ATTACHMENT 7: PLANNING COMMISSION ACTION LETTER DATED JUNE 15, 2021



COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING 123 E. ANAPAMU ST. SANTA BARBARA, CALIF. 93101-2058 PHONE: (805) 568-2000 FAX: (805) 568-2030

June 15, 2021

William and Ingrid Jackson 2701 Via La Selva Santa Ynez, CA 93460

PLANNING COMMISSION HEARING OF JUNE 9, 2021

RE: Jackson Appeal of Hacienda Amador Homestay; 21APL-00000-00011

Hearing on the request of William and Ingrid Jackson to consider Case No. 21APL-00000-00011, an appeal of the Director's approval of Case No. 21HOM-00005, which authorized the use of two bedrooms within an existing dwelling as a homestay; and to determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15301. The appeal was filed in compliance with Chapter 35.102 of the Land Use and Development Code. The subject property is zoned AG-I-5 and is located at 2905 Via La Selva, Assessor's Parcel Number 141-100-076, in the Santa Ynez area, Third Supervisorial District. (Continued from 5/05/21)

Dear Mr. and Mrs. Jackson:

At the Planning Commission hearing of June 9, 2021, Commissioner Bridley moved, seconded by Commissioner Blough and carried by a vote of 5 to 0 to:

- 1. Uphold the appeal, Case No. 21APL-00000-00011;
- 2. Make the required findings for denial of the project (Case No. 21HOM-00005) as specified in Attachment A of the memorandum dated June 1, 2021, including CEQA findings;
- 3. Determine that denial of the project (Case No. 21HOM-00005) is exempt from CEQA pursuant to State CEQA Guidelines Sections 15061(b)(4) and 15270(a) included as Attachment B to the memorandum dated June 1, 2021; and
- 4. Deny the project, Case No. 21HOM-00005.

The attached findings and conditions reflect the Planning Commission's actions of June 9, 2021.

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.

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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 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, June 21, 2021 at 5:00 p.m.

If this decision is appealed, the filing fee for both non-applicant and applicant is \$701.06 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

Case File: 21APL-00000-00011, 21HOM-00000-00005 cc: Planning Commission File Owner: Jacqueline Abbud, Hacienda Amador, 2905 Via La Selva, Santa Ynez, CA 93460 County Chief Appraiser County Surveyor Fire Department Flood Control Community Services Department **Public Works** Environmental Health Services APCD Joan Hartmann, Third District Supervisor John Parke, Third District Planning Commissioner Jenna Richardson, Deputy County Counsel Ben Singer, Planner

Attachments: Attachment A - Findings JW/dmv

ATTACHMENT A: FINDINGS

1. CEQA FINDINGS

The County Planning Commission (Commission) finds that the proposed project is statutorily exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(4) and Section 15270(a). More specifically, a project is exempt from CEQA environmental review if the project will be rejected or disapproved by a public agency. As discussed in the memorandum from staff to the Planning Commission, dated June 1, 2021, incorporated herein by reference, and in the administrative findings set forth below, the project is denied by the Commission because certain findings cannot be made to approve the project.

2. ADMINISTRATIVE FINDINGS

In order for a Land Use Permit for new development to be approved, the proposed development must comply with all applicable requirements of the County Land Use and Development Code (LUDC) and policies of the County Comprehensive Plan, including any applicable community or area plan. The following required findings in the County LUDC cannot be made for this project. Only findings that cannot be made are discussed below:

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 Homestay is not compatible with surrounding uses and does not conform to the Santa Ynez Valley Community Plan or to the applicable provisions of the LUDC, as discussed in Sections 2.0 and 3.0, respectively, of the memorandum, dated June 1, 2021 and incorporated herein by reference. Further, the proposed Homestay does not meet the intent of the Homestay Ordinance due to the proximity to the neighboring property and dwelling and the nuisance that would be caused by the noise and frequent guests and vehicles.