

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
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July 1, 2016

Richard Adam
625 East Chapel
Santa Maria, CA 93454

PLANNING COMMISSION
HEARING OF JUNE 29, 2016

RE: Vander Meulen Appeal of Directors Determination; 16APL-00000-00003

Hearing on the request of Richard Adam, attorney for the owner, John Vander Meulen, to consider the appeal, Case No. 16APL-00000-00003 [application filed on January 21, 2016] in compliance with Chapter 35.102 of the County Land Use and Development Code, of the Director's determination of unpermitted recreational use of motor vehicles and establishment of a sports and outdoor recreation facility on property located in the 3-E-1 Zone; and to determine that the activity is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15378. The application involves Assessor Parcel No. 105-010-033, located at 4655 Song Lane, in the Santa Maria area, Fourth Supervisorial District.

Dear Mr. Adam:

At the Planning Commission hearing of June 29, 2016, Commissioner Blough moved, seconded by Commissioner Brown and carried by a vote of 4 to 0 (Ferini recused) to:

1. Deny the appeal, Case No.16APL-00000-00003;
2. Make the findings for affirmance of the Director's Determination in Attachment-A of the staff report, dated June 8, 2016, as modified at the hearing of June 29, 2016;
3. Determine that denial of the appeal and affirmance of the Director Determination is exempt from the provisions of CEQA pursuant to state CEQA Guidelines Section 15378, as specified in Attachment-B of the staff report, dated June 8, 2016; and
4. Affirm *de novo* the Director Determination dated January 12, 2016, as modified at the hearing of June 29, 2016.

Finding 2.0 was modified as follows:

As discussed in sections 6.1, 6.3, and 6.4 of this staff report, and incorporated herein by reference, the Planning and Development Director's determination was issued consistent with the authority and terms of the Land Use and Development Code. The operation of recreational motor vehicles that adversely affects other properties in the vicinity is not a permitted use (either principal or accessory) on the subject property or within the residential zone designations enumerated in chapter 35.23 (Residential

Zones) of the Santa Barbara County Land Use and Development Code. The use and establishment of a sports and outdoor recreation facility on the subject property requires a Conditional Use Permit.

Paragraph 3 of the January 12, 2016 Director's Determination of Unpermitted Use was modified as follows:

With the information gathered in the past months of enforcement action and other enforcement investigations of similar violations, I have determined that the recreational operation of motorized vehicles that adversely affect other properties in the vicinity (e.g., commercial or noncommercial racing vehicles, motorcycles, go-cats, dune buggies, etc) is not compatible with the Purpose and Intent of residential zoning; is not incidental and subordinate to residential uses; and is therefore *not* a use permitted within the residential zone designations as enumerated in Chapter 35.23 (Residential Zones) of the Santa Barbara county Land Use and Development Code.

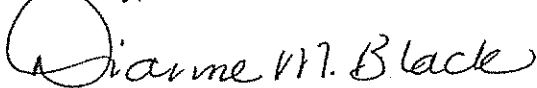
The attached findings and conditions reflect the Planning Commission's actions of June 29, 2016.

The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, July 11, 2016 at 5:00 p.m.**

If this decision is appealed, the filing fee is \$648.26 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA at the same time the appeal is filed.

Sincerely,



Dianne M. Black
Secretary to the Planning Commission

- cc: Case File: 16APL-00000-00003
Planning Commission File
Owner: John and Michelle Vander Meulen, 1386 Solomon Road, Santa Maria, CA 93455
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works

Environmental Health Services
APCD
Peter Adam, Fourth District Supervisor
Larry Ferini, Fourth District Planning Commissioner
Jenna Richardson, Deputy County Counsel
~~Petra Levya, Enforcement~~
✓Nicole Lieu, Planner

Attachments: Attachment A – Findings

DMB/dmv

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ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

The Planning Commission finds that the proposed action is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378. Please see Attachment-B, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

As discussed in sections 6.1, 6.3, and 6.4 of this staff report, and incorporated herein by reference, the Planning and Development Director's determination was issued consistent with the authority and terms of the Land Use and Development Code. The operation of recreational motor vehicles that adversely effects other properties in the vicinity is not a permitted use (either principal or accessory) on the subject property or within the residential zone designations enumerated in chapter 35.23 (Residential Zones) of the Santa Barbara County Land Use and Development Code. The use and establishment of a sports and outdoor recreation facility on the subject property requires a Conditional Use Permit.

