

September 16, 2008

Mr. Mike Stoker
431 Valley Dairy Road
Buellton, CA 93427

PLANNING COMMISSION
HEARING OF SEPTEMBER 10, 2008

RE: *Stoker Residential Project; 06GPA-00000-00009; 07RZN-00000-00009, 07TRM-00000-00003, 07DVP-00000-00016*

Hearing on the request of Mike Stoker, applicant and property owner, to consider the following:

- a) **06GPA-00000-00009** [application filed May 12, 2006] for approval to change the Comprehensive Plan's land use designation of 2.35 acres from Recreation/Open Space to Residential-8.0 and to change the land use designation of 0.47 acres from Recreation/Open Space to Residential-1.8;
- b) **07RZN-00000-00009** [application filed on May 21, 2007] for approval of a Zoning Map Amendment to change the Land Use and Development Code's zone district for 2.35 acres from Recreation to Design Residential (DR-6), and to change the zone district for 0.47 acres from Recreation to Residential, single-family (20-R-1);
- c) **07TRM-00000-00019** [application filed on May 21, 2007] for approval of a Tentative Tract Map in compliance with County Code Chapter 21 to subdivide a 2.82 acre site and create 16 new parcels: Lot Numbers 1, 2, and 11-14 at 2,368 square feet each; Lot Numbers 3-9 at 2,952 square feet each; Lot 15 at 65,165 square feet; and Lot 16 at 20,478 square feet;
- d) **07DVP-00000-00016** [application filed on May 21, 2007] for approval of a Development Plan under the provisions of the DR zone district and in compliance with Section 35.82.080 of the County Land Use Development Code to develop 14 two-story, residential units;

and to approve the Mitigated Negative Declaration (08NGD-00000-00011) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geologic Processes, Noise, Public Facilities, and Water Resources/Flooding. The Mitigated Negative Declaration and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara or 624 W. Foster Rd., Santa Maria. The application involves AP No. 097-730-021, located on Oakhill Drive in the Recreation/Open Space zone district, in the Vandenberg Village area, Third Supervisorial District.

Dear Mr. Stoker:

At the Planning Commission hearing of September 10, 2008, Commissioner Jackson moved, seconded by Commissioner Blough and failed by a vote of 2-3 (Brown/Cooney/Valencia no) to:

1. Recommend that the Board of Supervisors adopt the required findings for the project specified in Attachment A of the staff report, dated August 22, 2008, and as revised in the staff memo, dated September 10, 2008, including CEQA findings;
2. Recommend that the Board of Supervisors approve the Mitigated Negative Declaration No. 08NGD-00000-00011 (included as Attachment B of the staff report, dated August 22, 2008) and adopt the mitigation monitoring program contained in the conditions of approval;
3. Recommend that the Board of Supervisors adopt a Comprehensive Plan Amendment for APN 097-730-021, amending the Santa Barbara County Comprehensive Plan Land Use Element, Lompoc Urban Area Land Use Designations (Draft Resolution included as Attachment C of the staff report, dated August 22, 2008);
4. Adopt a resolution recommending that the Board of Supervisors adopt by Ordinance a Zoning Map Amendment for APN 097-730-021, amending the Inland Zoning Map for the Lompoc Urban Area Zones (Draft Ordinance included as Attachment D of the staff report, dated August 22, 2008);
5. Recommend that the Board of Supervisors approve 07TRM-00000-00019 subject to the conditions included as Attachment E-1 of the staff report, dated August 22, 2008 and as revised in the staff memo, dated September 10, 2008; and
6. Recommend that the Board of Supervisors approve 07DVP-00000-00016 subject to the conditions included as Attachment E-2 of the staff report, dated August 22, 2008.

Commissioner Blough moved, seconded by Commissioner Brown and carried by a vote of 5-0 to continue this item to the hearing of September 24, 2008 for staff to come back to the Commission with findings for denial.

REVISIONS TO THE STAFF REPORT

Amend the language on page 2 as follows:

2. ~~Recommend~~ The Planning Commission has considered the Mitigated Negative Declaration and recommends that the Board of Supervisors approve the Mitigated Negative Declaration No. 08NGD-00000-00011 (included as Attachment B) and adopt the mitigation monitoring program contained in the conditions of approval.
4. ~~Recommend~~ Adopt a resolution recommending that the Board of Supervisors adopt by Ordinance a Zoning Map Amendment for APN 097-730-021, amending the Inland Zoning Map for the Lompoc Urban Area Zones (Draft Ordinance included as Attachment D).

REVISIONS TO THE FINDINGS

Section 2.2, Rezone Findings is amended:

2.2 REZONE FINDINGS

Pursuant to Section ~~35.325.5~~ 35.104.060, in order for the Planning Commission to recommend approval or for the Board of Supervisors to approve a rezone request, the following findings shall be made by the Board of Supervisors:

REVISIONS TO THE CONDITIONS OF APPROVAL

Attachment E-1: Tentative Tract Map Conditions, the following conditions are added:

37. **Mitigation Monitoring required:** The 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 applicant agrees to:
- 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. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, compliance staff, other agency personnel, and with key construction personnel.
 - a. Pay fees prior to Final Map Clearance or approval of Zoning Clearances as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including 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 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.
38. **Signed Agreement to Comply with Conditions Required:** Prior to Final Map Clearance, the applicant shall provide evidence that they have recorded an Agreement to Comply with Conditions on a form acceptable to Planning and Development. Such form may be obtained from the P&D office.

Commissioner Blough's motion also included the following proposed revisions to the project conditions:

- A) Amend the requirement for landscape bond to delete the installation portion and reduce the maintenance bond from 3 years to 2 years.
- B) Add a parking condition which requires each unit's driveway to be sized to accommodate two cars to park in front of each garage.
- C) Amend the drainage condition to provide design flexibility, allowing the elimination of onsite detention basins and routing of drainage to existing golf course ponds.

Sincerely,

Dianne M. Black
Secretary Planning Commission

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Dianne M. Black, Director Development Review

Engineer: Flowers & Associates, 500 East Montecito Street, Santa Barbara, CA 93101

Rachel Van Mullem, Deputy County Counsel

Nathan Eady, Planner

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