Land Use and Development Code, AG-I-5, Minimum Parcel Size: 5 acres
Site Size	29.39 acres
Present Use & Development	Rural home site, parcel includes grazing land, single family dwelling, and agricultural accessory structures
Surrounding Uses/Zone(s)	North: Rural home site (Zoned AG-I-5) South: Orchards (Zoned AG-II-100) East: Grazing Land (Zoned AG-II-100) West: Rural home site (Zoned AG-I-05)
Access	Meadowlark Road
Services	Water Supply: Private, onsite water well Sewage: Private, onsite septic system Fire: County Fire Police Services: County Sheriff

5.2 Setting

The project site is located in the rural Santa Ynez area, approximately 1.5 miles west of Highway 154 and 1.5 miles south of Highway 246. The subject parcel is located within the Meadowlark Existing Developed Rural Neighborhood (EDRN) as designated in the Santa Ynez Valley Community Plan. The Santa Ynez River curves along the southeastern corner of the parcel. The site is relatively flat and roughly 78% of the parcel is within the Flood Overlay Zone of the Santa Ynez River (see Attachment H). No geological hazards or environmentally sensitive habitats are located on site.

The site is currently developed with a one-story single family dwelling, a residential second unit, five accessory structures (four permitted as tack rooms with bathrooms, and one unpermitted agricultural accessory structure that is used for storage and included in the revised project description for validation), three barns, a corral, and an unpermitted fourth barn that is located

within the Flood Overlay Zone. The proposed horse barn would replace the unpermitted barn, and the unpermitted barn would be demolished.

5.3 Statistics

Item	Existing	Proposed	Ordinance Standard
Max. Height of Structures	All existing structures meet the ordinance standard	The proposed barns would have a maximum height of 13'-0"	35'-0" for residential structures, no height limit otherwise
Building Coverage (footprint)	17,995 square feet (gross); 1.406% of the total lot	19,435 square feet (gross); 1.518% of the total lot	A Development Plan is required when gross floor area of all structures on a lot zoned AG-I, and located inland, exceeds 20,000 square feet (LUDC, Section 35.21.030.D.1), otherwise Land Use Permits are required for non-exempt development permissible in the zone district.
Residential Density	1 single family dwelling and 1 residential second unit	No additional residential units are proposed	1 single family dwelling per lot; plus agricultural employee housing, and second units, where allowed by Table 2-1 of the LUDC and applicable standards provided that the lot complies with Section 35.21.040.

5.4 Description

The project is an appeal of the Director's approval of 15LUP-00000-00276. The appealed project is a request of Victor Padilla, agent for the owner, Greg Brous, for the construction of a 2,809 square foot horse barn and 1,440 square foot hay barn. The project would also ensure the demolition of a 2,809 square foot horse barn located in the floodplain, to abate zoning and building violations (15BDV-00000-00071 and 15ZEV-00000-00232). The proposed barns have been reviewed by County Flood Control and are located outside of the FEMA's Special Flood Hazard Area. The project meets all required setbacks, and the proposed outdoor lighting is in compliance with Santa Ynez Valley Community Plan lighting requirements. Grading would include less than 50 cubic

yards of cut and fill. No trees are proposed for removal. The project description has been revised over the course of the appeal to include the validation of an existing agricultural accessory structure of approximately 1,425 square feet that was built approximately in 2005 without the benefits of permits. The revised Conditions of Approval also include a requirement to demolish the unpermitted bathing facilities in the four tack rooms that are currently being used as guest houses. The parcel will continue to be served by a private well, private septic system, and the County Fire Protection District. Access will continue to be provided off of Meadowlark Road, a private road. The property is a 29.39-acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 141-390-015, located at 120 Meadowlark Road in the Santa Ynez Area, 3rd Supervisorial District.

6.0 PROJECT ANALYSIS

6.1 Appeal Issues and Staff Response

As noted in Section 4.0 of this staff report, the appeal focuses on the Meadowlark Ranch Protective Covenants and Restrictions. However, private agreements, such as Protective Covenants and Restrictions, are not enforced by the County of Santa Barbara. The appellants contend that the applicant's project is not consistent with the Meadowlark Ranch approval process, specifically the Meadowlark Ranch Architectural Committee review; however, this is not a requirement for approval by the County of Santa Barbara. Therefore, the project is reviewed here for consistency with the Comprehensive Plan, including the Santa Ynez Valley Community Plan, and the Santa Barbara County Land Use and Development Code. In this regard, the appellants contend that the project is incompatible with the surrounding neighborhood due to nuisances (noise, lighting, and traffic), density, commercial use, setbacks, and height.

The appellants' appeal issues have been summarized below and are followed by staff's response. Please see Attachment D for the appellant's statement of appeal.

Issue 1: Nuisances Related to Noise, Lighting, and Traffic

The appellants assert that the new barn, intended to be used for weaning mares and foals, "*will only increase the noise of calling between the mares and foals which is almost non-stop during this weaning period.*" The use of exterior lighting is a focus of the appellant's concerns as "*the existing foaling barn has bright lights that shine onto [their] properties and are left on most if not all of the night.*" Finally, the appellants express concern that the proposed barn, replacing an existing unpermitted barn, would increase traffic to and around the site: "*The addition of this barn has already substantially increased traffic, noise from machinery, animals, and employees, along with light and air pollution for our homes.*"

Staff Response: The Santa Ynez Valley Community Plan cites that *"The public shall be protected from noise that could jeopardize health and welfare,"* (Santa Ynez Valley Community Plan Policy LUG-SYV-7) however, there is no evidence that noise from the proposed project would jeopardize the health and welfare of the neighborhood. The Noise Element of the Comprehensive Plan, Policy 1 states that *"65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses."* With the revised site plan, the proposed horse barn would be located approximately 650'-0" from the footprint of either appellant's dwelling. The noise generated by the horses in the barn would diminish to levels well below 65 dB at the appellant's dwellings. Further the keeping and raising of horses is a present use in the Meadowlark Ranch neighborhood and is allowed by ordinance within the zone district.

The proposed development includes exterior light fixtures that are compliant with the Santa Ynez Valley Community Plan, as the proposed fixtures would be directed downwards, fully shielded (full cutback design), and would be on a timer. The specification for the light fixture is also listed on the permit plans for Building Inspector review. Additionally, the Land Use Permit would be conditioned to require lighting be compliant with Santa Ynez Valley Community Plan policy and Appendix H requirements (Condition 3, Attachment B).

The parcel is currently accessed off of Meadowlark Road, a private road. The project, composed of two barns, would not increase traffic. The existing single-family dwelling has an associated approximate 10 Average Daily Trips (ADT) and 2 Peak Hour Trip (PHT), and the existing residential second has approximately 6 ADT and 1 PHT (personal communication with Will Robertson, Public Works Transportation, December 21, 2015). The proposed barns would not substantially increase traffic to the site, as they are an allowed accessory use associated with the existing residential uses.

Issue 2: Density and Permitting Process

The appellants contend that *"adding a second large barn adjacent to the existing large foaling barn will further overburden this small area and potentially place 30+ horses against the property fence in [their] residential neighborhood."* Further, the appellants express concern that, although the subject parcel is 29.39 acres and not subject to a maximum number of horses, the majority of the parcel is located within the flood plain of the Santa Ynez River. As construction is not allowed with the flood plain, *"this forces most, if not all, of Mr. Brous's horse stabling to an area less than one acre of his total property situated directly across from [the appellants'] homes."* The appellants also assert that due to the flood plain coverage of the subject parcel, *"this property should be given heightened scrutiny in reviewing the instant permit and deciding what is a reasonable residential use within the Meadow Lark [sic] community,"* and that a Development Plan should be considered.

Staff Response: Per the County Land Use and Development Code (LUDC), Section 35.42.060, Table 4-1, there is no restriction on the amount of horses on the subject lot, as the lot is more than 20 acres in size. There is no exception to this ordinance standard based on site constraints. Therefore, the intensity of private equestrian use is not regulated on the subject parcel. Flood Control has reviewed and approved the location of the proposed barn. While a majority of the subject parcel is unsuitable for development due to the flood plain, the land is able to be used for grazing purposes, thereby allowing the horses to be located around the 29.39 acre parcel, and not solely outside the flood plain.

The appellants and applicant discussed the project over the course of the appeal, and have jointly revised the site plan to rotate the barn 90 degrees and to move the project an additional 50'-0" away from the property line to ease concerns related to the horses. The proposed foaling barn, as modified, would be approximately 650'-0" from the footprint of either of the appellant's single-family dwellings. Regardless, the appellants continue to object to the intensity of the equestrian use of the site.

A Development Plan is required for inland parcels zoned AG-I-5 with more than 20,000 square feet (gross) of structures. The subject lot meets lot standards for the AG-I-5 zone district, and development (existing and proposed) does not exceed 20,000 square feet (gross). There are no additional requirements for a development plan based on site constraints within the Land Use and Development Code. Therefore, a Development Plan is not required.

Issue 3: Commercial Use

The appellants contend that the barn would be used for commercial horse breeding. The appellant's letter references a website for the applicant's property (www.RioDelSolstables.com).

Staff Response: The keeping, raising, and breeding of animals is within the definition of agriculture (below) from the County Land Use and Development Code, and is an allowable use in the AG-I-5 zone.

Agriculture. The production of food and fiber, the growing of plants, the raising and keeping of animals, aquaculture, and the preparation for sale and marketing of products in their natural form when grown on the premises, and the sale of products which are accessory and customarily incidental to the marketing of products in their natural form grown on the premises, and as allowed by Section 35.42.050 (Agricultural Product Sales)...

The applicant has stated that the horses on the subject property are for his personal use. If a commercial use, such as boarding, were to be proposed for the property, a Conditional Use Permit, approved by the County Planning Commission, would be required. However, the

keeping, raising, and breeding of animals owned by the property owner is an allowable use, without the requirement of any zoning permits.

Issue 4: Setbacks

The appellants contend that the proposed project would not be compliant with the Meadowlark Ranch Protective Covenants and Restrictions, contending that the PR&R setback "*more than doubles the county requirement of 50 feet from the middle of the road which the planned barn does not comply with.*"

Staff Response: The proposed barns, as originally approved and also as revised, comply with all required setbacks for the AG-I-5 zone district. This includes a front setback of 50'-0" from roadway centerline and 20'-0" from the right-of-way line of any street, the 20'-0" rear setback from the property line, and the 20'-0" side setback from the property line. The revised site plan that incorporates a rotated and relocated horse barn also complies with the Meadowlark Ranch 100'-0" front setback.

Issue 5: Height

The appellants' letter references the Meadowlark Ranch Protective Covenants and Restrictions' height limit of 21'-0" for structures. The appellants also express concern regarding the intended height of the proposed barns in relation to the height of existing barns on the subject parcel:

Appellants do not know the intended height of the proposed barn, but are concerned since the current barn appears to exceed this restriction and blocks appellants view.

Staff Response: Section 35.42.020 of the County Land Use and Development Code (Accessory Structure and Uses) specifies that the height of accessory structures "*shall comply with the height restrictions of the applicable zones.*" AG-I-5 zone district development standards include a height maximum for residential structures (35'-0"), but not a height maximum for any other structures, including agricultural accessory structures such as the proposed horse and hay barns.

Although the County of Santa Barbara does not enforce private agreements, such as Protective Covenants and Restrictions (PC&R), the proposed barns, with a maximum height of 13'-0", would meet the PC&R height limit.

6.2 Environmental Review

The project, Case No. 15LUP-00000-00276 is found exempt from environmental review based upon Sections 15301(l) and 15303(e) of the California Environmental Quality Act (CEQA) guidelines. Section 15301(l) allows exemption from CEQA for the demolition of existing

individual small structures and Section 15303(e) allows exemption from CEQA for the construction of new small accessory structures. See Attachment C to this staff report for a detailed discussion of these exemptions.

6.3 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
SERVICES	
<p><i>Comprehensive Plan – Land Use Development Policy 4: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</i></p>	<p>Consistent: Adequate public services exist to serve the existing development and proposed horse barn and hay barn. The existing development on the parcel is currently, and would continue to be, served by a private, onsite well, a private, onsite septic system, and the Santa Barbara County Fire Department. Access would continue to be provided from Meadowlark Road. The proposed project would not generate new traffic and surrounding roads are adequate to serve the existing and proposed development. The proposed development includes a horse barn and a hay barn. The proposed structures would not require sanitary services or potable water services. The proposed horse barn would include a water trough, which the onsite well would serve. According to Environmental Health Services, private water wells are allowed to be used for agricultural uses, such as the proposed water trough. The proposed barns would contribute to clustered development on the site, allowing Fire to have access to the structures in case of an emergency.</p>
AESTHETICS	
<p><i>Comprehensive Plan – Visual Resource Policy 2: In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except</i></p>	<p>Consistent: The Meadowlark Ranch neighborhood is characterized by single-family dwellings and associated accessory structures typical of a ranch setting, specifically equestrian animal keeping. The height, scale and clustered</p>

REQUIREMENT	DISCUSSION
<p><i>where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</i></p> <p><i>Santa Ynez Valley Community Plan Policy LUA-SYV-3: New development shall be compatible with adjacent agricultural lands.</i></p> <p><i>Santa Ynez Valley Community Plan Policy VIS-SYV-1: Development of property should minimize impacts to open space views as seen from public roads and viewpoints and avoid destruction of significant visual resources.</i></p> <p><i>Santa Ynez Valley Community Plan Policy VIS-SYV-3: The night sky of the Santa Ynez Valley shall be protected from excessive and unnecessary light associated with new development and redevelopment.</i></p>	<p>site design of the proposed development are compatible with the established character of the neighborhood. The proposed barns would be located in a clustered design with other equestrian facilities, and would not require any grading to situate themselves within the natural contours of the site. Therefore, the project has been designed to follow the natural contours of the site. The Meadowlark Ranch Association has reviewed and approved the project (Attachment F) based on the modified site plan.</p> <p>There are no public viewpoints surrounding the parcel, as Meadowlark Road is a private road. The closest public road to access the site is Highway 246, which is approximately 1.5 miles away, with no views of the subject lot. The proposed structures would not extend further into the skyline than existing development, and would not intrude into the skyline as seen from public viewing places. Therefore, there would be no impacts to opens space views or the skyline as seen from public roadways or viewing places.</p> <p>Through negotiations between the appellant and applicant, the proposed horse barn was rotated to be perpendicular to the neighbor's property, limiting direct views of the barn from the appellant's property. The revised project would meet Meadowlark Ranch development standards, in addition to County development standards. The proposed horse barn was also moved to be 100'-0" from the property line, in excess of the required 50'-0" setback for the AG-I-5 zone district. The proposed horse barn would be approximately 650'-0" from the footprint of either appellant's single-family dwelling.</p>

REQUIREMENT	DISCUSSION
	<p>The proposed development would include light fixtures that would be compliant with the outdoor lighting regulations of the Santa Ynez Valley Community Plan Area. The proposed fixture would be directed downwards, fully shielded (full cutback design), and on a timer. The specification for the light fixture is also listed on the permit plans for Building Inspector review. Additionally, the Land Use Permit would be conditioned to require lighting be compliant with Santa Ynez Valley Community Plan policy and Attachment H requirements (Condition 3, Attachment B). Therefore, the proposed development is consistent with these policies.</p>
AIR QUALITY	
<p><i>Santa Ynez Valley Community Plan Policy LUG-SYV-8: The public shall be protected from air emissions and odors that could jeopardize health and welfare.</i></p>	<p>Consistent: The Land Use Permit would be conditioned (Condition 4, Attachment B) to implement the County's standard dust control measures during construction. Accordingly, the project would avoid any significant deterioration of air quality.</p>
BIOLOGICAL RESOURCES	
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-8: Native protected trees and non-native specimen trees shall be preserved to the maximum extent feasible. Non-Native specimen trees are defined for the purposes of this policy as mature trees that are healthy and structurally sound and have grown into the natural stature particular to the species. Native or non-native trees that have unusual scenic or aesthetic quality, have important historic value, or are unique due to species type or location shall be</i></p>	<p>Consistent: No tree removal is proposed as part of the development. Additionally, the Land Use Permit would also be conditioned to address any unexpected damage to any trees on site (Condition 5, Attachment B). Therefore, the project is consistent with these policies.</p>

REQUIREMENT	DISCUSSION
<i>preserved to the maximum extent feasible.</i>	
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-5: Pollution of the Santa Ynez River, streams and drainage channels, underground water basins and areas adjacent to such waters shall be minimized.</i></p> <p><i>Santa Ynez Valley Community Plan Policy WW-SYV-2: Pollution of surface and groundwater shall be avoided. Where contribution of potential pollutants of any kind is not prohibited and cannot be avoided, such contribution shall be minimized to the maximum extent practical.</i></p>	<p>Consistent: 78% of the subject parcel is located within the flood plain of the Santa Ynez River (Attachment H). Consequently, the Land Use Permit would require both an equipment washout and equipment storage area "to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands" (Conditions 11 and 12, Attachment B). These areas would be required to be labeled on building permit plans. The Land Use Permit would also require an Animal Waste Management Plan prior to permit issuance (Condition 15, Attachment B) that would control pollution from animal waste. Therefore, the proposed development would be consistent with these policies.</p>
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-1: Environmentally sensitive biological resources and habitat areas shall be protected and, where appropriate, enhanced.</i></p>	<p>Consistent: An area of wetlands is mapped by the National Wetlands Inventory along the southern edge of the parcel, within the flood plain of the Santa Ynez River. No construction or demolition would take place in the mapped wetlands area. The demolition area would be located approximately 140'-0" from the mapped wetland, while the construction area would be approximately 620'-0" from the mapped wetland. Therefore, the proposed development would be consistent with this policy.</p>
CONSTRUCTION WASTE MANAGEMENT	
<p><i>Santa Ynez Valley Community Plan Policy RSW-SYV-1: Resource conservation and recovery shall be implemented in the SYVCPA to divert the waste stream from area landfills to the maximum extent feasible. Diversion shall be</i></p>	<p>Consistent: The subject permit would condition the separation of construction materials for reuse and/or recycling to limit excessive waste going to the landfill (Condition 9, Attachment B). The area is served by Health Sanitation Services</p>

REQUIREMENT	DISCUSSION
<p><i>maximized through source reduction, recycling and composting.</i></p> <p>Santa Ynez Valley Community Plan Policy RSW-SYV-3: <i>The County shall strive to ensure that adequate solid waste services are available to accommodate expected growth in the SYVCPA.</i></p>	<p>(HSS) for trash collection. To decrease construction-related impacts regarding solid waste, the subject permit would require the clean-up of the construction site (Condition 10, Attachment B) to limit the potential for pollution in the nearby Santa Ynez River or within the Meadowlark Ranch area in general, consistent with these policies.</p>
CULTURAL RESOURCES	
<p>Comprehensive Plan – Historical and Archaeological Sites Policy 2: <i>When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</i></p> <p>Comprehensive Plan – Historical and Archaeological Sites Policy 5: <i>Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</i></p> <p>Santa Ynez Valley Community Plan Policy HA-SYV-1: <i>Archaeological resources shall be protected and preserved to the maximum extent feasible.</i></p> <p>Santa Ynez Valley Community Plan Policy HA-SYV-2: <i>Historic resources shall be protected and preserved to the maximum extent feasible.</i></p>	<p>Consistent: There are no designated historic landmarks on the subject parcel, nor are any of the structures eligible for landmark status due to their age. With regard to archaeological resources, the Central Coast Information Center (CCIC) performed a records search on November 30, 2015 and determined that there are two mapped historic linear features on the subject parcel. The CCIC did not recommend any further studies regarding cultural resources. Both the areas of demolition and construction are at least 300'-0" outside of the mapped sites. Therefore, it is unlikely that any cultural resources would be discovered during the construction of the proposed barns. Regardless, the Land Use Permit would be conditioned to require all work to cease in the event that archaeological remains were encountered during grading, construction, landscaping, or other construction-related activity, and a consultation with a Native American representative would be required (Condition 6, Attachment B).</p>
FLOOD CONTROL	
<p>Santa Ynez Valley Community Plan Policy FLD-SYV-1: <i>Flood risks shall be minimized through appropriate design and land use</i></p>	<p>Consistent: The proposed development, including the demolition of an unpermitted horse barn located within the flood plan and the</p>

REQUIREMENT	DISCUSSION
<p><i>controls, as well as through feasible engineering solutions that address existing problems.</i></p>	<p>construction of a new horse barn and hay barn outside of the flood plain, complies with all County development standards, including height and setbacks. The surrounding neighborhood is developed with residential development and associated agricultural accessory structures, specifically equestrian-related. The proposed development would abate both a building and zoning violation (15BDV-00000-00071 and 15ZEV-00000-00232), as the unpermitted horse barn proposed for demolition was constructed within the flood plain of the Santa Ynez River. The proposed project has been reviewed by Flood Control and approved.</p>
NOISE	
<p><i>Comprehensive Plan – Noise Element Policy 1: In the planning of land use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</i></p> <p><i>Santa Ynez Valley Community Plan Policy LUG-SYV-7: The public shall be protected from noise that could jeopardize health and welfare.</i></p>	<p>Consistent: With the revised site plan, the proposed horse barn would be located approximately 650'-0" from the footprint of either appellants' dwelling. The noise generated by the horses in the barn would diminish to levels well below 65 dB at the appellants' dwellings.</p> <p>The proposed project could create construction related noise in excess of 65dB. The subject permit would limit noise generating construction activity to between the hours of 7:00 am and 4:00 pm on weekdays only, not including state holidays, as a condition of approval (Condition 7, Attachment B).</p> <p>The Land Use Permit would also condition construction-related vehicles to park onsite and outside of the road right-of-way (Condition 8, Attachment B) to limit neighborhood disruptions related to construction.</p>

6.4 Zoning: Land Use and Development Code (LUDC) Compliance

Purpose and Intent of the Zone District. The proposed agricultural accessory structures are compliant with the purpose and intent of the zone district as they would *"support agriculture as a viable land use and encourage maximum agricultural productivity"* (LUDC, Section 35.21.020.A.1).

Allowed Land Uses. The proposed agricultural accessory structures are listed as "permitted uses" in the AG-I-5 zone (LUDC, Section 35.21.030, Table 2-1), requiring a Land Use Permit in the inland area. As the total gross area of all structures on the subject lot measures approximately 19,400 square feet, and thus does not exceed 20,000 square feet, a Land Use Permit is the appropriate permitting path and a Development Plan is not required (LUDC, Section 35.21.030.D.1).

Height. The AG-I-5 zone district does not have height limit for the proposed agricultural accessory structures. LUDC, Section 35.21.050, Table 2-3, lists the maximum height for the zone district as *"35 ft for a residential structure, no limit otherwise."* The barns measure a maximum of 13'-0".

Setbacks. The original approved project complied with the 50'-0" from road centerline front setback, and 20'-0" rear and side setbacks (LUDC, Section 35.21.050, Table 2-3). Through negotiations between the appellant and applicant, the proposed horse barn was moved an additional 50'-0" to comply with the Meadowlark Ranch Association's 100'-0" from right-of-way front setback. The modified site plan remains in compliance with the required setbacks of the AG-I-5 zone district.

Zoning and Building Violations. There are two unpermitted structures on the property. One, the unpermitted barn located within the flood plain, is proposed for demolition as part of the proposed project. There is currently an active building and zoning enforcement case against the property related to the unpermitted horse barn located within the Flood Zone (15BDV-00000-00071 and 15ZEV-00000-00232). The other unpermitted structure on the property is an agricultural accessory structure that was constructed in approximately 2005 along with the construction of the detached residential second unit (DRSU). The structure was under construction without permits at the time of approval of the DRSU in 2005. Although the structure was included in the approval site plan for the DRSU, it was not explicitly listed in the project description for approved permits. To clarify the permit history and ensure compliance of all existing and proposed development on the site, the validation of the agricultural accessory structure has been added project description of the subject Land Use Permit. Through the course of the subject appeal, the applicant has confirmed that four other existing accessory structures, permitted as tack rooms with restrooms, are currently being used as guest houses, and that they

each have unpermitted bathing facilities. These facilities constitute zoning and building violations. The conditions of approval for the subject Land Use Permit have been expanded to require the conversion of the accessory structures back to tack rooms with restrooms, without bathing facilities, prior to the issuance of the subject Land Use Permit to ensure compliance with the County Land Use and Development Code and the California Building Code.

7.0 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of said action. The appeal fee to the Board of Supervisors is \$648.26.

ATTACHMENTS

- A. Findings of Approval
- B. Conditions of Approval
- C. CEQA - Notice of Exemption
- D. Original Land Use Permit, Case No. 15LUP-00000-00276
- E. Appeal Application and Letter
- F. Letter of Approval from the Meadowlark Ranch Association, dated August 25, 2015
- G. APN Sheet
- H. Site Plan and Elevations

ATTACHMENT A: FINDINGS OF APPROVAL

1.0 CEQA FINDINGS

The Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (1) [Existing Facilities] and 15303(e) [New Construction or Conversion of Small Structures]. Please see Attachment C, CEQA - Notice of Exemption.

2.0 FINDINGS REQUIRED FOR ALL LAND USE PERMITS

In compliance with Section 35.30.100.A of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (e.g., water, sewer, roads) are available to serve the proposed development.

Adequate public services exist to serve the existing development and proposed horse barn and hay barn. The existing development on the parcel is currently, and would continue to be, served by a private, onsite well, a private, onsite septic system, and the Santa Barbara County Fire Department. Access would continue to be provided from Meadowlark Road. The proposed development includes a horse barn and a hay barn. The proposed structures would not require sanitary services or potable water services. The proposed horse barn would include a water trough, which the onsite well would serve. According to Environmental Health Services, private water wells are allowed to be used for agricultural uses, such as the proposed water trough. The proposed barns would contribute to clustered development on the site, allowing Fire to have access to the structures in case of an emergency. The proposed project would not generate new traffic and surrounding roads are adequate to serve the existing and proposed development.

2.1 In compliance with Subsection 35.82.110.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first make all of the following findings:

2.1.1 The proposed development conforms:

- a. To the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.**

b. With the applicable provisions of this Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

As discussed in Section 6.3 and 6.4 of this staff report, dated December 17, 2015 and herein incorporated by reference, the proposed development complies with the applicable policies of the Santa Barbara Comprehensive Plan, and no non-conforming structures are involved in the proposed development. Therefore, this finding can be made.

2.1.2 The proposed development is located on a legally created lot.

The lot has been extensively developed, with twelve different structures. The first building permit for the lot was issued on April 14, 1967 for the construction of the single family dwelling (Permit # 36834). Development continued on the property, including, but not limited to, a barbeque area being permitted in 1994 (Permit No. 250996), accessory structures being permitted from 2002 to 2003 (Permit Nos. 02BDP-00000-02111 and 03BDP-00000-02084) and a conversion of a barn to a detached residential second unit being permitted in 2007 (Permit No. 07BDP-00000-00141). Therefore, the lot has been recognized by the County of Santa Barbara as a legal lot, and this finding can be made.

2.1.3 The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

As discussed in Section 6.4 of this staff report, dated December 17, 2015 and herein incorporated by reference, the proposed development complies with the applicable development standards of the Santa Barbara County Land Use and Development Code, including uses, subdivisions, and setbacks. There are two unpermitted structures on the property. One, the unpermitted barn located within the flood plain, is proposed for demolition as part of the proposed project. There is currently an active building and zoning enforcement case against the property related to the unpermitted horse barn located within the Flood Zone (15BDV-00000-00071 and 15ZEV-00000-00232). The other unpermitted structure on the property is an agricultural accessory structure that was constructed in approximately 2005 along with the construction of the detached residential second unit. The structure was under construction without permits at the

time of construction of the detached residential second unit, but not explicitly listed in the project description for approved permits. It was included in the approved site plan for the approval of the detached residential second unit. To clarify the permit history and ensure compliance of all existing and proposed development on the site, the validation of the agricultural accessory structure has been added project description of the subject permit.

Through the course of the subject appeal, the applicant has confirmed that the existing accessory structures, permitted as tack rooms with restrooms, are currently being used as guest houses, and that they each have unpermitted bathing facilities. These facilities constitute zoning and building violations. The conditions of approval for the subject Land Use Permit have been expanded to require the conversion of the accessory structures back to tack rooms with restrooms, without bathing facilities, prior to the issuance of the subject Land Use Permit to ensure compliance with the County Land Use and Development Code and the California Building Code. As conditioned, the proposed development will provide for the demolition of the unpermitted barn, conversion of the guest houses to tack rooms, and construction of a new horse and hay barn, thereby abating all building and zoning violations. Additionally, the revised project description validates an existing unpermitted agricultural accessory structure. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

PROJECT DESCRIPTION

1. **Proj Des-01 Project Description.** This Land Use Permit is based upon and limited to compliance with the project description and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is for a Land Use Permit for the validation of an existing agricultural accessory structure of approximately 1,425 square feet, and the construction of a 2,809 square foot horse barn and 1,440 square foot hay barn. The project would also allow for the demolition of a 2,809 square foot horse barn located in the floodplain, to abate zoning and building violations (15BDV-00000-00071 and 15ZEV-00000-00232). The proposed barn has been reviewed by County Flood Control and is located outside of FEMA's Special Flood Hazard Area. The project meets all required setbacks, and the proposed outdoor lighting is in compliance with Santa Ynez Valley Community Plan lighting requirements. Grading would be less than 50 cubic yards. No trees are proposed for removal. The parcel will continue to be served by a private well, private septic system, and the County Fire Protection District. Access will continue to be provided off of Meadowlark Road, a private road. The property is a 29.39-acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 141-390-015, located at 120 Meadowlark Road in the Santa Ynez Area, 3rd Supervisorial District.

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.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the 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 thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

CONDITIONS BY ISSUE AREA

3. **Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The design of the lighting will incorporate fully shielded (full cutback) designs. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 9 pm.

PLAN REQUIREMENTS: The Owner/Applicant shall include the specification of the intended light fixture on all plans for Land Use Permits or Building Permits.

TIMING: Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the approved plans.

4. **Air-01 Dust Control.** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
- a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
 - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
 - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
 - e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
 - f. Order increased watering as necessary to prevent transport of dust off-site.
 - g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
 - h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.

c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to Building Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

5. **Bio-01c Tree Protection Plan-Unexpected Damage and Mitigation.** In the event of unexpected damage or removal, this mitigation shall include but is not limited to posting of a performance security and hiring an outside consulting biologist or arborist to assess damage and recommend mitigation. The required mitigation shall be done under the direction of P&D prior to any further work occurring on site. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and approval of such installation and maintenance.

Damaged trees shall be mitigated on a minimum 10:1 ratio. If it becomes necessary to remove a tree not planned for removal, if feasible, the tree shall be boxed and replanted. If a P&D approved arborist certifies that it is not feasible to replant the tree, it shall be replaced on a 10:1 basis (15:1 for Blue or Valley Oaks) with trees with 10-gallon or larger size saplings grown from locally obtained seed. If replacement trees cannot all be accommodated on site, a plan must be approved by P&D for replacement trees to be planted off site.

PLAN REQUIREMENTS: Plans shall include the language of this condition.

TIMING: Damage shall be reported to P&D Permit Compliance staff who will oversee mitigation plantings.

6. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant.

PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to Zoning Clearance of Building Permits and P&D compliance monitoring staff shall spot check in

the field throughout grading and construction.

7. **Noise-02 Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday.

No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

8. **Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Land Use Permit.

TIMING: A copy of the written notice shall be submitted to P&D permit processing staff prior to Issuance of Land Use Permit. This restriction shall be maintained throughout construction.

MONITORING: P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

9. **SolidW-02 Solid Waste-Recycle.** The Owner/Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Owner/Applicant shall provide separate onsite bins as needed for recycling.

PLAN REQUIREMENTS: The Owner/Applicant shall print this requirement on all grading and construction plans. Owner shall provide Building and Safety 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 Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall provide P&D compliance staff with receipts prior to Final Building Inspection Clearance.

10. **SolidW-03 Solid Waste-Construction Site.** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.

PLAN REQUIREMENTS: All plans shall contain notes that the site is to remain trash-free throughout construction.

TIMING: Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

MONITORING: Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

11. **WatConv-04 Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Building permit plans.

TIMING: The Owner/Applicant shall install the area prior to commencement of

construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

12. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as necessary. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Building permit plans.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

Project Specific Condition

13. **Structural Demolition:** Prior to the construction of the new horse barns, and within 30 days of the issuance of this Land Use Permit, the unpermitted barn that is the subject of building and zoning violations (case numbers 15BDV-000000-00071 and 15ZEV-00000-00232) will be demolished.

PLAN REQUIREMENTS: The structure proposed for demolition will be noted on all plans submitted for Land Use Permit and Building Permits.

MONITORING: Permit compliance monitoring staff shall ensure compliance prior to the construction of the new horse barns.

14. **Plumbing Demolition:** Prior to the issuance of Land Use Permit, the applicant shall submit documentation that the four accessory structures, currently being used as guest houses with bathing facilities, have been converted to their permitted use of tack rooms with restrooms.

PLAN REQUIREMENTS: The structures proposed for conversion will be noted on all plans submitted for Land Use Permit and Building Permits.

TIMING: The demolition permit shall receive its Final Building Inspection Clearance prior to issuance of Land Use Permit.

15. **Animal Waste Management Plan:** Animal Waste Management. An animal waste management plan (AWM) and program to control pollution from animal waste shall be

developed for the project site. Implementation and strict adherence to the AWM program shall be required for the life of the animal keeping activities on the site and shall include the following:

- 1) At least once per day, manure and soiled bedding shall be collected from stalls and pens, or wherever waste from animal-keeping activities is found;
- 2) Collected manure and soiled bedding shall be stored temporarily in watertight trash bins and emptied into larger receptacles in a designated trash area screened from sight;
- 3) In order to maintain odor and vector control, the receptacles shall be unloaded at a minimum, once per week to an approved solid waste landfill;
- 4) General sanitation techniques such as proper air circulation, exposure to sunlight, a fly control system, and cleaning shaded areas immediately shall be incorporated into the AWM.

PLAN REQUIREMENTS: The AWM plan shall be described and detailed on the site, grading and drainage, and landscape plans, and depicted graphically. The location and type of controls shall be shown on the site, building and grading plans. Trash receptacles, including screening measures, shall be depicted on the site plan.

TIMING: The plans and maintenance program shall be submitted to P&D and EHS staff for approval prior to issuance of this Land Use Permit and fully installed prior to Final Building Inspection Clearance. Upkeep and screening is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The landowner is responsible for the maintenance, operation and upkeep of the waste management program and all drainage improvements for the life of the project.

MONITORING: Permit compliance monitoring staff shall site inspect for proper installation prior to Final Building Inspection Clearance. P&D shall monitor and respond to any nuisance complaints.

County Rules and Regulations

16. **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.
17. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved permit plans. Substantial conformity shall be determined by the Director of P&D.
18. **Rules-23 Processing Fees Required.** Prior to issuance of Land Use Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
19. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of

grading/construction or building plans submitted to P&D or Building and Safety Division.
These shall be graphically illustrated where feasible.

20. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 - b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of Land Use Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
 - c. Note the following on each page of grading and building plans "This project is subject to Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval";
- Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.
21. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
22. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant

Appeal of Brous Horse Barn and Hay Barn

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Hearing Date: January 6, 2016

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requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

ATTACHMENT C: CEQA – NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Stephanie Swanson, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 141-390-015 **Case Nos.:** 15LUP-00000-00276

Location: 120 Meadowlark Road, Santa Ynez, CA 93460

Project Title: Brous Horse and Hay Barns

Project Applicant:

Greg Brous
120 Meadowlark Road
Santa Ynez, CA 93460
(805) 681-8855

Project Description:

The project is for a Land Use Permit for the validation of an existing agricultural accessory structure of approximately 1,425 square feet, and the construction of a 2,809 square foot horse barn and 1,440 square foot hay barn. The project would also allow for the demolition of a 2,809 square foot horse barn located in the floodplain, to abate zoning and building violations (15BDV-00000-00071 and 15ZEV-00000-00232). The proposed barn has been reviewed by County Flood Control and is located outside of FEMA's Special Flood Hazard Area. The project meets all required setbacks, and the proposed outdoor lighting is in compliance with Santa Ynez Valley Community Plan lighting requirements. Grading would be less than 50 cubic yards. No trees are proposed for removal. The parcel will continue to be served by a private well, private septic system, and the County Fire Protection District. Access will continue to be provided off of Meadowlark Road, a private road. The property is a 29.39-acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 141-390-015, located at 120 Meadowlark Road in the Santa Ynez Area, 3rd Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Victor Padilla, Agent

Exempt Status: (Check one)

- Ministerial
 Statutory Exemption
 Categorical Exemption
 Emergency Project
 Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: Section 15301(l) and 15303(e).

Reasons to support exemption findings:

Section 15301(l) exempts the demolition and removal of small structures, including accessory structures. The project includes the demolition of a 2,809 square foot (gross) horse barn that is classified as an agricultural accessory structure under the County Land Use and Development Code. Therefore, Section 15301(l) applies to the proposed project.

Section 15303(e) exempts the construction of accessory structures. The project includes the construction of a 2,809 square foot (gross) horse barn and 1,440 square foot (gross) hay barn; both are classified as agricultural accessory structures under the County Land Use and Development Code. Therefore, Section 15301(e) applies to the proposed project.

The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

A portion of the subject lot is located within a mapped wetland and within the floodplain of the Santa Ynez River. Flood Control has reviewed the project and confirmed that the proposed barns are located entirely outside of FEMA's Special Flood Hazard Area. The demolition area of the unpermitted barn is located within the Flood Hazard area, which was the initial trigger for the zoning and building violations and subsequent Land Use Permit to demolish and reconstruct the horse barn. The demolition and construction areas for the proposed project are also located entirely out of the mapped wetland. The Central Coast Information Center (CCIC) performed a records search on November 30, 2015 and determined that there are two mapped historic linear features on the subject parcel. The CCIC did not recommend any further

surveys. Also both the areas of demolition and construction are at least 300'-0" outside of the mapped sites, therefore not affecting them. Accordingly, this exception to the Categorical Exemption is not applicable to the proposed project.

- (b) Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed project is located within an Existing Developed Rural Neighborhood with residential and agricultural development. Construction of agricultural accessory structures is both commonplace and allowable by ordinance. The proposed development would create no significant impacts and additional structural development in the surrounding neighborhood, developed in conformance with applicable ordinance and policy regulations, would not result in a cumulatively significant impact. Accordingly, the cumulative impact of successive projects of the same type in the same place, or time, would not be significant.

- (c) Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. Accordingly, this exception to the Categorical Exemption is not applicable to the proposed project.

- (d) Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The site is not located near any highway officially designated as a state scenic highway, and as such there are no protected scenic views impacted by the project. Accordingly, this exception to the Categorical Exemption is not applicable to the proposed project.

- (e) Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project site is not a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code, and therefore this exception to the Categorical Exemption is not applicable to the proposed project.

- (f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The barn proposed for demolition is not a registered landmark, nor is it eligible due to its age. There is no substantial evidence that the proposed project would cause an adverse change in any historical resources, and therefore this exception to the Categorical Exemption is not applicable to the proposed project.

Lead Agency Contact Person: Stephanie Swanson

Phone #: (805) 568-3319

Department/Division Representative: _____

Date: _____

Acceptance Date: _____

distribution: Hearing Support Staff

Date Filed by County Clerk: _____.

ATTACHMENT D: ORIGINAL LAND USE PERMIT,
CASE NO. 15LUP-00000-00276



COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org

LAND USE PERMIT NO.: 1SLUP-00000-00276

Project Name: BROUS HORSE BARN AND HAY BARN
 Project Address: 120 MEADOWLARK RD, SANTA YNEZ, CA 93460
 A.P.N.: 141-390-015
 Zone: AG-I-5

The Planning and Development Department hereby approves this Land Use Permit for the project described below based upon compliance with the required findings for approval and subject to the attached terms and conditions.

APPROVAL DATE: 7/16/2015
 LOCAL APPEAL PERIOD BEGINS: 7/17/2015
 LOCAL APPEAL PERIOD ENDS: 7/27/2015
 DATE OF PERMIT ISSUANCE (if no appeal filed): 7/28/2015

APPEALS:

1. The approval of this Land Use Permit may be appealed to the County Planning Commission by the applicant, owner, or any aggrieved person. An aggrieved person is defined as any person who, either in person or through a representative, appeared at a public hearing in connection with this decision or action being appealed, or who by other appropriate means prior to a hearing or decision, informed the decision-maker of the nature of their concerns, or who, for good cause, was unable to do either. The appeal must be filed in writing and submitted in person to the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, prior to 5:00 p.m. on or before the date that the local appeal period ends as identified above (CLUDC Chapter 35.102 Appeals).
2. Payment of a fee is required to file an appeal of the approval of this Land Use Permit.

PROJECT DESCRIPTION SUMMARY: Construction of 2809 sf horse barn and 1440 sf hay barn. Demolition of 2809 horse barn located in the floodplain. New barn are located outside of the FEMA's Special Flood Hazard Area per Flood Control. Project meets the required front yard setback. Proposed outdoor lighting is in compliance with SYCP lighting requirements. To receive additional information regarding this project and/or to view the application and/or plans, please contact Kim Probert at 624 West Foster Road, Suite C, Santa Maria, by email (Kprober@co.santa-barbara.ca.us) or by phone ((805) 934-6291).

PROJECT SPECIFIC CONDITIONS: See Attachment "A"

ASSOCIATED CASE NUMBERS: None

PERMIT ISSUANCE: This Land Use Permit will be issued following the close of the appeal period provided an appeal is not filed, or if appealed, the date of final action on the appeal which has the effect of upholding the approval of the permit. Issuance of this permit is subject to compliance with the following terms and conditions:

1. Notice. Notice of this project shall be posted on the project site by the applicant utilizing the language and form of the notice provided by the Planning and Development Department. The notice shall remain posted continuously until at least 10 calendar days following action on the permit, including an action on any appeal of this permit (CLUDC Chapter 35.106 Noticing and Public Hearings). The *Proof of Posting of Notice on Project Site* shall be signed and returned to the Planning and Development Department prior the issuance of the permit.
2. Compliance with conditions. All conditions that are required to be satisfied prior to issuance of the permit have been satisfied and the permit has been signed by the applicant or owner.
3. Design Review. If required, the project has been granted final approval by the appropriate Board of Architectural Review

(BAR), and an appeal of that final approval has not been filed.

4. Appeals. An appeal of the approval of this permit, or an appeal of the final approval by the BAR, has not been filed with the County. If an appeal has been filed then the permit shall not be issued until final action on the appeal(s) has occurred which has the effect of upholding the approval of this permit, and, if applicable, the final approval by the BAR.
5. Other approvals. Any other necessary approvals required prior to issuance of this Land Use Permit have been granted.

PERMIT EXPIRATION AND EXTENSION: This permit shall remain valid only as long as compliance with all applicable requirements of the CLUDC and the permit continues, including the conditions of approval specific to this permit. Additionally:

1. The approval of this permit shall expire either 12 months from the effective date of the permit or other period allowed in compliance with an approved Time Extension, and shall be considered void and of no further effect unless the permit is either issued within the applicable period in compliance with the terms indicated above or a valid application for a Time Extension is submitted prior to the expiration of this 12 month period and is subsequently approved (CLUDC: Section 35.82.110).
2. This permit shall expire two years from the date of issuance and be considered void and of no further effect unless the use and/or structure for which the permit was issued has been lawfully established or commenced in compliance with the issued permit or an application for a Time Extension is submitted prior to the expiration of this two year period and is subsequently approved (CLUDC: Section 35.82.110).
3. The effective date of this permit shall be (a) the day following the close of any applicable appeal period provided an appeal is not filed, or (b) if appealed, the date of final action on the appeal which has the effect of upholding the approval, or (c) some other date as indicated in this permit (CLUDC: Section 35.82.020).

WORK PROHIBITED PRIOR TO PERMIT ISSUANCE: No work, development, or use intended to be authorized pursuant to this permit approval shall commence prior to issuance of this permit and/or any other required permit (e.g., building permit).

OWNER/APPLICANT ACKNOWLEDGMENT: Undersigned permittee acknowledges receipt of this approval and agrees to abide by all conditions and terms thereof. Undersigned permittee also acknowledges that issuance of this permit for this project does not allow construction or use outside of the project description, nor shall it be construed to be an approval of a violation of any provision of any County policy, ordinance or other governmental regulation.

VICOR PAROLA



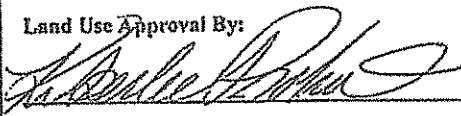
7/16/15

Print name

Signature

Date

Land Use Approval By:



7/16/2015

Director, Planning and Development

Date

PERMIT ISSUANCE: The permit shall be issued and deemed effective on the date signed and indicated below.

Planning and Development Department Issuance By:

Planner

Date

ATTACHMENT A: CONDITIONS OF APPROVAL

Project Description

1. **Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the 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 thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

County Rules and Regulations

2. **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.
3. **Rules-30 Plans Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
4. **Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
5. **Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

ATTACHMENT E: APPEAL APPLICATION AND LETTER



PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: 120 Meadowlark Road, Santa Ynez, CA 93460

ASSESSOR PARCEL NUMBER: 141-390-015

Are there previous permits/applications? no yes numbers: unknown
(include permit# & lot # if tract)

Are there previous environmental (CEQA) documents? no yes numbers: unknown

1. Appellant: Suzanne Kramer-Morton/ Joel Morton Phone: 626-665-6678 FAX: 805-688-6108

Mailing Address: 4088 Indian Way, Santa Ynez, CA 93460 E-mail: jmorton626@verizon.net
Street City State Zip

2. Appellant: Ramon & Sandra Guerrero Phone: 214-629-7219 FAX: _____

Mailing Address: 5001 Hudson Drive, Plano, Tx 75093 E-mail: ramong@sbcglobal.net
Street City State Zip

3. Agent: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

4. Attorney: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

COUNTY USE ONLY

RECEIVED

Case Num. **15APL-00000-00014**
Supervisor
Applicable MORTON APPEAL OF BROUS HORSE BARN A
Project Pla 120 MEADOWLARK RD 7/27/15
Zoning De: SANTA YNEZ 141-390-015

Companion Case Number: _____
Submittal Date: JUL 27 2015
Receipt Number: _____
Accepted for Processing
Comp. Plan Designation: S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

COUNTY OF SANTA BARBARA APPEAL TO THE:

BOARD OF SUPERVISORS

PLANNING COMMISSION: COUNTY MONTECITO

RE: Project Title Brous Horse Barn and Hay Barn

Case No. 15 LUP 00276

Date of Action 07-16-2015

I hereby appeal the approval approval w/conditions denial of the:

Board of Architectural Review – Which Board? _____

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? _____

Planning & Development Director decision

Zoning Administrator decision

Is the appellant the applicant or an aggrieved party?

Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are and "aggrieved party" as defined on page two of this appeal form:

Please see attached.

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

_____ Please see attached statement _____

Specific conditions imposed which I wish to appeal are (if applicable):


- _____
- _____
- _____
- _____


Please include any other information you feel is relevant to this application.

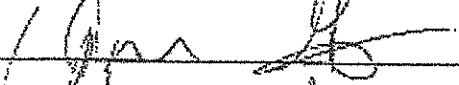
CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

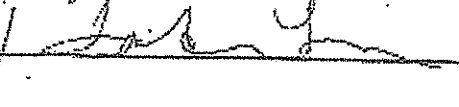
Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Suzanne Kramer-Morton  07-27-15
Print name and sign - Firm Applicant Date

Joel R. Morton  7-27-15
Print name and sign - Preparer of this form Applicant Date

RAMON GUERRERO  7/27/15
Print name and sign - Applicant Applicant Date

CANDRA GUERRERO  7/27/15
Print name and sign - Agent Applicant Date

Print name and sign - Landowner Date

Appellants Objections to the issuance of the building permit: 120 Meadowlark, Santa Ynez, CA

Appellants object to the issuance of the horse barn at 120 Meadowlark on the grounds that the existing project violates the Meadow Lark Ranches Protective Covenants and Restrictions, (hereinafter PC&R's), originally recorded with the County of Santa Barbara on August 15, 1960, along with subsequent amendments thereto. These PC&R's govern the use and development of all properties within the Meadow Lark Ranches wherein the subject property is located.

All plans for building in Meadow Lark must first be approved by the Architectural Committee. Appellants are advised and informed that the Brous Horse Barn project was only just submitted to the committee for review and has not yet been reviewed or approved. Notwithstanding, Mr. Brous circumvented the process and applied for the building permit before he had Association approval.

Association approval has not and should not be given on the project because the building permit issued for a second horse barn on the Brous property which is almost 3000 sq. ft. and over 150 feet in length is in violation of the PC&R's. Specifically, the Fifth Amendment to Declaration of Establishment of Protective Covenants and Restrictions of Meadowlark Ranches, Santa Ynez, California duly recorded with the County Recorder's office, and attached hereto for your reference sets forth:

6.11 No nuisances- "No nuisance shall be permitted to exist or operate upon any such property so as to be offensive or detrimental to any other property in the vicinity". This provision specifically references noise and odors. The foaling barn (approved and built on the subject property last year) currently houses 19 horses. The addition of this barn has already substantially increased traffic, noise from machinery, animals, and employees, along with light and air pollution for our homes. The existing foaling barn has bright lights that shine onto our properties and are left on most if not all of the night. To see the light intensity of the existing barn please see the applicants website, RioDelSolstables.com. The foaling barn at night photo is what we see from our properties, all night, every night.

Adding a second large barn adjacent to the existing large foaling barn will further overburden this small area and potentially place 30 + horses against the property fence in our residential neighborhood. The amount of traffic from employees, vets, farriers, deliveries, and other ancillary persons using the tiny branch road between our properties and the barn entrance will also increase with the subject development. Moreover, we understand that the new barn will be used for weaning the mares and foals which in such close proximity will only increase the noise of calling between the mares and foals which is almost non-stop during this weaning period.

6.16 Setbacks- "No structure, other than a fence shall be erected or permitted closer than one-hundred feet (100 feet) from the right of way line of any private road." The restriction more than doubles the county requirement of 50 feet from the middle of the road which the planned barn does not comply with.

Appellants Objections to the issuance of the building permit: 120 Meadowlark, Santa Ynez, CA

7.1 Height- No structure shall exceed one (1) story in height; that is (21 feet) in height measured in height from the finished ground on that front side, except that the Architectural Committee by variance” Appellants do not know the intended height of the proposed barn but are concerned since the current barn appears to exceed this restriction and blocks appellants view.

6.2 No Commercial Use- The PC&R’s also expressly prohibit any commercial use of the property or “for any other purpose inconsistent with the use of the property as a residential ranch community...” other than what is “customary and incidental to residential use and permitted under the zoning laws of Santa Barbara County.” Appellants object to having a commercial race horse breeding operation in their residential ranch community.

Appellants have no problem with anyone keeping horses for their own enjoyment on their properties consistent with residential use, however, the keeping of 20+ horses clearly exceeds any conceived residential use. Appellants understand that since Mr. Brous’s property exceeds 29 acres he is authorized by the County to have an unlimited number of horses. However, appellants are advised that the majority of the subject property (possibly 85%) exists in a flood zone which has been designated by the Flood Control Dept. as unsuitable for horse stabling. This forces most, if not all, of Mr. Brous’s horse stabling to be concentrated onto a very small portion of his property . The placing of the barns adjacent to each other limits the horse stabling to an area less than one acre of his total property situated directly across from our homes.

Appellants understand that with the addition of the subject horse and hay barn, Mr. Brous’s property is just shy of having the 20,000 sq. ft. of improvements required to designate it as a development. Given the vast amount of unusable space on the subject property, appellants believe that this property should be given heightened scrutiny in reviewing the instant permit and deciding what is a reasonable residential use within the Meadow Lark community.

Appellants purchased their homes in Meadow Lark with the understanding that they would get to appreciate the quiet enjoyment consistent with living in a rural, residential ranch community. We did not bargain for a dense concentration of horses being commercially raised, along with the associated noise, odors, and traffic being placed in next to fence lines in close proximity to our properties.

Appellants filed the instant appeal to reserve their rights having learned of the issuance of the building permit hours before leaving town. Appellants reserve the right to file supplemental paperwork to support their objections and to retain counsel should they so choose.

Respectfully submitted,

Suzanne Kramer-Morton, Joel Morton, Ramon and Sandra Guerrero

ATTACHMENT F: LETTER OF APPROVAL FROM
THE MEADOWLARK RANCH ASSOCIATION, DATED AUGUST 25, 2015



MEADOWLARK RANCH ASSOCIATION

Post Office Box 695, Santa Ynez, CA 93460-0695
www.meadowlarkranches.org

Mike Nuanes
Chairman
(949) 235-7410
mikenuanes@gmail.com

Mark Donofrio
Vice Chairman
(310) 770-3228
rudycat4@aol.com

Bruce Porter
Secretary
688-5182
meadowlark.secretary@gmail.com

Mike Hadley
Treasurer
688-3132
mhadley@meadowlarkranches.org

Ken Sideris
Member at Large
455-3159
kensideris@gmail.com

August 25, 2015

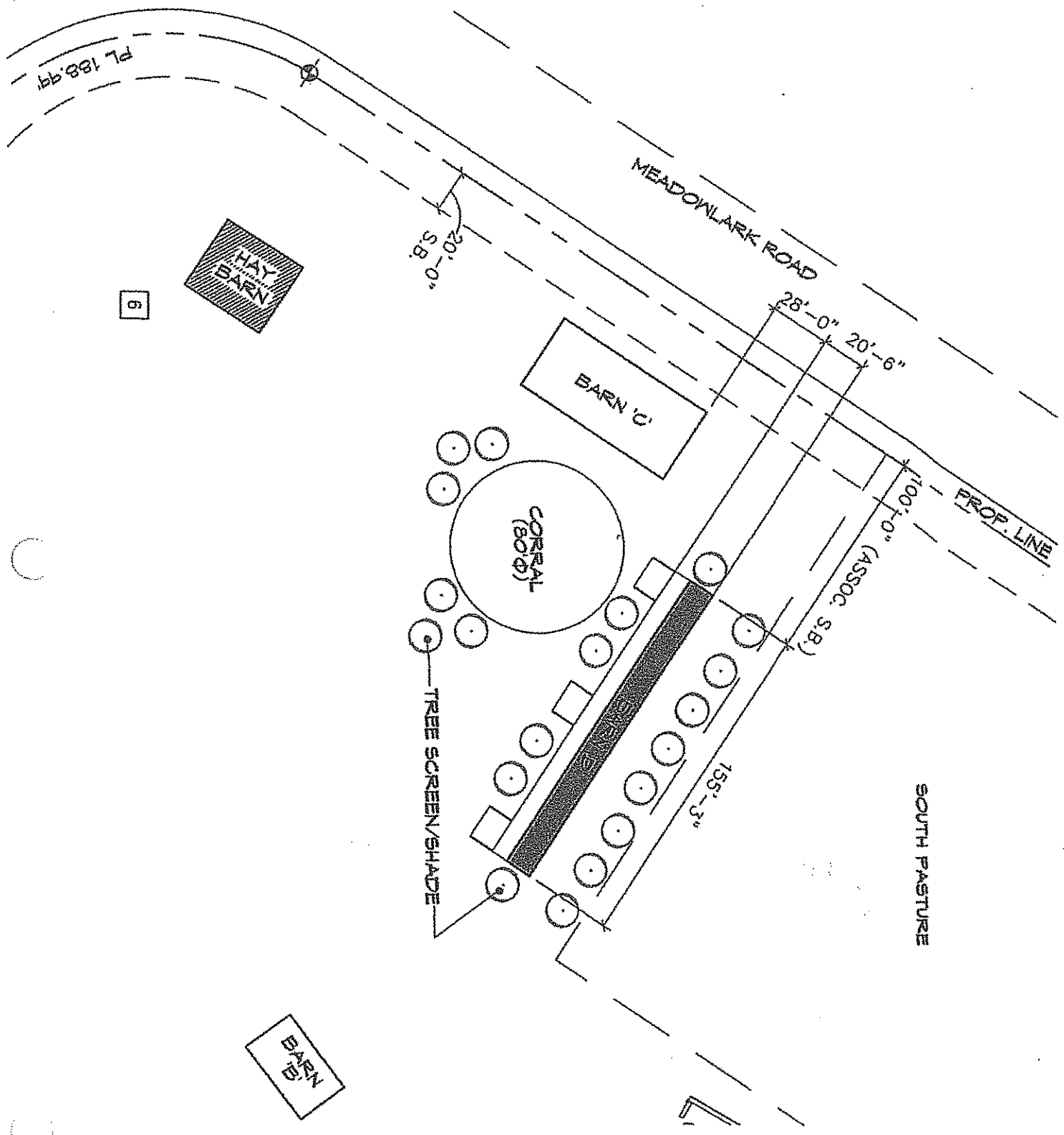
Robin and Greg Brous
120 Meadowlark Rd.
Santa Ynez, CA 93460

Dear Greg and Robin,

This letter is to inform you that the addition of Barn D in the new location (per latest submitted architectural plan) with the 100-foot setback and new footprint of East to West length orientation is approved. The addition of the hay barn with exterior plans submitted on 8/18/15 is also approved. Please be advised that changes in these plans without submission to the Meadowlark Ranch Association will violate this approval.

Sincerely,

Mark Donofrio
Vice Chairman and Director of the Architectural Committee



5

BARN 'A'

BARN 'C'

CEREAL
(800)

TREE SCREEN/SHADE

BARN 'B'

PROP. LINE

SOUTH PASTURE

MEADOWLARK ROAD

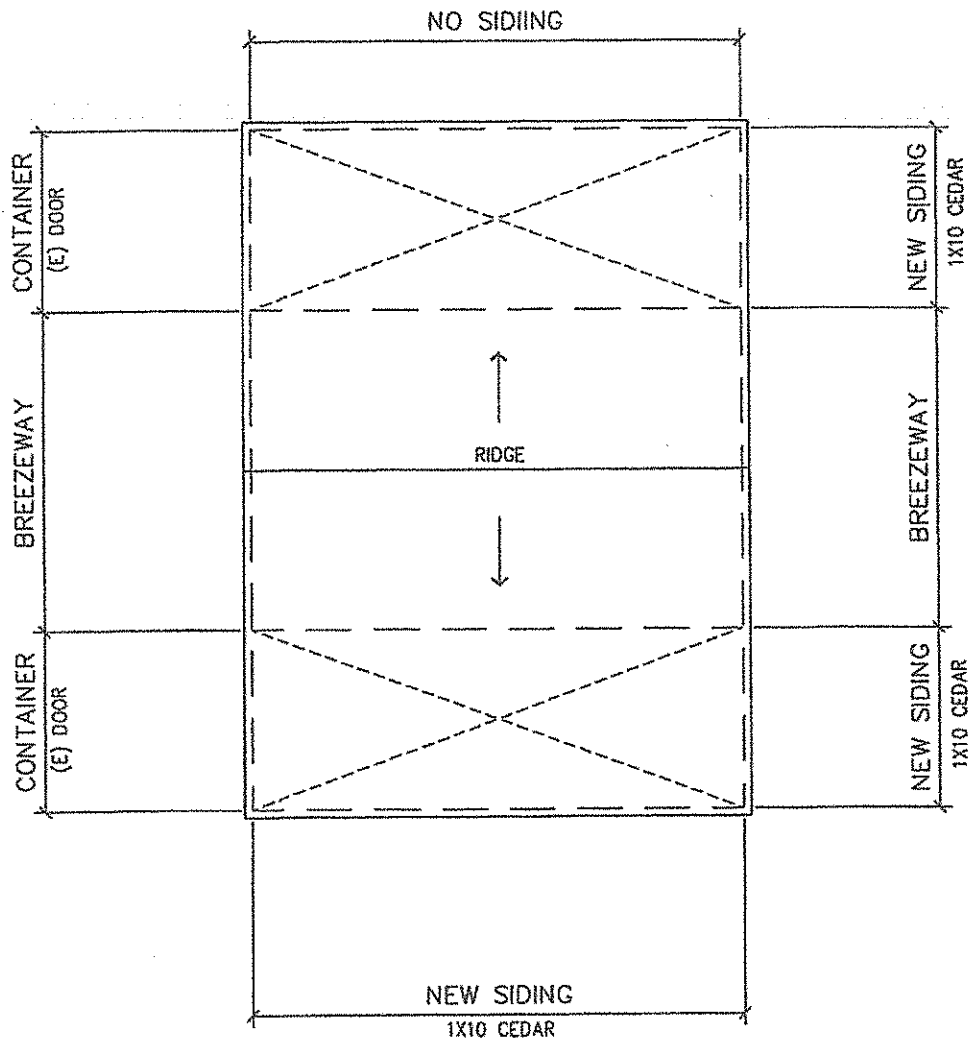
20'-0" S.B.

28'-0" 20'-6"

100'-0" (ASSOC. S.B.)

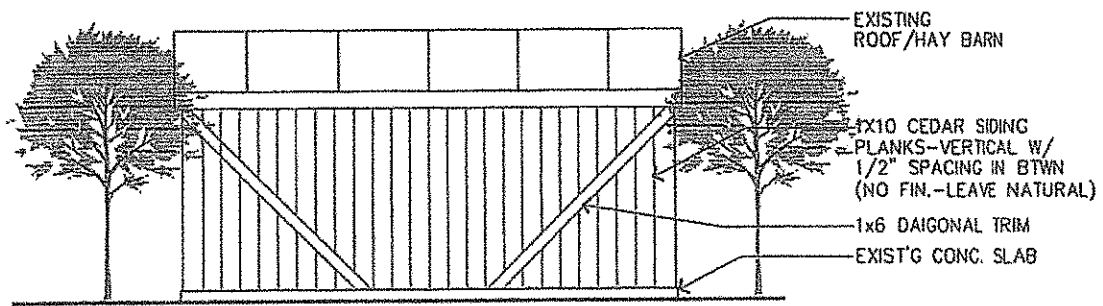
155'-3"

PL 188.99'



ROOF/FENCE PLAN

SC 1/8"=1'-0"



STREET SIDE ELEVATION

(WEST)

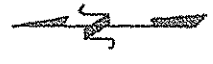
SC 1/8"=1'-0"

BROUS HAY BARN FACADE DESIGN

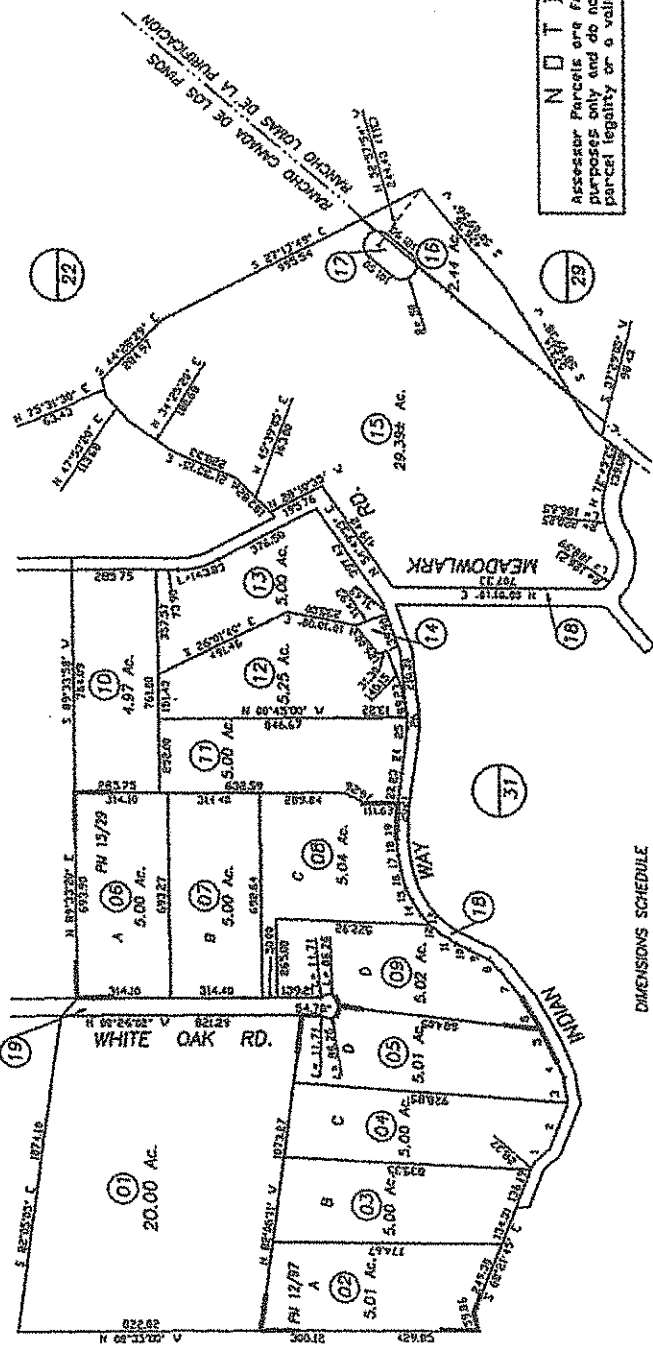
8-18-2015

ATTACHMENT G: APN SHEET

POR. RANCHO CANADA DE LOS PINOS & LOMAS DE LA PURIFICACION



1" = 400' scale



NOTICE
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

DIMENSIONS SCHEDULE

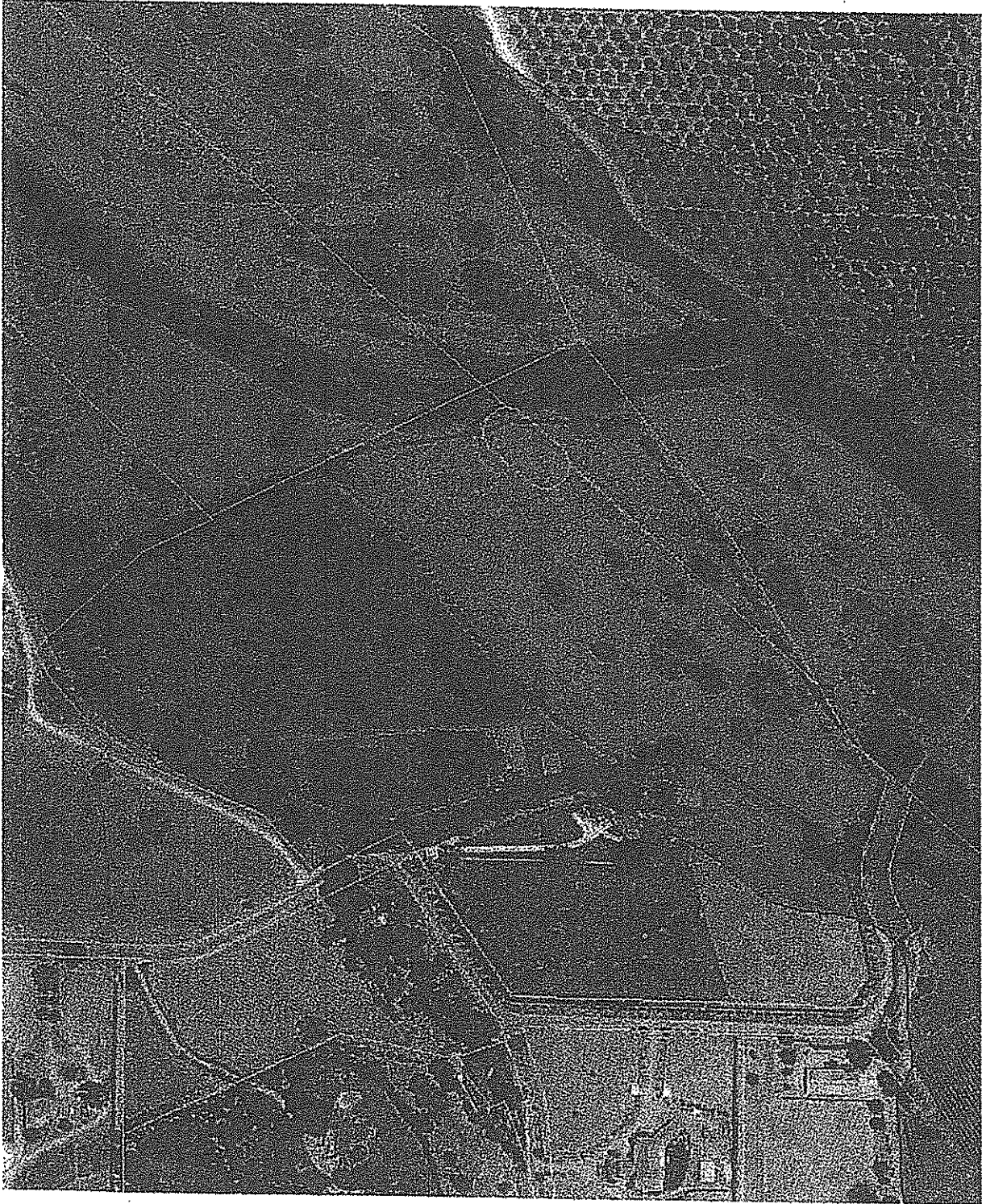
1	E 201.11-182' E	32.46
2	S 42-23-03' E	124.63
3	N 81-53-24' E	84.63
4	N 57-33-43' E	137.72
5	N 38-33-02' E	189.40
6	N 51-15-54' E	135.02
7	N 43-26-39' E	52.21
8	N 25-10-32' E	74.13
9	N 25-10-32' E	39.33
10	N 31-32-50' E	47.31
11	N 49-41-54' E	47.31
12	N 47-33-34' E	49.34
13	N 47-33-34' E	49.34
14	N 57-39-18' E	68.57
15	N 64-14-01' E	45.40
16	N 72-33-20' E	63.93
17	N 75-21-16' E	33.41
18	N 85-38-35' E	59.81
19	N 89-30-39' E	62.37
20	S 87-33-41' E	80.34
21	S 76-30-33' E	19.14
22	S 80-17-49' E	49.44
23	S 82-31-25' E	117.59
24	S 82-31-25' E	38.42
25	S 82-31-25' E	38.42
26	N 89-42-30' E	40.38

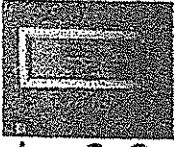
Assessor's Map Bk, 141-Pg, 39
 County of Santa Barbara, Calif.

9/92

ATTACHMENT H: SITE PLAN AND ELEVATIONS

Flood Plain
of the Santa
Ynez River



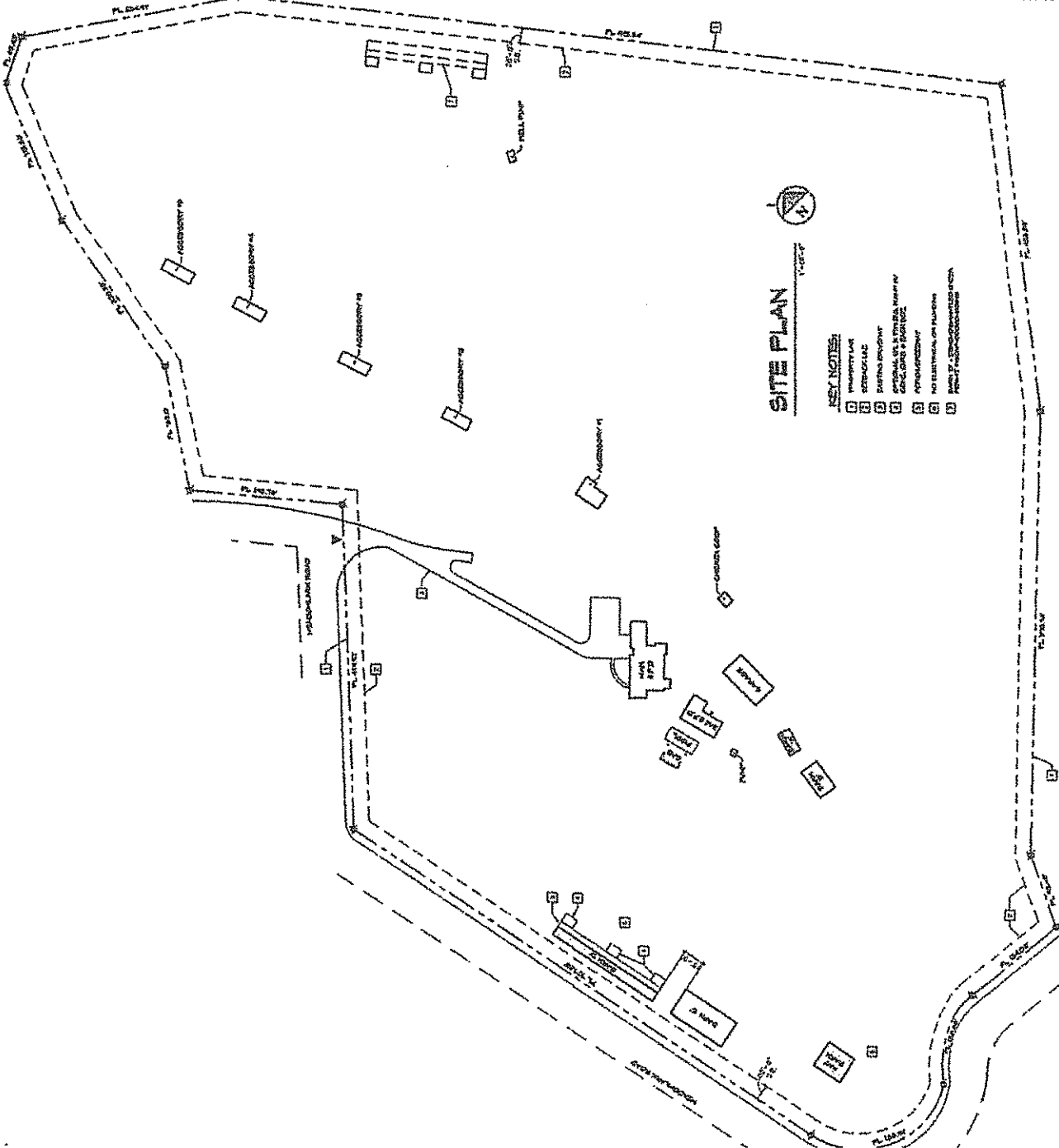


Victor Padilla
 P.O. Box 24034
 Santa Barbara, Calif.
 93121
 Tel. 805/728,0434

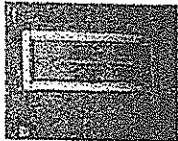
VP designgroup

Mr. Greg Brous
 Bam 'D'
 120 Meadowlark Road
 Santa Ynez, CA 93084

VICINITY MAP 	
PROJECT TEAM CONSULTOR: MR. VICTOR PADILLA 120 MEADOWLARK ROAD SANTA YNEZ, CA 93084 OWNER: MR. GREG BROUS 120 MEADOWLARK ROAD SANTA YNEZ, CA 93084 DATE: 01/20/00	
PROJECT INFORMATION PROJECT LOCATION: 120 MEADOWLARK ROAD SANTA YNEZ, CA 93084 PROJECT NUMBER: 01/20/00	
PROJECT DESCRIPTION NO STRUCTURE ON PLANS	
CODE COMPLIANCE ALL CODES AND REGULATIONS ARE TO BE OBSERVED AND ENFORCED. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.	
SHEET INDEX A0.1 SITE PLAN (CURRENT) A1.2 FLOOR, ELEVATION & SECTION	

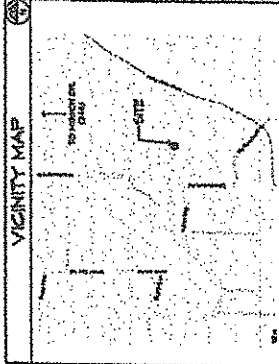


A0.1
 SITE
 Original
 Site Plan



Victor Pacific
 P.O. Box 24034
 Santa Barbara, Calif
 93121
 Tel. 805 728-0434

Mr. Greg Brous
 Barn D
 120 Meadowlark Road
 Santa Ynez, CA 93084



PROJECT TEAM

OWNER:
 MR. GREG BROUS
 120 MEADOWLARK ROAD
 SANTA YNEZ, CA 93084

DESIGNER:
 VICTOR PACIFIC
 P.O. BOX 24034
 SANTA BARBARA, CA 93121
 TEL. 805 728-0434

CONSULTANTS:
 ELECTRICAL ENGINEER:
 VICTOR PACIFIC
 P.O. BOX 24034
 SANTA BARBARA, CA 93121
 TEL. 805 728-0434

PROJECT INFORMATION

PROJECT LOCATION:
 120 MEADOWLARK ROAD
 SANTA YNEZ, CA 93084

DATE: 11/14/03

SCALE: 1" = 40' (AS SHOWN)

PROJECT DESCRIPTION:
 ELECTRICAL DESIGN FOR BARN D

PROJECT DESCRIPTION

DESIGN ELECTRICAL SYSTEM FOR BARN D

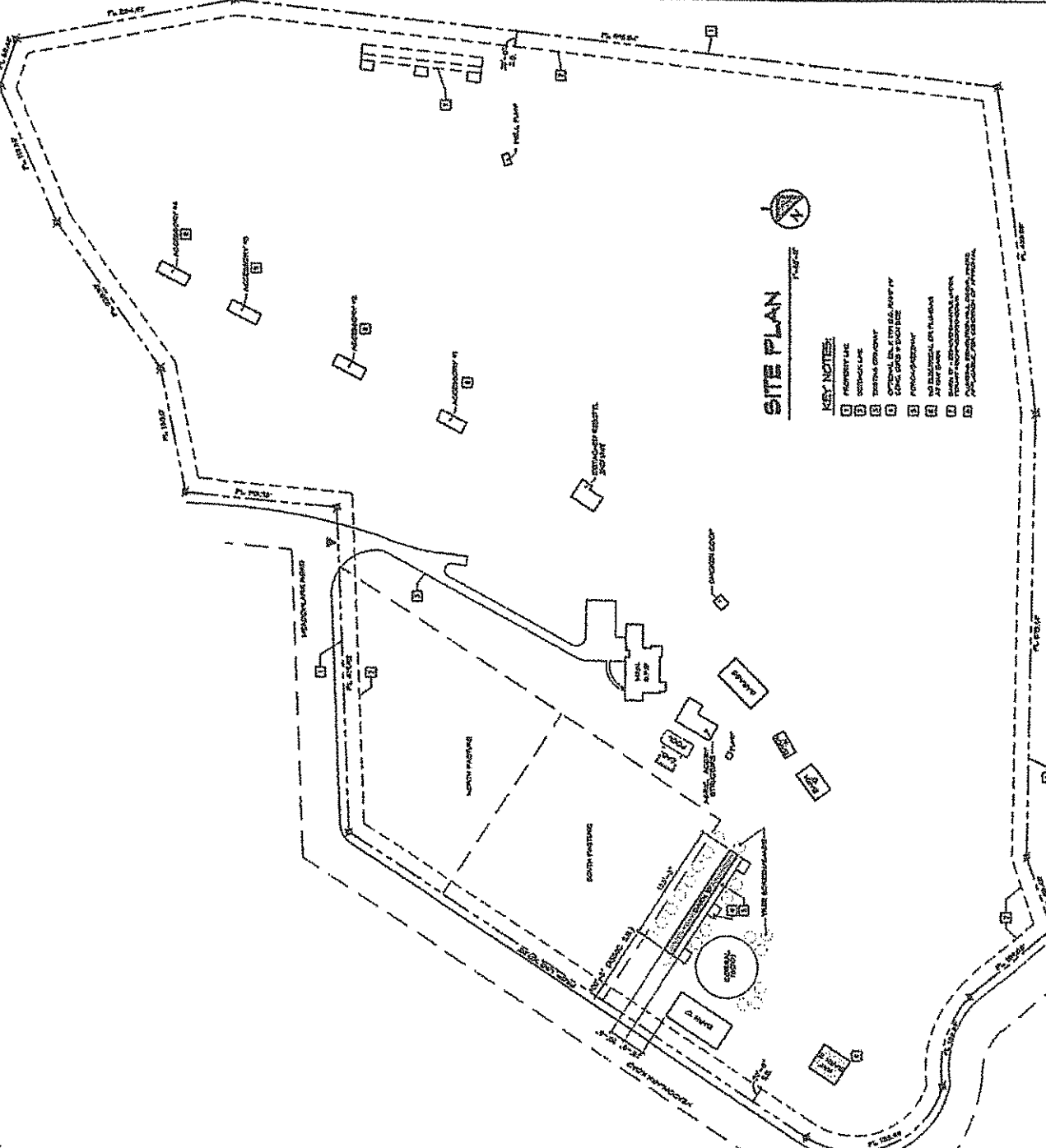
CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PROVIDED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION. THE CODE IS REFERENCED TO THE LATEST EDITION, NOT CORRECTIVE TO THIS DATE.

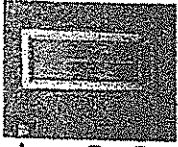
DATE: 11/14/03

SHEET INDEX

A0 SITE PLAN COVER SHEET
 A11 GENERAL FLOOR PLAN
 E1 ELECTRICAL PANEL SCHEDULE
 E2 ELECTRICAL SYSTEM



Revised
 Site Plan

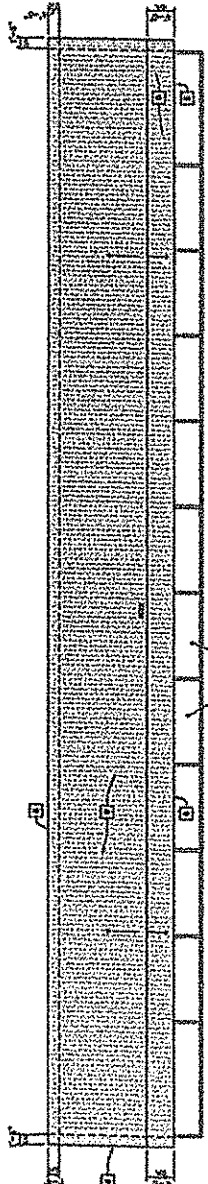


VP designgroup

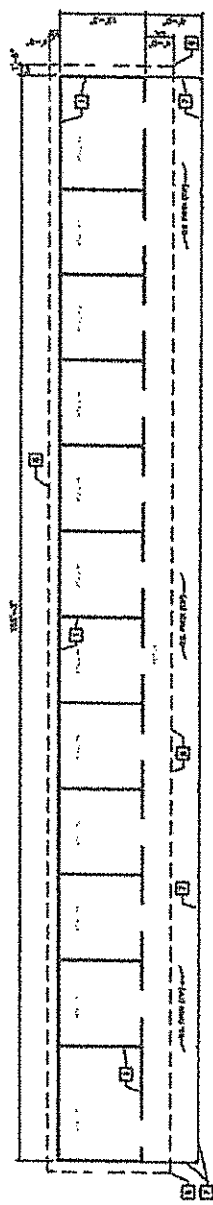
Victor Profiles

P.O. Box 24094
 Santa Barbara, Calif. 93121
 Tel. 805/733,0434

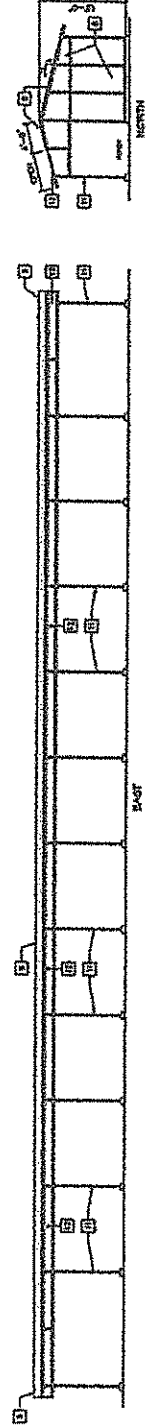
- KEY NOTES:**
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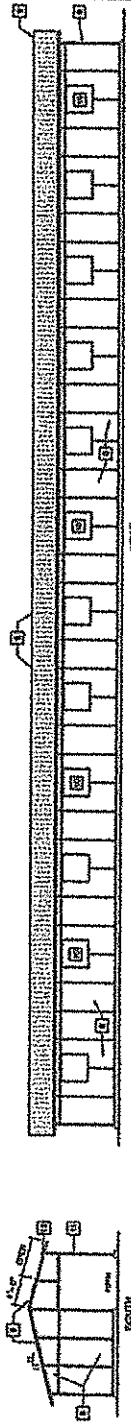
BARN D' ROOF PLAN



BARN D' FLOOR PLAN



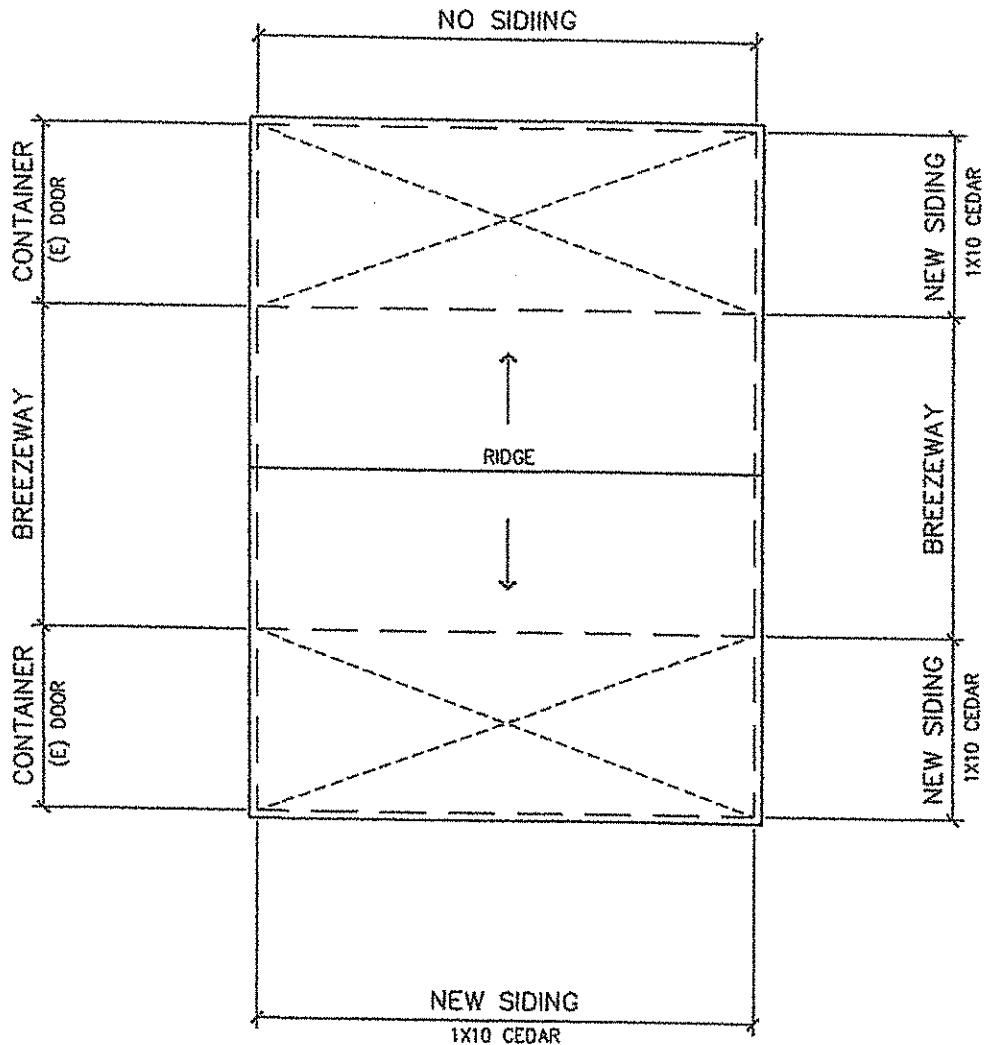
BARN D' ELEVATIONS



Mr. Greg Brous
 Barn D'
 120 Meadowlark Road
 Santa Ynez, CA 93064

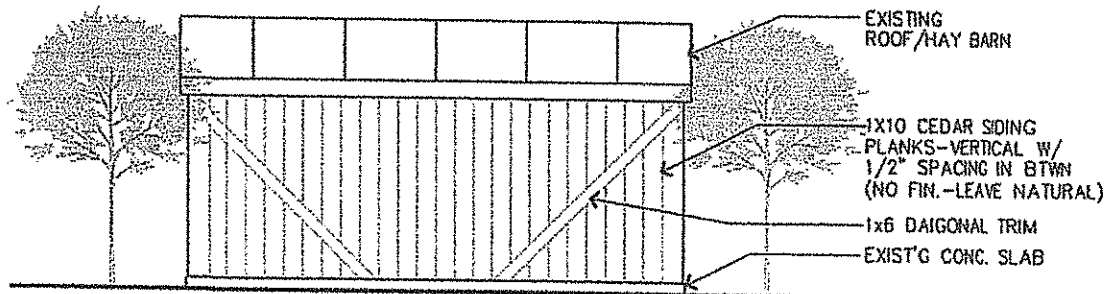
A1.2
 FLR & ELEVS

DATE	DESCRIPTION



ROOF/FENCE PLAN

SC 1/8"=1'-0"



STREET SIDE ELEVATION

(WEST)

SC 1/8"=1'-0"

BROUS HAY BARN FACADE DESIGN

6-18-2015