

**ATTACHMENT 6: Planning Commission Action Letter dated February 11,
2022**



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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February 11, 2022

Jan Vandebos
2005 Alamo Pintado Road
Solvang, CA 93463

PLANNING COMMISSION
HEARING OF FEBRUARY 9, 2022

RE: *Vandebos Appeal of Adamson Single Family Dwelling; 21APL-00000-00042*

Hearing on the request of the appellant, Jan Vandebos, to consider Case No. 21APL-00000-00042, an appeal of the Planning Director's approval of Case No. 21LUP-00000-00146 in compliance with Section 35.102 (Appeals) of the Santa Barbara County Land Use and Development Code (LUDC). The proposed project is a request for a Land Use Permit to allow construction of a new 2,645 square foot two-story, single family dwelling. The first floor will be 1,908 square feet and the second floor will be 737 square feet. A new 960 square foot detached garage with a restroom and outdoor shower is also proposed, as well as a new 16' x 40' swimming pool and spa. The subject property is zoned Agricultural I (AG-I-10) and is located at 2017 Alamo Pintado Road (Assessor Parcel No. 137-020-054) in the Santa Ynez Valley Community Plan area, Third Supervisorial District.

Dear Ms. Vandebos:

At the Planning Commission hearing of February 9, 2022, Commissioner Parke moved, seconded by Commissioner Blough and carried by a vote of 5 to 0 to:

1. Deny the appeal, Case No. 21APL-00000-00042;
2. Make the required findings for approval of the modified project as specified in Attachment A of the staff report dated February 1, 2022, including California Environmental Quality Act (CEQA) findings;
3. Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15303 and 15304, included as Attachment C of the staff report dated February 1, 2022; and
4. Grant *de novo* approval of the modified project, Case No. 21LUP-00000-00146, subject to the conditions included as Attachment B of the staff report dated February 1, 2022.

The attached findings and conditions reflect the Planning Commission's actions of February 9, 2022.

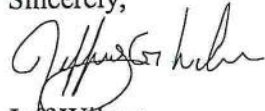
The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved

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, February 22, 2022 at 5:00 p.m.**

If this decision is appealed, the filing fee for both non-applicant and applicant is \$709.06 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,



Jeff Wilson
Secretary to the Planning Commission

cc: Case File: 21APL-00000-00042
Planning Commission File
Owner: Thano and Kathy Adamson, 1414 Wayne Avenue, South Pasadena, CA 91030
Agent: Brett Jones, P.O. Box 847, Los Olivos, CA 93441
County Chief Appraiser
County Surveyor
Fire Department
Public Works
Environmental Health Services
APCD
Joan Hartmann, Third District Supervisor
✓ John Parke, Third District Planning Commissioner
Tina Mitchell, Planner

**Attachments: Attachment A – Findings
Attachment B – Conditions of Approval**

JW/dmv

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

The County Planning Commission (Commission) finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 [New Construction or Conversion of Small Structures] and Section 15304 [Minor Alterations to Land] of the State CEQA Guidelines. For further details and discussion regarding this exemption, please see the Notice of Exemption, included as Attachment C to the staff report, dated February 1, 2022, and incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS

2.1 FINDINGS FOR ALL LAND USE PERMITS

2.1.1 The proposed development conforms:

- (1) To the applicable provisions of the Comprehensive Plan including any applicable community or area plan; and
- (2) 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).

The Commission finds that the proposed project conforms to the applicable provisions of the Comprehensive Plan, including the Santa Ynez Valley Community Plan, and applicable provisions of the County Land Use and Development Code. As discussed in Sections 6.3 and 6.4 of the staff report, dated February 1, 2022, and incorporated herein by reference, adequate services are available to serve the proposed project, the proposed project will not have an impact on the character of the surrounding area, and the project complies with the applicable provisions of the LUDC.

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

The Commission finds that the proposed project is located on a legally created lot. The subject property is a legal lot granted a Certificate of Compliance on May 27, 2014. The lot is shown on the Assessor's Map Book 137, Pg. 02.

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 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)

The Commission finds that as conditioned, and as discussed in Sections 6.3 and 6.4 of the staff report, dated February 1, 2022, and incorporated herein by reference, the subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks, and other applicable provisions of this Development Code for the AG-I district. No zoning violation complaints have been filed and there are no open violation cases.

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, the hearing exhibits marked A-J, dated February 1, 2022, and all conditions of approval set forth below, including specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The proposed project is a request for a Land Use Permit to allow construction of a new 2,645 square foot two-story, single-family dwelling. The first floor will be 1,908 square feet and the second floor will be 737 square feet. There will be 870 square feet of ground floor patios, and 230 square feet of second floor patios. The new single-family dwelling will have a maximum height of 24'-2". A new 960 square foot detached garage with a restroom and outdoor shower is also proposed. The new garage will have a maximum height of 16'-3". A new 16' x 40' swimming pool and spa and associated pool equipment is also proposed. A new built in BBQ will be located under a 6' x 6' wood trellis. Proposed exterior lighting fixtures will be Dark Sky Compliant as required per the Santa Ynez Valley Community Plan. The proposed single-family dwelling will be built in the approximate footprint area of a 2,420 square foot barn that was recently demolished under Case No. 21BDP-00000-00692. Water will be provided by an onsite private well and a single parcel water system. Sewer services will be provided by a new private septic system. No grading or tree removal is proposed. Approximately 6,650 square feet of new landscaping is proposed. The existing 12-foot wide private driveway will remain in order to provide access to the proposed pool equipment area, and a new 16-foot wide gravel driveway with a Fire Department turnaround will be added east of the proposed dwelling. The property is a 9.63 acre parcel, zoned AG-I-10, and located at 2017 Alamo Pintado Road (Assessor's Parcel Number 137-020-054) in the Santa Ynez Valley Community Plan area, Third 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-04 BAR Required:** The Owner/Applicant shall obtain Central Board of Architectural Review (CBAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to previous BAR approval (21BAR-00000-00061).

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Land Use Permit. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

4. **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 planning staff shall spot check and respond to complaints.

5. **Parking-02 Onsite Construction Parking:** All parking for construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of any road right of way, including Random Oaks Road. 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 staff 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.

County Rules and Regulation

- 6. DIMF-24d DIMF Fees-Fire:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Fire DIMF amount is currently estimated to be \$0.59/sq. ft. (August 11, 2021). This is based on a project type of single-family dwelling.
TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 7. DIMF-24e DIMF Fees-Parks:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$1,475 (August 11, 2021). This is based on a project type of single-family dwelling.
TIMING: Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 8. DIMF-24g DIMF Fees-Transportation:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.
The total DIMF amount for Transportation is currently estimated to be \$679 (August 11, 2021). This is based on a project type of single-family dwelling.
TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 9. 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.

10. **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.
11. **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.
12. **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.
13. **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.