SANTA BARBARA COUNTY PLANNING COMMISSION Staff Report for the Nicholas Appeal of the Stewart Single Family Dwelling

Hearing Date: July 1, 2015 Staff Report Date: June 11, 2015 Case No.: 15APL-00000-00005 Environmental Document: Notice of Exemption (CEQA Guidelines § 15303(a)) Deputy Director: Alice McCurdy Division: Development Review Supervising Planner: Zoraida Abresch Supervising Planner Phone #: (805) 934-6585 Staff Contact: Dana Eady Planner's Phone #: (805) 934-6266

APPELLANT:

Mr. J.H. Nicholas 3070 N. Avenida Caballo Rd. Santa Ynez, CA 93460 (805) 688-8054

APPLICANT/OWNER:

Mr. Mark C. Stewart 3209 Old Calzada Ridge Rd. Santa Ynez, CA 93460 (805) 325-6007



This site is identified as Assessor Parcel Number 135-310-041, located approximately 1.5 miles north of the intersection of Roblar Avenue and Calzada Avenue at 3209 Old Calzada Ridge Rd., Santa Ynez Community Planning area, Third Supervisorial District.

Land Use Permit Approved: March 18, 2015 Appeal of Land Use Permit Filed: March 23, 2015 Processing Deadline: 60 days from NOE

1.0 REQUEST

Hearing on the request of Mr. J.H. Nicholas, appellant, to consider Case No. 15APL-00000-00005, [appeal filed on March 23, 2015], in compliance with Section 35.102 of the County Land Use and Development Code, of the Director's decision to approve a Land Use Permit allowing for the construction of a 1,200 sq. ft. single family dwelling, and legalization of an as-built 864 sq. ft. agricultural storage barn on property located in the AG-I-20 zone; and to determine that the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15303(a), included as Attachment C.

The application involves Assessor Parcel No. 135-310-041, located at 3209 Old Calzada Ridge Road, Santa Ynez Community Planning area, Third Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case No. 14LUP-00000-00438 marked "Officially Accepted, County of Santa Barbara, July 1, 2015, County Planning Commission Attachments A-G", based upon the project's consistency with the Comprehensive Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

- 1. Deny the appeal, Case No.15APL-00000-00005;
- 2. Make the required findings for approval of the project, Case No. 14LUP-00000-00438, specified in Attachment A of this staff report, including CEQA findings;
- 3. Determine that the project is exempt from environmental review pursuant to Section 15303(a) of CEQA, as specified in Attachment C; and
- 4. Grant *de novo* approval of Case No. 14LUP-00000-00438 subject to conditions included as Attachment B.

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 based on Section 35.102.040.A.3.d (Appeals Procedures) of the Santa Barbara County Land Use and Development Code (LUDC) which states that any other action, decision, or determination made by the Director as authorized by this Development Code where the Director is the review authority, except when specifically provided that the action, decision, or determination is final and not subject to appeal, may be appealed to the Planning Commission.

4.0 ISSUE SUMMARY

A Land Use Permit (Case No. 14LUP-00000-00438) was approved on March 18, 2015 allowing for the construction of a new 1,200 sq. ft. single family dwelling. The appellant identifies neighborhood incompatibility, and Central Board of Architectural Review (CBAR) concerns as the main issue areas that form the basis of the appeal. These issues are discussed in Section 6.1 of this report. An existing 864 sq. ft. agricultural storage barn with a maximum height of 19 feet was constructed on the subject parcel in 1977 without permits. The agricultural storage barn is included in the subject land use permit for the purposes of legalizing it as an as-built structure.

5.0 **PROJECT INFORMATION**

Site Information		
Comprehensive Plan Designation	Santa Ynez Valley Community Plan inner rural area,	
	A-I-20, Agriculture	
Ordinance, Zone	Land Use and Development Code, AG-I-20, Agriculture	
Site Size	18.60 acres (net)	
Present Use & Development	The site is currently developed with an agricultural storage	
	barn of approximately 864 sq. ft.	
Surrounding Uses/Zone(s)	North: Low intensity residential; AG-I-20	
	South: Low intensity residential; AG-I-20	
	<i>East:</i> Low intensity residential; AG-I-20	
	West: Low intensity residential; AG-I-20	
Access	Proposed private driveway via Old Calzada Road	
Public Services	Water Supply: Rancho Ynecita Mutual Water Company	
	Sewage: Private Septic System (dry well)	
	Fire: Santa Barbara County Fire, Station #32	
	Police: Santa Barbara County Sheriff's Department	

5.1 Site Information

5.2 Setting

The subject parcel is located within the AG-I-20 zone district in the inner-rural area of the Santa Ynez Valley Community Plan area. The Rancho Ynecita neighborhood is comprised of 20-acre parcels which are developed with low intensity residential, agricultural (vineyards, orchards) and equestrian uses. The topography of the parcels in this area of Santa Ynez is varied and includes a mixture of steep slopes and valleys. The majority of single family dwellings in Rancho Ynecita have been constructed on ridgelines with agricultural and other accessory uses located in lower lying areas below. Vegetation adjacent to the project site is comprised of native trees and shrubs including oak trees. A blue line intermittent stream/creek flows along the northwest property line.

5.3 Description

The proposed Land Use Permit would allow for the construction of a 1,200 sq. ft. single family dwelling with a maximum height of 16 feet, and legalization of an 864 sq. ft. as-built agricultural storage barn with a maximum height of 19 feet. Water would be provided by the Rancho Ynecita Mutual Water Company. Sanitary services would be provided by a proposed private septic system utilizing a dry well and built in conformance with Environmental Health Services requirements. No grading, tree or vegetation removal is proposed.

5.4 Background Information

The subject parcel was legally created as a part of Tract Map 11,880 which recorded on August 28, 1975 (book 91, pages 88-94). The existing 864 sq. ft. agricultural storage barn was constructed without permits in 1977. The applicant has indicated that they plan on submitting permit applications in the future to build a larger main residence in the current location of the barn, and convert the 1,200 sq. ft. residence which is the subject of this appeal to a detached residential second unit.

6.0 PROJECT ANALYSIS

6.1 Appeal Issues and Staff Responses

The Central Board of Architectural Review (CBAR) granted preliminary and final approval of the project on February 13, 2015. The CBAR's approval of the project was not appealed within the 10-day appeal period. However, Mr. J.H. Nicholas (appellant) submitted a timely appeal of the Director's approval of the Land Use Permit on March 23, 2015 (appeal application and related documents included as Attachment E). The appellant identifies neighborhood incompatibility and CBAR concerns as the main issue areas that form the basis of the appeal. The primary appeal issues and staff's responses are presented below. Staff's responses are limited to the issues raised in the appeal which are applicable to the Land Use Permit approval.

<u>Appellant Appeal Issue #1:</u> The decision was inconsistent with the Board of Architectural Review (BAR) guidelines and purpose.

<u>Staff Response</u>: According to the Central County Board of Architectural Review Bylaws and Guidelines, the purpose of the Central Board of Architectural Review (CBAR) is to encourage development that exemplifies the best professional design practices so as to enhance the visual quality of the environment, benefit surrounding property values, and prevent poor quality of design. The CBAR is guided by a set of general goals that define the major concerns and objectives of its review process. These goals are:

- 1) To ensure good quality architecture compatible with community standards;
- 2) To ensure that development and building design is consistent with adopted community design standards;
- 3) To promote high standards in architectural design and the construction of aesthetically pleasing structures so that new development does not detract from existing neighborhood characteristics;
- 4) To encourage the most appropriate and efficient use of land;

- 5) To promote visual interest throughout the county through the preservation of public scenic, ocean and mountain vistas, creation of open space areas, and providing for a variety of architectural styles; and
- 6) To preserve creek areas through restoration and enhancement, and discourage the removal of significant trees and foliage.

The CBAR reviewed the proposed single family dwelling to ensure that it complies with both the Ridgeline and Hillside Development requirements and the Central County Board of Architectural Review Bylaws and Guidelines. The proposed project was reviewed by the CBAR at four separate meetings (October 10, 2014, December 12, 2014, January 16, 2015, and February 13, 2015). The minutes from these meetings are included in this staff report as Attachment D.

During the CBAR's review, they generally liked the overall concept of the project. Concerns by the CBAR were mainly in regards to ensuring that night lighting on the residence was minimized to the maximum extent feasible, and did not create a "lantern effect". At the October 10, 2014 meeting, the CBAR commented that they appreciate the low-impact grading approach to the project, the modesty of the house size, and the limited exterior lighting. At this meeting the project was continued for further conceptual review and the applicant was directed to return with a landscaping plan.

The project returned to the CBAR for further conceptual review on December 12, 2014. At this meeting, the CBAR commented that the project materials, simplicity of form, and modesty of size proposed are in conformity with neighborhood compatibility standards. The project was directed to return for preliminary/final review and approval with additional information concerning wall sections, and exterior details which articulate roof overhangs to depict the lighting fixtures.

On January 16, 2015, the project returned for preliminary/final review. The appellant attended this meeting and presented the CBAR and staff with letters dated January 8th and January 13th 2015 which characterize the architecture of the proposed residence as a "shed" design. During the CBAR's review of the project, board members commented that the proposed residence is modern looking in appearance, and not an unusual design. The CBAR continued the project to the February 13, 2015 meeting with additional comments directing the applicant to darken the colors to integrate into the rural setting, provide additional window details, and carefully address the potential for night time glow. On February 13, 2015, the project returned to the CBAR and at this meeting it received preliminary and final approval. The CBAR commented that the applicant has adequately addressed the CBAR's comments and concerns.

The proposed dwelling includes architectural elements which are consistent with both modern and rustic designs such as a standing seam roof, metal siding, and a wooden deck. Surrounding adjacent parcels are developed with single family residences and accessory structures in a variety of architectural styles which are compatible with the proposed single family dwelling. Examples include Spanish style, ranch, modern, and rustic designs. As discussed above, the CBAR determined that the project's design conforms to neighborhood compatibility standards, is designed to minimize grading and ground disturbance to the maximum extent feasible, that the

proposed lighting is consistent with the Santa Ynez Valley Community Plan, and that the project is a modest design that fits well within the rural setting. Therefore, the CBAR's decision to approve the proposed project is consistent with the Central County Board of Architectural Review Bylaws and Guidelines and purpose.

<u>Appellant Appeal Issue #2:</u> The Central Board of Architectural Review (CBAR) decision is not supported by the evidence that was presented for consideration:

- 1. Design and style does not conform to neighborhood standards and is not consistent with existing residential quality and architecture.
- 2. CBAR members stated that development was "in conformance" with the community but could offer no examples anywhere in the County. Research of Santa Barbara County historical references did not show any design/style/architecture related to that proposed. Professionals contacted also could not identify any examples of residential housing similar to that proposed.

<u>Staff Response</u>: At the January 16, 2015 CBAR meeting, the appellant presented information to the CBAR and staff regarding concerns that the proposed structure does not meet the standards required for compatibility, suitability, and economic viability within the community. The appellant also sites poor quality of design and visual incompatibility as concerns.

The proposed 1,200 sq. ft. single family dwelling would be located on a ridgeline and as a result, is required to be designed to comply with Chapter 35.62 (Ridgeline and Hillside Development) of the Santa Barbara County Land Use and Development Code. In compliance with the chapter, the proposed project is designed at a maximum height of 16 feet, and is designed with darker earth toned colors which are compatible with the character of the terrain and natural surroundings of the site. Grading for the project has been minimized and the proposed landscaping plan includes native vegetation and oak trees which is compatible with the existing vegetation on the parcel.

Visual Resources Policy 3 of the Santa Barbara County Comprehensive Plan Land Use Element requires new structures to be compatible with the scale and character of the existing community. Rather than requiring a specific architectural style, this policy encourages diverse housing types. The proposed dwelling includes architectural elements which are consistent with both modern and rustic designs such as a standing seam roof, metal siding, and a wooden deck. Surrounding adjacent parcels are developed with single family residences and accessory structures in a variety of architectural styles which are compatible with the proposed single family dwelling. The CBAR determined that the project's design conforms to neighborhood compatibility standards, is designed to minimize grading and ground disturbance to the maximum extent feasible, that the proposed lighting is consistent with the Santa Ynez Valley Community Plan, and that the project is a modest design that fits well within the rural setting.

Appellant Appeal Issue #3: There was a lack of a fair and impartial hearing:

- 1. The CBAR members did not respond to any concerns and objections stated in my letters.
- 2. When I asked if minutes would include my letters, I was informed they would not!
- 3. When I asked how the record could be complete without community input, I was informed that the Board did not have time to discuss this issue and they "had to move on". CBAR January meeting.

Staff Response: The appellant states that the CBAR members did not respond to any of the concerns and objections stated in his letters to them, and that his letters would not be included in the minutes. According to the Central County Board of Architectural Review Bylaws and Guidelines, a copy of any written statements read by a member of the public shall be given to the CBAR Secretary. All speakers should indicate their position either for or against the project, and should provide all pertinent facts within their knowledge, including the reasons for their position. Testimony should relate to the design issues of the project and the findings upon which the CBAR must base its decision. The CBAR is required to receive public comments, but board members are not required to respond to individual comments. An interested party who cannot appear at a hearing may write a letter to the CBAR indicating their support of or opposition to the project, including their reasoning and concerns. The letter will be included as a part of the public record.

The minutes of the CBAR meetings include the name of any person who makes public comments at the meeting and their position on the project. Written comments are not included in the meeting minutes. However, they are provided to the CBAR secretary for inclusion in the public record. The CBAR received and reviewed the letters submitted to them by the appellant, and these letters were provided to the CBAR secretary and staff and are included as part of the public record. As a result, the CBAR meetings were conducted in accordance with the Central County Board of Architectural Review Bylaws and Guidelines, and there was not a lack of a fair and impartial hearing.

6.2 Environmental Review

An exemption to the California Environmental Quality Act (CEQA) was prepared pursuant to CEQA Guidelines Section 15303(a) which exempts "construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure." There is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which could threaten the environment. For additional information, see the attached Notice of Exemption (Attachment C).

6.3 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
	I Use Development Policies
<i>Land Use Development Policy 3:</i> No urban development shall be permitted beyond the boundaries of land designated for urban uses except in neighborhoods in rural areas.	Consistent: The subject parcel is located in the Santa Ynez Community Plan inner rural area in the Rancho Ynecita neighborhood. The AG-I-20 zone district allows for the construction of single family dwellings and agricultural accessory structures with the approval of a Land Use Permit. Therefore, the project is consistent with this policy.
Land Use Development Policy 4: Prior to the issuance of a use permit, the County shall make the finding that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed project.	Consistent: The Rancho Ynecita Mutual Water Company has issued a can and will serve letter dated October 24, 2014 verifying that water service will be provided for the proposed project. Sanitary services would be provided by a proposed septic system utilizing a dry well. Environmental Health Services has reviewed and approved the proposed septic system design. Access would be provided by an existing private driveway from Old Calzada Ridge Road. Police services would be provided by the Santa Barbara County Sheriff's Department and Fire protection would be provided by the Santa Barbara County Fire Department (station #32). Therefore, the proposed project is in consistent with this policy.
Land Use Element – Hillside an	d Watershed Protection Policies
Hillside and Watershed Protection Policy #1: Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.	Consistent: The proposed project involves minimal ground disturbance (less than 50 cubic yards of grading) for construction of the single family dwelling. Therefore, the proposed project is consistent with this policy.

REQUIREMENT	DISCUSSION
Hillside and Watershed Protection Policy #2: All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.	Consistent: The proposed 1,200 sq. ft. single family dwelling would be located in a flat area of the subject parcel, and is designed to fit the site topography, soils, geology and hydrology of the subject parcel. Minimal ground disturbance (less than 50 cubic yards of grading) is required for construction of the residence. The proposed landscaping plan includes the installation of native vegetation and oak trees. The existing agricultural storage barn is also located in a flat area of the parcel and outside of the drip line of onsite native oak trees. No natural features, landforms, native vegetation (including trees) would be impacted as a result of the proposed project. There are no known soil, geologic, flood, erosion or other hazards within the project site area. Therefore, the proposed project is consistent with this policy.
Hillside and Watershed Protection Policy #6: Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.	Consistent: The proposed project would create less than 2,500 sq. ft. of impervious surfaces and as a result is not subject to a Storm Water Management Plan. However, to facilitate groundwater recharge, storm water runoff from the proposed residence would be directed to the proposed landscaping planters and groundcover located to the north of the proposed residence. Any excess surface runoff would be directed to historic drainage areas on the subject parcel. Therefore, the proposed project is consistent with this policy.
Land Use Element – Visual Resources Policies	
Visual Resources Policy #3: In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.	Consistent: The subject parcel is located within the Santa Ynez Valley Community Plan inner-rural area. Surrounding parcels are developed with single family residences and accessory structures in a variety of sizes and architectural styles. These styles include Spanish style, ranch, modern, and rustic designs. The proposed single family dwelling is smaller in size than the majority of single family dwellings located within Rancho Ynecita. However, there are existing residential

REQUIREMENT	DISCUSSION
	accessory units on adjacent parcels which are of similar size and scale (i.e. 1,000 sq. ft. residential second unit, and 650 sq. ft. guest house).
	The proposed 1,200 sq. ft. single family dwelling would be a maximum height of 16 feet and is designed with darker earth toned colors in order to blend in with the surrounding natural environment. The proposed dwelling includes architectural elements characteristic of modern and rustic designs such as a standing seam roof, metal siding, and a wooden deck. These features are consistent with existing structures in the Rancho Ynecita neighborhood. The existing agricultural storage barn is a rustic wooden design with a maximum height of 19 feet, and is compatible with the proposed residence. Therefore the proposed project is in conformance with the scale and character of the existing community and is consistent with this policy.
Visual Resource Policies, Policy 5. Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding would be so high as to deny service.	Consistent: In accordance with the project description (condition No. 1), all utilities would be installed underground. Therefore, the proposed project is consistent with this policy.
Santa Ynez Valley Cor	mmunity Plan (SYVCP)
SYVCP – Land Use Rural, Inner-rural and E	
<i>Policy LUA-SYV-3:</i> New development shall be compatible with adjacent agricultural lands.	Consistent: The proposed single family dwelling would be located on a flat area of the subject parcel, adjacent to Old Calzada Ridge Road. The Rancho Ynecita neighborhood is comprised of 20-acre agriculturally zoned parcels which are developed with low intensity residential, agricultural (vineyards, orchards) and equestrian uses. There are no existing agricultural operations located adjacent to the project site. However, the proposed project's design is compatible with the surrounding

REQUIREMENT	DISCUSSION
	agriculturally zoned land and existing development. The proposed 1,200 sq. ft. single family dwelling would be a maximum height of 16 feet and is designed with darker earth toned colors in order to blend in with the surrounding natural environment. The proposed dwelling includes architectural elements characteristic of modern and rustic designs such as a standing seam roof, metal siding, and a wooden deck. The existing agricultural storage barn is a rustic wooden design with a maximum height of 19 feet, and is compatible with the proposed residence. The project site is located on a pre- disturbed area of the parcel which is not used for agricultural operations. Therefore, the proposed project is consistent with this policy.
DevStd LUA-SYV-3.1: New non-agricultural development adjacent to agriculturally zoned property shall include appropriate buffers, such as trees, shrubs, walls, and fences, to protect adjacent agricultural operations from potential conflicts and claims of nuisance. The size and character of the buffers shall be determined through parcel-specific review on a case-by-case basis.	Consistent: The subject parcel is located within the AG-I-20 zone district in the inner- rural area of Santa Ynez. The Rancho Ynecita neighborhood is comprised of 20-acre parcels which are developed with low intensity residential, agricultural (vineyards, orchards) and equestrian uses. The topography of the parcels in this area of Santa Ynez is varied and includes a mixture of steep slopes and valleys. The majority of single family dwellings in Rancho Ynecita have been constructed on ridgelines with agricultural and other accessory uses located in lower lying areas below. The existing agricultural storage barn and proposed single family dwelling are located on a predominately flat ridgeline adjacent to Old Calzada Ridge Road. There are no existing agricultural operations located adjacent to the project site. However, there are adequate buffers in place including oak trees and shrubs to protect future agricultural operations from potential conflicts and claims of nuisance. Therefore, the proposed project is consistent with this development standard.

REQUIREMENT	DISCUSSION
SYVCP - Circulation	
Policy CIRC-SYV-1: The County shall allow reasonable development of parcels within the Santa Ynez Valley Community Plan Area while maintaining safe roadways and intersections that operate at acceptable levels of service.	Consistent: The proposed project includes the construction of a new 1,200 sq. ft. single family dwelling, and legalization of an as-built 864 sq. ft. agricultural storage barn on the 18.60 acre parcel. Access to the site would be provided by an existing private driveway from Old Calzada Ridge Road. The proposed development is reasonable and would not create safety hazards to existing roadways or cause intersections to operate at an unacceptable level of service. Therefore, the proposed project is consistent with this policy.
SYVCP - Wastewater	1
DevStd WW-SYV-1.1: Septic system installations shall only occur on parcels that are free of site characteristics listed under "VIII.D.3.i. Individual, Alternative and Community Systems Prohibitions" in the Water Quality Control Plan for Central Coast Basin, Region 3 by the Regional Water Quality Control Board. Adherence to Regional Water Quality Control Board and other applicable state standards, applicable zoning regulations and the County Wastewater Ordinance shall constitute a finding of consistency with Land Use Development Policy 4.	Consistent: Sanitary services for the proposed single family dwelling would be provided by a new septic system utilizing a dry well. The septic system has been reviewed and approved by Santa Barbara County Environmental Health Services. The subject parcel does not include site characteristics listed under section VIII.D.3.i of the Water Quality Control Plan for the Central Coast Basin, Region 3. Therefore, the proposed project is consistent with this development standard.
DevStd WW-SYV-1.2: To the maximum extent feasible, development requiring private sewage disposal shall utilize gravity flow of wastewater to the septic tank and disposal field to minimize mechanical failure, which may cause surfacing of effluent. For lots of record where gravity flow of effluent is unavailable, pumping may be allowed. For new subdivision where gravity flow to the public sewer is unavailable, the lift station shall be owned and/or maintained by a public agency such as a community services district. Private operation and maintenance of a shared or community lift station shall be prohibited.	Consistent: The proposed project includes a new septic system utilizing a drywell. The project has been designed to the maximum extent feasible to utilize gravity flow. Santa Barbara County Environmental Health Services has reviewed and approved the proposed septic system design. Therefore, the proposed project is consistent with this development standard.

REQUIREMENT	DISCUSSION
DevStd WW-SYV-2.6: Development shall be designed to reduce runoff from the site by minimizing impervious surfaces, using pervious or porous surfaces, and minimizing contiguous impervious areas.	Consistent: The proposed project includes less than 2,500 sq. ft. of impervious surfaces and grading and ground disturbance has been minimized to the maximum extent feasible. The project is designed to reduce runoff from the site with a pervious driveway, and a proposed landscaping plan that includes new ground cover, trees, and shrubs. Therefore, the proposed project is consistent with this development standard.
DevStd WW-SYV-2.7 : Development shall incorporate best management practices (BMPs) to reduce pollutants in storm water runoff. The BMPs include, but are not limited to dry wells for roof drainage or other roof downspout infiltration systems, modular paving, unit pavers on sand or other porous pavement for driveways, patios or parking areas, multiple-purpose detention systems, cisterns, structural devices (e.g., grease, silt, sediment, and trash traps), sand filters, or vegetated treatment systems (e.g. bioswales/filters). Drywells, bioswales and other infiltration systems for storm water shall maintain appropriate setbacks from onsite sewage disposal system components.	Consistent: The proposed project would create less than 2,500 sq. ft. of impervious surfaces and as a result is not subject to a Storm Water Management Plan. However, to facilitate groundwater recharge, storm water runoff from the proposed residence would be directed to the proposed landscaping planters and groundcover located adjacent to the proposed residence. Any excess surface runoff would be directed to historic drainage areas on the subject parcel. Therefore, the proposed project is consistent with this policy.
SYVCP – Fire Protection DevStd FIRE-SYV-2.2: Development shall be sited to minimize exposure to fire hazards and reduce the need for grading and clearance of native vegetation to the maximum extent feasible. Building sites should be located in areas of a parcel's lowest fire hazard, and should minimize the need for long and/or steep access roads and/or driveways.	Consistent: The proposed project site is located on a flat ridge of the subject parcel. The area of the site proposed for development of the single family dwelling is mostly devoid of vegetation and trees which minimizes the need for grading and clearance of native vegetation. Access to this area of the parcel is provided by an existing private driveway of approximately 300 feet in length from Old Calzada Ridge Road. This area is the parcel's lowest fire hazard area, and is accessible to fire emergency vehicles. Therefore, the proposed project is consistent with this development standard.

REQUIREMENT	DISCUSSION
SYVCP – Biological Resources	
Policy BIO-SYV-1: Environmentally sensitive biological resources and habitat areas shall be protected and, where appropriate, enhanced. Policy BIO-SYV-3: Significant biological communities shall not be fragmented by development into small, non-viable areas.	Consistent: The area proposed for development of the single family dwelling is adjacent to existing development consisting of an 864 sq. ft. barn. No tree or vegetation removal is proposed as a part of the project. The existing native oak trees and vegetation within the project site area would be preserved and protected. There are no significant biological communities on the subject parcel which would be fragmented by the proposed project. The proposed landscaping plan includes additional oak trees and native vegetation which is compatible with the existing vegetation adjacent to the project site. Therefore, the proposed project is consistent with these policies.
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 preserved to the maximum extent feasible.	Consistent: No tree or vegetation removal is proposed as a part of the project. The existing native oak trees on the subject parcel would be preserved and protected. The proposed landscaping plan includes additional oak trees and native vegetation to enhance the existing landscaping at the project site. Therefore, the proposed project is consistent with this policy and development standard.
DevStd BIO-SYV-8.1: A "native protected tree" is at least six inches in diameter as measured at breast height (DBH = 4.5 feet above level ground). A "non-native specimen tree" is at least 25 inches DBH. Areas to be protected from grading, paving, and other disturbances shall generally avoid the critical root zone (a circular area around a tree trunk with a radius equivalent to one foot for each inch of diameter at breast height) or drip line as applicable. Standards for oak tree protection in inner-rural and rural areas are governed by the County's Deciduous Oak Tree	

REQUIREMENT	DISCUSSION
Protection and Regeneration Ordinance (Article IX of Chapter 35 of the Santa Barbara County Code.	
Policy BIO-SYV-9: Trees serving as known raptor nesting sites or key raptor roosting sites shall be preserved to the maximum extent feasible.	Consistent: None of the existing trees are known raptor nesting or roosting sites. However, the proposed project does not propose to remove any trees, and the existing oak trees at the project site would be preserved and protected. Therefore, the proposed project is consistent with this policy.
SYVCP – Flooding and Drainage	L
Policy FLD-SYV-1 : Flood risks shall be minimized through appropriate design and land use controls, as well as through feasible engineering solutions that address existing problems.	Consistent: The project site is located on a predominately flat ridgeline, and outside of a floodway or floodplain. Any flood risks associated with the project have been minimized to the maximum extent feasible through engineering and project design. There are no known flooding problems on the subject parcel. Therefore, the proposed project is consistent with this policy.
DevStd FLD-SYV-2.2: Grading and drainage plans shall be submitted with any application for development that would increase total runoff from the site or substantially alter drainage patterns on the site or in its vicinity. The purpose of such plan(s) shall be to avoid or minimize hazards including but not limited to flooding, erosion, landslides, and soil creep. Appropriate temporary and permanent measures such as energy dissipaters, silt fencing, straw bales, sand bags, and sediment basins shall be used in conjunction with other basic design methods to prevent erosion on slopes and siltation of creek channels and other ESH areas. Such plan(s) shall be reviewed and approved by both County Flood Control and Planning & Development.	Consistent: Minimal ground disturbance (less than 50 cubic yards of grading) is required for construction of the proposed single family dwelling. Since the quantity of grading is less than 50 cubic yards, a grading permit is not required. The proposed project would create less than 2,500 sq. ft. of impervious surfaces, and would not substantially alter drainage patterns on the site or in the vicinity. In addition, the proposed project would not increase the total runoff from the site. Therefore, the proposed project is consistent with this development standard.

REQUIREMENT	DISCUSSION
SYVCP - Geology	
<i>Policy GEO-SYV-1:</i> Development shall be sited and designed to minimize the potential for geologic hazards, including but not limited to seismic, soil, or slope hazards.	Consistent: The existing agricultural storage barn and proposed single family dwelling would be located on a predominately flat ridgeline adjacent to Old Calzada Ridge Road. There are no known geologic hazards located within the project site area. This area of the site contains slopes between 3 and 5% and is easily accessible from Old Calzada Ridge Road. A soils report prepared for the project dated January 19, 2015 indicates a low potential for seismic issues and liquefaction. Therefore, the proposed project is consistent with this policy.
SYVCP – Cultural Resources	<u> </u>
Policy HA-SYV-1 <i>Archaeological resources</i> <i>shall be protected and preserved to the</i> <i>maximum extent feasible.</i>	Consistent: Construction of the single family residence would require minimal grading and ground disturbance (less than 50 cubic yards). There are no known archaeological resources on the subject parcel. However, the project is conditioned (Condition No. 4) to require work to stop or be re-directed and a Native American representative contacted in the event that archaeological resources are discovered on the subject parcel. Therefore, the proposed project is consistent with this policy.
SYVCP – Visual and Aesthetic Resources GOAL VIS-SYV-1: Protect the Rural/Agricultural Character and Natural Features of the Planning Area, Including Mountain Views, Scenic Corridors and Buffers,	Consistent: The subject parcel is located within the Santa Ynez Valley Community Plan inner-rural area. The proposed 1,200 sq. ft. single family dwelling would be a maximum
Prominent Valley Viewsheds, and the Quality of the Nighttime Sky.	height of 16 feet and is designed with darker earth toned colors in order to blend in with the surrounding natural environment. The existing 864 sq. ft. agricultural storage barn was constructed in 1977. This wood structure is a maximum height of 19 feet, and is rural/rustic architectural design that is compatible with the surrounding architecture.
	The Central Board of Architectural Review (CBAR) reviewed the proposed single family

REQUIREMENT	DISCUSSION
	dwelling at four meetings (10/10/14, 12/12/14, 1/16/15, 2/13/15). On February 13, 2015, the CBAR granted preliminary/final approval of the project. At this meeting, the NBAR commented that the applicant has adequately addressed the CBAR's comments and concerns on the project.
	The proposed project includes architectural elements which are consistent with both modern and rustic designs such as a standing seam roof, metal siding, and a wooden deck. The height and colors of the structure would effectively blend it into the existing terrain and would not obstruct mountain views, scenic corridors and buffers, or prominent valley viewsheds. To protect the nighttime sky, the proposed lighting has been designed to be in compliance with the Santa Ynez Valley Outdoor Lighting Ordinance (fully shielded and directed downwards). Therefore, the proposed project is consistent with this goal.
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.	Consistent: The existing agricultural storage barn and the proposed site for the 1,200 sq. ft. single family dwelling are located on a ridgeline. The existing 864 sq. ft. agricultural storage barn was constructed in 1977. This wood structure is a maximum height of 19 feet, and is rural/rustic architectural design that is compatible with the surrounding architecture in the project site area. This structure was built prior to 1988 when the requirement for Board of Architectural Review went in to effect, and no additional design review of this structure is required.
	The project site is located on a ridgeline. Therefore, in order to minimize impacts to open space views and avoid the destruction of significant visual resources, the proposed 1,200 sq. ft. single family dwelling is required to be designed to comply with Chapter 35.62 (Ridgeline and Hillside Development) of the Santa Barbara County Land Use and

REQUIREMENT	DISCUSSION
	Development Code. In compliance with the chapter, the residence is designed with a maximum height of 16 feet, and includes darker earth toned colors which are compatible with the character of the terrain and natural surroundings of the site. Grading for the project has been minimized to the maximum extent feasible (less than 50 cubic yards), and the proposed landscaping plan includes native vegetation and oak trees which are compatible with the existing vegetation on the parcel.
	As a result, the proposed project has been designed to minimize impacts to open space views as seen from public roads and view points, and would not destruct significant visual resources. Therefore, the proposed project is consistent with this policy.
DevStd VIS-SYV-1.2: Development, including houses, roads and driveways, shall be sited and designed to be compatible with and subordinate to significant natural features including prominent slopes, hilltops and ridgelines, mature trees and woodlands, and natural drainage courses.	Consistent: The existing 864 sq. ft. agricultural storage barn was constructed without permits in 1977. This wood structure is a maximum height of 19 feet, and is rural/rustic architectural design that is compatible with the surrounding architecture. This structure was built prior to 1988 when the requirement for Board of Architectural Review went in to effect, and no additional design review of this structure is required.
	The proposed 1,200 sq. ft. single family dwelling has been designed to comply with Chapter 35.62 (Ridgeline and Hillside Development) of the Santa Barbara County Land Use and Development Code. The structure would not exceed 16 feet in height and is designed with darker earth toned colors and materials. The proposed landscaping plan includes native trees and vegetation which are compatible with the existing vegetation on the parcel. Access to the single family dwelling would be provided by an existing driveway from Old Calzada Ridge Road. Minimal grading (less than 50 cubic yards) is required for improvements to the driveway.

REQUIREMENT	DISCUSSION
	Therefore, the proposed project has been designed to be compatible with and subordinate to the existing character and terrain of the natural surroundings and is consistent with this development standard.
DevStd VIS-SYV-1.3: Development shall not occur on ridgelines if suitable alternative locations are available on the property. When there is no other suitable location, structures shall not intrude into the skyline or be conspicuously visible from public viewing places. Additional measures such as an appropriate landscape plan and limits to building height may be required in these cases.	Consistent: The proposed project site is located on a ridgeline. This area of the parcel is pre-disturbed and easily accessible from Old Calzada Ridge Road. The area proposed for development of the single family dwelling is predominately flat (3-5% slopes) and adjacent to the existing 864 sq. ft. agricultural storage barn. The proposed project has been designed to comply with Chapter 35.62 of the Santa Barbara County Land Use and Development Code which limits the height of the single family dwelling to 16 feet, requires grading to be minimized to the maximum extent feasible, and landscaping that is compatible with adjacent vegetation which includes native oak trees. The project's landscaping would be compatible with the adjacent vegetation. There are no other suitable areas on the subject parcel to accommodate the proposed development. Other areas of the parcel are constrained topographically with steep slopes, or are located adjacent to a blue line creek or in areas that contain numerous oak trees. Therefore, the proposed project is consistent with this development standard.
DevStd VIS-SYV-1.4: Consistent with applicable ordinances, policies, development standards and the Constrained Site Guidelines, structures shall be sited and designed to minimize the need for vegetation clearance for fuel management zone buffers. Where feasible, necessary roads and driveways shall be used as or incorporated into fuel management zones.	Consistent: The proposed project site would be located on a predominately flat ridge (slopes of 3-5%) of the subject parcel. The area of the site proposed for development of the new residence is mostly devoid of vegetation and trees which minimizes the need for grading and clearance of native vegetation. Access to this area of the parcel is provided by an existing private driveway of approximately 300 feet in length. This area is the parcel's lowest fire hazard area, and is accessible to fire emergency vehicles. Therefore, the proposed project is consistent with this development standard.

REQUIREMENT	DISCUSSION
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.	To protect the nighttime sky from excessive and unnecessary light associated with the proposed residence, the proposed lighting has been designed to be in compliance with the Santa
DevStd VIS-SYV-3.1: All new development and redevelopment in the planning area shall be subject to the requirements of the Santa Ynez Valley Outdoor Lighting Ordinance.	Ynez Valley Outdoor Lighting Ordinance (low wattage, fully shielded and directed downwards). The Central Board of Architectural (CBAR) approved the proposed lighting plan on February 13, 2015.

6.4 Zoning: Land Use and Development Code Compliance

6.4.1 Compliance with Land Use and Development Code (LUDC) Requirements

The subject Land Use Permit was approved by Planning and Development based on the project's adherence to the provisions of the LUDC, and the Comprehensive Plan. The subject 18.60 net acre parcel is zoned Agriculture, AG-I-20. Single family dwellings and accessory structures are permitted in the AG-I-20 zone district with a Land Use Permit provided the proposed structures meet the requirements and development standards included in LUDC Section 35.21.050 (Table 2-3, Agricultural Zones Development Standards). The proposed single family is designed to comply with the residential density, setbacks, and maximum height limit development standards for the AG-I-20 zone district as specified in Section 5.3 of this staff report (statistics).

6.5 Design Review

The Central Board of Architectural Review (CBAR) reviewed the proposed single family dwelling at four meetings (10/10/14, 12/12/14, 1/16/15, 2/13/15). On February 13, 2015, the CBAR granted preliminary/final approval of the project. At this meeting, the CBAR commented that the applicant has adequately addressed the CBAR's comments and concerns on the project.

6.6 Development Impact Mitigation Fees

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

Estimated Countywide Development Impact Mitigation Fees			
Fee ProgramBase Fee (per unit or 1,000 sf)		Estimated Fee	Fee due at
Recreation (Parks)	\$1,245.00 per unit	\$1,245.00	Final Inspection
Transportation	\$556.00	\$556.00	Final Inspection
Fire (\$0.20/sf.)	\$0.20 per sf (1,200 sf)	\$240.00	Final Inspection

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
- B. Proposed De Novo Land Use Permit with Conditions dated July 1, 2015
- C. CEQA Exemption
- D. CBAR Minutes (10/10/14, 12/12/14, 1/16/15, 2/13/15)
- E. Appeal Application
- F. APN Page
- G. Project Plans

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 CEQA EXEMPTION

The Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(a). Please see Attachment C, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 LAND USE PERMIT FINDINGS

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.

The Rancho Ynecita Mutual Water Company has issued a can and will serve letter dated October 24, 2014 verifying that water service will be provided for the proposed project. Sanitary services will be provided by a proposed septic system utilizing a dry well. Environmental Health Services has reviewed and approved the proposed septic system design. Access will be provided by an existing private driveway from Old Calzada Ridge Road. Police services will be provided by the Santa Barbara County Sheriff's Department and Fire protection will be provided by the Santa Barbara County Fire Department (station #32). Therefore the project is consistent with this finding.

2.1.1 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:

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).

The Land Use Permit, Case No. 14LUP-00000-00438, consists of the approval of an existing as-built 864 sq. ft. agricultural storage barn, and the construction of a new 1,200 sq. ft. single family dwelling. As discussed in Sections 6.3, Comprehensive Plan Consistency, and 6.4, Zoning: Land Use Development Code Compliance, of the

Nicholas Appeal of the Stewart Land Use Permit / Case No. 15APL-00000-00005 of 14LUP-00000-00438 Attachment A - Findings Page A-2

staff report dated June 11, 2015, hereby incorporated by reference, the project is consistent with all applicable Comprehensive Plan policies, as well as relevant zoning regulations. Therefore, the project is consistent with this finding.

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

The subject parcel was legally created as a part of Tract Map 11,880 which recorded on August 28, 1975 (book 91, pages 88-94). Therefore, the subject parcel is legally created and the project is consistent with this finding.

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).

Upon issuance of the subject land use permit legalizing the as-built 864 sq. ft. agricultural storage barn, the subject property will be in compliance with all laws, rules, and regulations pertaining to zoning uses, subdivision, setback and any other applicable divisions of the Land Use and Development Code. No zoning violation enforcement/processing fees have been assessed. As discussed in Section 6.4, Zoning: Land Use and Development Code Compliance of the staff report dated June 11, 2015, incorporated herein by reference, the project is consistent with all of the requirements of the Santa Barbara County Land Use and Development Code. Therefore, the project is consistent with this finding.

Attachment B



COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org

LAND USE PERMIT NO.: 14LUP-00000-00438

Project Name:	STEWART NEW SINGLE FAMILY DWELLING AND AS-BUILT AG. STORAGE BARN
Project Address:	3209 CALZADA RIDGE AVE, SANTA YNEZ, CA 934608706
A.P.N.:	135-310-041
Zone:	AG-I-20

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:	7/1/2015
LOCAL APPEAL PERIOD BEGINS:	7/2/2015
LOCAL APPEAL PERIOD ENDS:	7/13/2015
DATE OF PERMIT ISSUANCE (if no appeal filed):	7/14/2015

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: A Land Use Permit to allow for the construction of a 1,200 sq. ft. single family residence and to legalize an 864 sq. ft. as-built agricultural storage barn. Water would be provided by the Rancho Ynecita Mutual Water Company and sanitary services would be provided by a proposed septic system built in conformance with Environmental Health Services requirements. Access would continue to be provided by an existing private driveway accessed from Old Calzada Ridge Rd. Proposed grading quantities are less than 50 cubic yards. No native tree or vegetation removal is proposed, and all utilities would be installed underground. The project shall be constructed in accordance with the approved Board of Architectural Review plans dated February 13, 2015. To receive additional information regarding this project and/or to view the application and/or plans, please contact Dana Eady at 624 West Foster Road, Suite C, Santa Maria, by email (dearmich@co.santa-barbara.ca.us) or by phone ((805) 934-6266).

PROJECT SPECIFIC CONDITIONS: See Attachment "A"

ASSOCIATED CASE NUMBERS: 14BAR-00000-00212

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:

 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.

- 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:

- 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 (c.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.

Print name	Signature	<u>.</u>	Date
Land Use Approval By:			
	/		
Director, Planning and Developme	nt	Date	
PERMIT ISSUANCE: The permit	shall be issued and deemed effective of	on the date signed and indicated belo	ow.
Planning and Development Depart	ment Issuance By:		
	/		
Planner		Date	

ATTACHMENT A: 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:

A Land Use Permit to allow for the construction of a 1,200 sq. ft. single family residence and legalize an 864 sq. ft. as-built agricultural storage barn. Water would be provided by the Rancho Ynecita Mutual Water Company and sanitary services would be provided by a proposed septic system built in conformance with Environmental Health Services requirements. Access would continue to be provided by an existing private driveway accessed from Old Calzada Ridge Rd. Proposed grading quantities are less than 50 cubic yards. No native tree or vegetation removal is proposed, and all utilities would be installed underground. The project shall be constructed in accordance with the approved Board of Architectural Review plans dated February 13, 2015.

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. Bio-01 Tree Protection Without Tree Protection Plan: All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all oak trees.

a.Prior to the issuance of a Land Use Permit for grading or construction, all native trees shall be fenced at least six feet beyond the dripline. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15 foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.

b.No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or **sensitive habitats** from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 (15:1 for Valley or Blue Oaks) ratio and hiring of 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 onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.

c.To help ensure the long term survival of oak trees, no permanent irrigation systems are permitted within six feet of the dripline of oak trees. Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

PLAN REQUIREMENTS: Fencing shall be graphically depicted on project plans. TIMING: This condition shall be printed on project plans submitted for Land Use Permit issuance, and installed prior to Grading or Building Permit issuance.

4. 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.

County Rules and Regulations

- 5. 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.
- 6. Rules-23 Processing Fees Required: Prior to issuance of the Land Use Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 7. 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.
- 8. 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.
- 9. 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 C: CEQA EXEMPTION

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Dana Eady, 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: 135-310-041 Case Nos.: 15APL-00000-00005/14LUP-00000-00438

Location: Located approximately 1.5 miles north of the intersection of Roblar Avenue and Calzada Avenue at 3209 Old Calzada Ridge Rd., Santa Ynez Community Planning area, Third Supervisorial District.

Project Title: Nicholas Appeal of the Stewart Land Use Permit

Project Description: The appeal of a Land Use Permit to legalize a 864 sq. ft. as-built agricultural storage barn, and construction of a new 1,200 sq. ft. single family dwelling. Minimal grading and ground disturbance (less than 50 cubic yards) is proposed. No tree or vegetation removal is proposed. Access to the project site is proposed from an existing private driveway accessed from Old Calzada Ridge Road.

Name of Public Agency Approving Project: Name of Person or Agency Carrying out Project: County of Santa Barbara Mark Stewart, Owner

Exempt Status:(Check one)MinisterialStatutory ExemptionXCategorical ExemptionEmergency ProjectDeclared Emergency

Cite specific CEQA and/or CEQA Guideline Section: <u>CEQA Guidelines Section 15303(a)</u>

Reasons to support exemption findings: Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The project consists of the approval of a Land Use Permit for the construction of a new 1,200 sq. ft. single family dwelling, and legalization of an 864 sq. ft. as-built agricultural storage barn, and is therefore consistent with the requirements of this section. There is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might

Nicholas Appeal of the Stewart Land Use Permit / Case No. 15APL-00000-00005 of 14LUP-00000-00438 Attachment C – CEQA Exemption Page C-2

reasonably result in) significant impacts which threaten the environment. 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.

The single family dwelling would be constructed in a previously disturbed and developed area of the subject parcel adjacent to the existing agricultural storage barn. This area of the parcel is mostly devoid of vegetation. All existing oak trees would be preserved and minimal grading and ground disturbance (less than 50 cubic yards) is required for the project. There are no mapped or designated environmental resources of hazardous or critical concern within the project site area.

(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 would require minimal grading (less than 50 cubic yards) with no tree or vegetation removal. Single family dwellings and agricultural accessory structures are allowed within the AG-I-20 zone district with the approval of a land use permit. No other single family dwellings currently exist on the subject parcel, and the height and scale of the proposed residence and existing barn are in conformance with the adjacent residences, and accessory structures. Therefore, the cumulative impact of successive projects of this type in the same place, over 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 are no unusual circumstances surrounding the proposed project and there is not a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances.

(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. Nicholas Appeal of the Stewart Land Use Permit / Case No. 15APL-00000-00005 of 14LUP-00000-00438 Attachment C – CEQA Exemption Page C-3

The proposed project would not be visible from a designated scenic highway. The project would not result in damage to scenic resources, including but not limited to, trees, historic buildings, or rock outcroppings.

(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 is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(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.

No historical resources are located on the subject parcel. Therefore, the proposed project would result in any substantial adverse change in the significance of a historical resource.

Lead Agency Contact Person: Dana Eady, Planner

Department/Division Representative

Date

Phone #: (805) 934-6266

Acceptance Date:

Distribution: Hearing Support Staff Project file (when P&D permit is required) Date Filed by County Clerk:

ATTACHMENT D

CENTRAL BOARD OF ARCHITECTURAL REVIEW COMMITTEE APPROVED MINUTES Meeting of January 16, 2015 Page 2

IV. MINUTES: Brady moved, seconded by Donovan and carried by a vote of 5 to 0 (Erickson and Lash absent) to approve the Minutes of December 12, 2014 as amended.

V. CONSENT AGENDA:

C-1. 13BAR-00000-00104 Smith Residence Rebuild after Fire

Santa Ynez Jurisdiction: Ridgeline

14LUP-00000-00137 (J. Ritterbeck, Planner)

Request of Rob Mehl, architect for the owner, Calvin Smith, to consider Case No. 13BAR-00000-00104 for final approval on consent of a residence after fire rebuild of approximately 6,800 square feet, (second residence not under CBAR purview of approximately 2,000 square feet), garage of approximately 800 square feet, caretakers cottage of approximately 1,200 square feet, shed of approximately 100 square feet, pump house of approximately 100 square feet and pool house of approximately 600 square feet. No structures currently exist on the parcel due to fire. The proposed project will require approximately 50 cubic yards of out and fill. The property is a 160 acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 153-020-009, located at East Camino Cielo (no number address) in the Santa Ynez area, Third Supervisorial District. (Continued from 6/14/13, 5/09/14, 8/29/14 & 12/12/14)

ACTION: Miller Fisher moved, seconded by Brady and carried by a vote of 5 to 0 (Erickson and Lash absent) to grant final approval on consent of 13BAR-00000-00104.

VI. CBAR MEMBERS INFORMATIONAL BRIEFINGS:

Bethany Clough noted that the Joint Chairs are: a) reformatting the BAR Applications to provide more clarity with respect to the expectations for the Conceptual review process; b) requesting Brown Act refresher briefings for the Boards with new members; and c) assessing the procedures for BAR members presenting their project to other BARs.

Kris Miller Fisher noted her membership on the AIA Board.

VII. STAFF UPDATE;/

John Karamitses noted that he has accepted the Project Clean Water Manager position in the Water Resources Division of the Public Works Department, and will be starting the new job on February 2, 2015, and expressed his appreciation for the opportunity to work with the CBAR.



. STANDARD AGENDA:

14BAR-00000-00212	Stewart Family New Residence	Santa Ynez
14LUP-00000-00438 (Dana Eady, Planner)		Jurisdiction: Ridgeline - Rural

Request of Mark Stewart, agent, and Perkins Engineering, agent for the owners, Mark Stewart, Dick Stewart and Pat Stewart, to consider Case No. 14BAR-00000-00212 for preliminary/final approval of a new residence of approximately 1,200 square feet. The following structure currently exists on the parcel: a barn of approximately 864 square feet. The proposed project will require approximately 5 cubic yards of cut and fill. The property is a 18.98 acre parcel zoned AG-I-20 and shown as Assessor's Parcel Number 135-310-041, located at 3209 Calzada Ridge Road in the Santa Ynez area, Third Supervisorial District. (Continued from 10/10/14 & 12/12/14)

Public Comment: James Nicholas, in opposition.

CBAR COMMENTS:

- Project is modern-looking in appearance, and not an unusual design.
- Color should be much darker to integrate into the rural setting.
- Preliminary details (i.e. roof and window details) still appear incomplete.
- Nail on windows to be pulled into the inside wall face at the clerestory only.
- Increase overhang at rake/gable and ridge to minimum of 36 inches.
- Carefully address night time glow. Note on all plans that all exterior lighting is to be in conformance with SYV CP Outdoor lighting requirements. Clarify the manner in which Window Section 2.1 details effectively reduces the lantern effect; especially if soffit is white. Natural wood will reduce reflectivity. The high windows should have a darker tint or other mechanism to reduce glow.

ACTION: Miller Fisher moved, seconded by Ettinger and carried by a vote of 5 to 0 (Erickson and Lash absent) to continue 14BAR-00000-00212 for further review, preliminary and final approval full board.

- 2. <u>14BAR-00000-00195</u> <u>Denunzio New Residence</u> <u>Solvang</u> 14LUP-00000-00260 (John Karamitsos, Planner) Jurisdiction: Ridgeline- Rural and D-Overlay Request of Adam Cunningham, agent for the owner, A.J. Denunzio, to consider Case No. 14BAR-00000-00195 for preliminary approval of a new residence of approximately 1,198 square feet and garage of approximately 520 square feet. The following structure currently exists on the parcel: a barn of approximately 3,000 square feet. The proposed project will not require grading or tree removal. The property is a 5.69 acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 137-070-068, located at 2636 Baseline Avenue in the Ballard area, Third Supervisorial District. (Continued from 9/12/14, 10/10/14 & 12/12/14) CBAR COMMENTS:
 - The project is very nice and the plans look good.
 - The color board needs actual samples.

ACTION: Miller Fisher moved, seconded by Brady and carried by a vote of 4 to 0 (Erickson and Lash absent, Donovan abstains) to grant preliminary approval of 14BAR-00000-00195. Applicant may return for final approval on consent.

3. 14BAR-00000-00250 Colonial Greene Trust Tier I Winery Santa Ynez

14LUP-000000-00485 (Dana Eady, Planner)

Jurisdiction: Condition of Permit

Request of Jones & Jones, LLP, F. Evan Jones, architect for the owner, Colonial Greene Trust c/o Nancy Chapman, to consider Case No. 14BAR-00000-00259 for preliminary and final approval of a conversion of a hay barn of approximately 1,400 square feet to a Tier I Winery with a vineyard manager office addition of approximately 144 square feet and restroom addition of approximately 151 square feet. The following structures currently exist on the parcel: a residence of approximately 7,381 square feet, barn with farm employee dwelling of approximately 6,468 square feet and residential agricultural unit of approximately 2,982 square feet and hay barn of approximately 1,400 square feet. The proposed project will not require grading. The property is a 110.42 acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 141-140-011 located at 1470 Count Fleet Street in the Santa Ynez area, Third Supervisorial District. (Continued from 12/12/14)

COMMENTS:

- The design is charming and the materials are nice.
- Planner to ensure that light fixtures contain fully recessed LED lamps.

ACTION: Miller Fisher moved, seconded by Donovan and carried by a vote of 5 to 0 (Erickson and Lash absent) to grant preliminary and final approval of 14BAR-00000-00250.

4.	14BAR-00000-00271	Zotovich New Residence	Santa Ynez
	14LUP-000000-00534 (Dana 1	Eady, Planner)	Jurisdiction: Design Overlay

Request of Michael Holliday, architect for the owners, Ryan and Brit Zotovich, to consider Case No. 14BAR-00000-00271 for conceptual review/preliminary approval of a new residence of approximately 1,200 square feet with an attached garage of approximately 840 square feet. No structures currently exist on the parcel. The proposed project will require approximately 450 cubic yards of cut and approximately 525 cubic yards of fill. The property is a 6.09 acre parcel zoned AG-1-5 and shown as Assessor's Parcel Number 137-070-072, located at 1781 Still Meadow Road in the Santa Ynez area, Third Supervisorial District.

COMMENTS: /

- Nice project; will fit in nice with the neighborhood.
- The structure is well-articulated, with good use of materials.
- Revisit the massing of the posts; consider 12" x 12" wood.
- · Consider using gray-green on the fascia in place of the off-white.

2.	14BAR-00000-00212	Stewart Family New Residence	Santa Ynez

14LUP-00000-00438 (Dana Eady, Planner)

Request of Mark Stewart, agent, and Perkins Engineering, agent for the owners, Mark Stewart, Dick Stewart and Pat Stewart, to consider Case No. 14BAR-00000-00212 for preliminary/final approval of a new residence of approximately 1,200 square feet. The following structure currently exists on the parcel: a barn of approximately 864 square feet. The proposed project will require approximately 5 cubic yards of cut and fill. The property is a 18.98 acre parcel zoned AG-I-20 and shown as Assessor's Parcel Number 135-310-041, located at 3209 Calzada Ridge Road in the Santa Ynez area, Third Supervisorial District. (Continued from 10/10/14, 12/12/14 & 1/16/15)

Public Comments: Jim Nichols (in opposition)

CBAR Comments:

- To address the potential for a lantern affect from lighting, the proposed light fixtures (drum fixtures) located within the interior of the residence should hang from the ceiling below the height of the clear story window sill.
- The applicant has adequately addressed the CBAR's comments and concerns.

ACTION: Ettinger moved, seconded by Donovan and carried by a vote of 5 to 0 (Clough absent) to grant preliminary and final approval of 14BAR-00000-00212.

New Verizon Wireless

3. <u>14BAR-00000-00223</u> <u>Telecommunications Facility at Mora Avenue</u> Santa Ynez

14CUP-00000-00004 (Joyce Gerber, Planner)

Jurisdiction: Condition of Permit

Jurisdiction: Ridgeline - Rural

Request of MST Architects Wireless Division and Michelle Ellis, Complete Wireless Consulting, agents for the owners, Dennis and Susan Merchant and applicants, GTE Mobilnet of Santa Barbara LP dba Verizon Wireless to consider Case No. 14BAR-00000-00223 for further conceptual review of a new proposed wireless telecommunications facility consisting of a 50 foot tall mono broadleaf tree and nine proposed wireless antennas, equipment shelter and generator. The following structures currently exist on the parcel: two residences, barn, shed, and corral. The proposed project will not require grading. The property is a 4.79 acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 141-430-018, located at 1867 Mora Avenue in the Santa Ynez area, Third Supervisorial District. (Continued from 12/12/14 & 1/16/15)

Public Comments: Marcia Gibson (In opposition)

CBAR Comments:

Architecture:

- The faux bark on the tree is preferred.
- The proposed faux broad leaf tree design is preferable over a faux pine tree for this site.
- The color of the pre-fabricated equipment storage buildings shown in the rendering is acceptable.

Lighting:

- To comply with the Santa Ynez Valley Community Plan Outdoor Lighting Ordinance, the light fixture needs to be changed to a design which is fully shielded so that the light source is not visible.
- The light bulb should be low wattage with a warm/yellow bulb and only what is absolutely necessary to light the facility.

Landscaping:

- Landscaping needs to be shown on the plans.
- The project was reviewed conceptually and cleared to return for preliminary review following approval by the decision maker.
- · Fencing around facility to match adjacent horse corral fencing.

Project received further conceptual review only, no action was taken. Applicant may return for preliminary and final approval.

['2.]	14BAR-00000-00212	Stewart Family New Residence	Santa Ynez

14LUP-00000-00438 (Dana Eady, Planner)

Jurisdiction: Ridgeline - Rural Request of Mark Stewart, agent, and Perkins Engineering, agent for the owners, Mark Stewart, Dick Stewart and Pat Stewart, to consider Case No. 14BAR-00000-00212 for further conceptual review and preliminary approval of a new residence of approximately 1,200 square feet. The following structures currently exist on the parcel: a barn of approximately 864 square feet. The proposed project will require approximately 5 cubic yards of cut and fill. The property is a 18.98 acre parcel zoned AG-I-20 and shown as Assessor's Parcel Number 135-310-041, located at 3209 Calzada Ridge Road in the Santa Ynez area, Third Supervisorial District. (Continued from 10/10/14)

Public Comment: James Nicholas, in opposition

COMMENTS:

- Return with wall sections, and exterior details, to articulate roof overhangs and to depict light • fixtures.
- Lantern effect is still a concern.
- The project materials, simplicity of form, and modesty of size proposed are in conformity with neighborhood compatibility standards....

Project received further conceptual review only, no action was taken. Applicant may return for preliminary and final approval at the meeting of January 16, 2015.

New Verizon Wireless

14BAR-00000-00223 Telecommunications Fagility at Mora Avenue 3. Santa Ynez

14CUP-00000-00004 (Joyce Gerber, Planner) Jurisdiction: Condition of Permit Request of MST Architects Wireless Division and Michelle Ellis, Complete Wireless Consulting, agents

for the owners, Dennis and Susan Merchant and applicants, GTE Mobilnet of Santa Barbara LP dba Verizon Wireless to consider Case No. 14BAR-00000-00223 for conceptual review of a new proposed wireless telecommunications facility consisting of a 55 foot tall mono broadleaf tree and nine proposed wireless antennas, equipment shelter and generator. The following structures currently exist on the parcel: two residences, barn, shed, and corral. The proposed project will not require grading. The property is a 4.79 acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 141-430-018, located at 1867 Mora Avenue in the Santa Ynez area, Third Supervisorial District.

COMMENTS:

- Site visit and mockup with certified height required prior to design comments.
- Return with photograph of similar already installed tree (close-up and shot from about 400 feet away.

Project received conceptual review only, no action was taken. Applicant was requested to return for further conceptual review with a site visit.

14BAR-00000-00195 Denunzio New Two Story Residence 4. Solvang

Jurisdiction: Ridgeline- Rural and D-Overlay 14LUP-00000-00260 (John Karamitsos Planner) Request of Adam Cunningham, agent for the owner, A.J. Denunzio, to consider Case No. 14BAR-00000-00195/ for further conceptual review of a new two story residence on a raised foundation, with first floor of approximately 2,167 square feet, and second floor of approximately 999 square feet, and attached garage of approximately 726 square feet. The following structure currently exists on the parcel: a barn of approximately 3,000 square feet. The proposed project will not require grading or free removal. The property is a 5.69 acre parcel zoned AG-1-5 and shown as Assessor's Parcel Number 137-070-068, located at 2636 Baseline Avenue in the Ballard area, Third Supervisorial District. (Continued from 9/12/14 & 10/10/14)

COMMENTS:

- Depict height on elevations. .
- Provide an accurate representation of topography.
- Return with color board, and material and colors noted on elevations. .
- Return with light fixtures, general wall, door, window and deck details.
- Return with landscape plan.

shown as Assessor's Parcel Number 141-380-014, located at Highway 246 and Refugio Road in the Santa Ynez area, Third Supervisorial District. (Continued from 11/09/12)

PUBLIC COMMENT:

Nancy Emerson, Save Our Stars Committee/Women's Environmental Watch. No Position.

CBAR COMMENTS:

a. The architecture is well-developed and finely articulated.

- b. Depict, in full context, elevations and/or three-dimensional representations of Phase I development as viewed from SR 246. Provide these renderings without landscaping and if desired by the applicant, the same renderings with landscaping at maturity.
- c. Reduce the number of Toyon, and replace with appropriate alternative native species, in order to safeguard against potential fire-blight impacts.
- d. Check on the health status of Raywood Ash in the Santa Ynez Valley.
- e. Note that Ceanothus will attract deer to the site.
- f. The footprint of the Alzheimer's facility (which may remain unbuilt for an extended period of time) is to be fully designed and integrated in to the Phase I site design.
- g. Concerns with drainage capacity along Luck Lane remain.

ACTION: Miller Fisher moved, seconded by Brady and carried by a vote of 4 to 0 (Erickson abstained, Lash absent) to grant preliminary approval of 12BAR-00000-00194. Applicant may return for final approval.

14BAR-00000-00212	Stewart Family New Residence	Santa Ynez
(No Assigned Planner)		Jurisdiction: Ridgeline - Rural

Request of Mark Stewart, agent, and Perkins Engineering, agent for the owners, Mark Stewart, Dick Stewart and Pat Stewart, to consider Case No. 14BAR-00000-00212 for conceptual review of a new residence of approximately 1,200 square feet. The following structures currently exist on the parcel: a barn of approximately 864 square feet. The proposed project will require approximately 5 cubic yards of cut and fill. The property is a 18.98 acre parcel zoned AG-I-20 and shown as Assessor's Parcel Number 135-310-041, located at 3209 Calzada Ridge Road in the Santa Ynez area, Third Supervisorial District.

PUBLIC COMMENTS:

Nancy Emerson, Save Our Stars Committee/Women's Environmental Watch. No Position. Jim Nicholas. No Position.

CBAR COMMENTS:

- a. The CBAR appreciates the low-impact grading approach to the project, the modesty of the house size, and the limited exterior lighting.
- b. The slope of the roofline matches the site topography. A planted roof could be an interesting element.
- c. Use dark, tinted glass in all windows as low-E is insufficient. In particular, the gabled windows introduce night-lighting concerns through the potential "lantern effect."
- d. Provide a Landscape Plan.

Applicant received conceptual review only, no action was taken. Applicant was requested to return for further conceptual and preliminary approval.

9. <u>14BAR-00000-00195</u> Denunzio New Two Story Residence Solvang 14LUP-00000-00260 (Melissa Mooney, Planner) Jurisdiction: Ridgeline- Rural and D-Overlay Request of Adam. Cunningham, agent for the owner, A.J. Denunzio, to consider Case No. 14BAR-00000-00195 for further-conceptual review of a new two story residence on a raised foundation, with first floor of approximately 2,167 square feet, and second floor of approximately 999 square feet, and attached garage of approximately 726 square feet. The following structure currently exists on the parcel: a barn of approximately 3,000 square feet. The proposed project will not require grading or tree removal. The property is a 5.69 acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 137-070-068, located at 2636 Baseline Avenue in the Ballard area, Third Supervisorial District. (Continued from 9/12/14)
ATTACHMENTE

Santa Barbara County Appeal to the Planning Commission Application

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	Street	City	State	/ Zip		
2. Owner:			Phone:_		FAX:	-
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Case Number:_______ 15APL-00000-00005 Supervisorial Distri Applicable Zoning (Project Planner:______ Zoning Designation Distri Applicable Zoning (Planner:______ Distri Applicable Zoning (

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DECENTER

Page 3

COUNTY OF SANTA BARBARA APPEAL TO THE:

BOARD OF SUPERVISORS
PLANNING COMMISSION:COUNTY MONTECITO
RE: Project Title <u>STEWART FAMELY RESIDENCE</u> Case No. <u>14BAR -00000 - 00212</u> Date of Action
Date of Action
V Board of Architectural Review – Which Board? <u>C BAR</u>
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 attachments to appeal
/ ′

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 rescinsion of fuch permits.

with rescission of such permits. Print name and sig ∕Ďate Print name and sign eparer of this form Date name and sia Applicant Dáte t Print name and sign rent Date Print name and sign - Landowner Date

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Brief Summary of Aggrieved Party Statement:

Decision was inconsistent with the BAR guidelines and purpose:

"The Board of Supervisors finds that <u>inappropriateness</u> or poor <u>quality of design</u> in the exterior appearance of buildings, structures or signs <u>adversely affect the desirability</u> of the immediate area and neighboring areas for residential, business or other purposes and by so doing, <u>impairs the</u> <u>benefits of occupancy of existing property</u> in such areas, impairs the stability and value of both improved and unimproved real property in such areas, prevents the most appropriate development and use of such areas, produces degeneration of property in such areas with attendant deterioration of conditions affecting the health, safety and general welfare of the county and <u>destroys a proper relationship between the taxable value of real property in such areas and</u> <u>the cost of public services provided therefore</u>.

It is the purpose of the Boards of Architectural Review to prevent these and other harmful effects of such exterior appearance of buildings, structures or signs erected or altered in any neighborhood or on any site subject to architectural review and thus to promote the health, safety and general welfare of the county, conserve the value of buildings and encourage the most appropriate use of land within the unincorporated portion of this county."

The CBAR decision is not supported by the evidence presented for consideration:

1. Design and style does not conform to neighborhood standards and is not consistent with existing residential quality and architecture. See Attachment A & B.

2. CBAR members stated that development was "in conformance" with the community but could offer no examples anywhere in the County. Research of Santa Barbara County historical references did not show any design/style/architecture related to that proposed. Professionals contacted also could not identify any examples of residential housing similar to that proposed. See Attachment C.

There was a lack of a fair and impartial hearing.

1. The CBAR members did not respond to any concerns and objections stated in my letters. Attachments A, B, C

2. When I asked if minutes would include my letters, I was informed they WOULD NOT! 3. When I asked how the record could be complete without community input, I was informed that the Board did not have time to discuss this issue and they "had to move on". CBAR January, meeting.

Background of Aggrieved Party

My wife and I have built two homes in the Santa Ynez Valley, each Report Figure D Board of Architectural Review. After our own experience and the 17 years of experience MAR 2.3 2015

> S.B. COUNIX (NORTH) PLANNING & DEVELOPMENT



with other BAR hearings, we have come to see it as a positive step in Valley development. In fact, I have argued against having a separate Board of Architectural Review within our common interest development on the basis that;

1. The County BAR guidelines are definitive and cover the primary objectives any home owner organization would include, and

2. Not having a local BAR avoids conflicts within the local organization which may not always have qualified and/or unbiased members, and

3. Avoids conflicts with County guidelines which might prevail in the event of litigation.

Furthermore, I have spoken before on BAR decisions **in favor** of applicants at County Commission hearings and I have never, before now, opposed any application for new residential construction or improvements.

J.H. Nicholas 3070 Avenida Caballo Santa Ynez, Ca. 93460

ATTACHMENT A

Rev A

8 January 2015

Board Of Architectural Review Hearing January 16, 2915

Comments on Mark Stewart Proposed Construction

Reference: 14 bar-00000-00212

The subject new construction is a residential development is located at 3209 Calzada Ridge Road with alternate Rancho Ynecita address of 2770 Canada Este Road. The following comments are based on a very limited presentation by the owner. Efforts to obtain elevation views of the proposed dwelling have not been successful. If and when these views become available these comments will be updated, hopefully before the third hearing scheduled for Friday, 16 January 2015 at the Solvang Municipal Court, 1745 Mission Drive, Suite C. Without this information the residents of our area are being shut out of the process. I believe this will be a factor in any appeal to the Commission. The community needs to have an input to this development. THE ARCHITECTURE BEING PRESENTED APPEARS TO BE OF "SHED" DESIGN. More on this, including examples, in the next set of comments.

The presentation of the proposed construction of a 1200 sq ft residence was not clear as to the type of foundation, i.e. a pier and beam or a block wall foundation. It did not appear that a poured slab foundation was going to be used. Nor was it clear if the construction was to be prefabricated modular or stick built.

The description was of 2 or 3 modules forming a U shape with the open of the U facing toward the existing barn northeast of the site. The structure would be painted a dark brown similar to the existing barn.

Roofing material was identified as metal standing seam painted a dark brown to match that of the module sides. One end of the roof had a slight pitch with some form of window between the top of the module and the roof.

A large area of glass and or doors was described, many of which appeared to face south west with minimal roof extensions, thus relying on internal window coverings to protect against summer heat buildup. Since this structure is single story, the practicality of roof extensions is limited because of the need to raise the roof line to permit the roof extension. The use of roof extensions not only provides shade but provides a warming cover to trap winter solar heat. No existing trees on the south or west to provide summer shade so desirable in this climate.

As architectural design is a very subjective topic, we want to examine the desirability, suitability, and economic benefit of the subject activity to the County and its citizens while avoiding specific opinions on the "look" or "feel" of the resulting building.

The CBAR guidelines state;

"inappropriateness or poor quality of design in the exterior appearance of buildings, structures or signs adversely affect the <u>desirability</u> of the immediate area and neighboring areas for residential, business or other purposes and by so doing, impairs the benefits of occupancy of existing property in such areas, impairs the stability and value of both improved and unimproved real property in such areas, prevents the most appropriate development and use of such areas, produces degeneration of property (suitability) in such areas with attendant deterioration of conditions affecting the health, safety and general welfare of the county and destroys a proper relationship between the taxable value of real property in such areas (economic benefit to County & citizens)..."

Examining the topic of desirability one looks for residential structures that will be congruous with the rolling hillsides vs one that "sticks out" like a sore thumb. Buildings that flow with the terrain can enhance the views as seen from other areas. The view from another residence, if desirable, will enhance its own value. A brown box like structure is proposed for the site shown in Fig 1.



Figure 1 - RV Parked on Building Site

Continuing with the "suitability" criteria, a pier and beam foundation would not be suitable for this area. This is a rural area with all of its benefits and its challenges. The challenges include the many small animals such as ground squirrels, gophers, snakes, opossums, raccoons, and skunks that make their homes in the undersides structures with pier and beam foundations. Dry terminate infestations are common in this area. Spraying and wood treatment to minimize this problem can cause health problems.

There are many good reasons that California has drifted to concrete slab foundations

over the last 70 years. It almost eliminates the problems mentioned above and provides a thermal heat sink which stabilizes both winter and summer temperatures internal to the structure. It also provides a direct connection of the wall/roof elements with the foundation in order to meet present day earthquake building standards. In order to enhance the appearance and functionality of the structure, glass and wide door panels are added. However, this requires that shear wall design must be incorporated. Any required shear wall tie ins will not have sufficient anchor points without a slab foundation. If a structure is susceptible to damage during an earthquake that will have a negative impact on the surrounding community.

Block wall foundations also suffer from the same effects mentioned above since an access space exists below the residential flooring.

Is the structure proposed desirable for the area? To answer this question we should look at residences in place and consider the impact on those properties. The following photos are of single family residences located on the same road or on the road just to the east or west of the building site.















Finally, looking at the relationship between the taxable value of the proposed structure and other nearby properties we see a huge discontinuity. The bill of materials for a stick built frame with pier and beam foundation for this size structure could easily be under \$55,000. With labor adding an additional \$50,000 the total cost of the structure would be \$105,000. Comparing this with low end builder estimates of \$300/sq ft or \$360,000 for a 1200 sq ft slab foundation home, one cannot justify the loss of property value for the surrounding homes nor the potential loss of tax revenue to the County.

An additional consideration should be the future location of the main residence to which the owner alluded. At the second CBAR meeting he stated It would be in the approximate location of the existing barn. If the CBAR follows its guidelines of past the architecture

What will be the status of the project if the initial structure is built and then plans for the future structure are abandoned? Will the community be stuck with a small house on a 18 acre property. What impact will that have on future property values of surrounding homes?

The proposed plans submitted to CBAR do not meet any of the above standards for compatibility, suitability, and economic viability in this community. Poor design and visual incompatibility of the exterior appearance are major distractions to the view shed, during the day, and even at night with the proposed windows. We urge the CBAR to reject this proposal in its entirety.

J.H. Nicholas

ATTACHMENT B

13 January 2015 - Rev A

To: Rancho Ynecita and Calzada Ridge Owners Central Board of Architectural Review

From: Jim Nicholas email: jimnic@impulse.net

Subject: Central Board of Architectural Review (CBAR) - Stewart Development 3209 Calzada Ridge or 2770 Canada Este, Rancho Ynecita

The style of the architecture presented was not immediately identifiable after the first CBAR meeting but with further research it appears to be what is referred to as a "SHED" design, an example of which is shown below.



This is a style that originated in the late 1960's and was known for its simplicity, stark appearance and woodsy feel. The style lost interest in the mid 1970's and never recovered. Note the stove pipe at rear of building which is typical of shed architecture. Most locations for these buildings are found in the northern U.S. and in Canadian areas. The style appealed to *eclectic individuals* looking for a different form of architecture. Shed Style homes will often be found in *districts that contain A-Frames and Geodesic Domes.*¹ This stye appealed to minimalists but it may have been resisted

¹ Baker, John M. American House Styles: A Concise Guide. New York: W.W. Norton & Co., 1999

by neighbors. When it comes to residential areas, if one decides to live a certain life style one can't unilaterally impose it on others.

Although the subject of these comments is limited to the 1200 sqft initial structure which is to be single story, a second residence is proposed which may be two story as shown in the photo above. It is assumed that the BAR will maintain its guidelines for any additional construction to be consistent with existing property architecture.

At the second CBAR meeting the applicant, Mark Stewart, presented four elevation drawings of the proposed construction, shown below.



Note that the design incorporates all the characteristics of "SHED" architecture, i.e. the smoke stack, the shed roof projection on the front, small windows, pier and beam construction and wood siding. (The 3/8" plywood wood siding issue in our high fire hazard area is another problem which the Planning Department will review). The Stewart Development does deviate from the Shed style by having a flat roof outside the

metal "shed" overhang. We must ask ourselves, is this type of architecture consistent with our community standards? Does it "fit" with the rest of the neighborhood? What does it do to our property values? Without doubt, the resale value of the subject property will place downward pressure on area home prices.

After submitting my first letter to the CBAR the response I received from the chair person was that they did NOT want to see further "cookie cutter" architecture. This comment struck me as odd since I went to the trouble to document the large variation of architectural styles we have in our area. This ranged from modern to French Country to Mediterranean. We don't have A frames, Sheds, or Geodesic Domes in Santa Barbara County and there must be a reason. Either they are not practical for our area or they are very unpopular styles. Other CBAR member comments addressed the night time "jack-o-lantern" look presented by the windows under the shed, the need to address the pier and beam termite problem, and the possibility of placing soil on the flat roof portion of the structure. Clearly, this is not the type of residence which will enhance our area.

The CBAR is charged with the duty of exercising sound judgment and of rejecting plans which, in its opinion, based upon study and advice, are not of harmonious character because of proposed style, materials, mass, line, and detail. The CBAR review is also charged with the duty of maintaining the desirable character of the area and of disapproving the construction of buildings that are designed without consideration of the harmonious relation to such buildings as already exist

The CBAR does not have the charter to invent new architectural styles or to resurrect styles which have fallen out of favor. Acceptance of this "shed" design is totally counter to the guidelines published by the County of Santa Barbara as described in my first letter.

The basic question is that of suitability for our area in terms of environment, appearance, and functionality. If the CBAR function is not to prevent this type of development, based on its own charter, then why do we even have a CBAR.

If you have any comments on this subject I can be contacted by email at jimnic@impulse.net

The next CBAR meeting is on Friday, 16 January 2015 at 9:30 AM. CBAR meetings are held at the Solvang Municipal Court, 1745 Mission Drive, Suite C, across from the Mission.

ATTACHMENT C

February 20, 2015

Subject: Comments on Stewart CBAR hearing February 13, 2015, 14BAR-00000-00212, Santa Ynez

From: J. H. Nicholas, Santa Ynez, In Opposition to Permit

In the February CBAR meeting I challenged the Board on the content of the minutes from the January meeting. The minutes stated that the "Project is <u>modern-looking</u> in appearance, and <u>not an unusual design</u>". Although I disagree with this statement, this was **not** what I heard in that meeting. My comment notes were that a Board member called the architecture <u>modern</u> (not modern-looking) and that it <u>conformed</u> to present neighborhood standards.



Proposed Stewart Residence

First, the proposed structure is not, by any standard, modern architecture¹, and second, it is not representative of any structure within the County (see review below). In my first letter to CBAR I expressly included 10 photos of residences within sight or in close proximity to the subject site. The point was to demonstrate that the local area had a diverse style of architecture and did not exhibit a "cookie cutter" look as suggested by the Board chair person. The proposed design **is unusual**. One neighbor said the structure appears to be two construction trailers joined by a large metal (shed) roof. Shed architecture is the only related style which can be identified as similar, i.e., straight lines, plain door and window treatment (no window trim or enhancement), smoke stack, wood siding, and generally, a minimalist approach to style. I will let the readers decide for themselves.

In a verbal exchange with the chairperson, I stated that I had explored the areas within several miles of our location and could not find any residential structures similar to the style proposed. She replied that there were **many** and when I asked where they were located she stated she did not have time to identify where they were and suggested I contact the local historical sources for architecture.

I took her recommendation and contacted the Architectural Foundation of Santa Barbara and various library sources for Santa Barbara architectural history. In addition I contacted **two long time** Santa Ynez architects and several architectural historians in Santa Barbara. Here is a summary of my search results;

1. The local architects were not familiar with "shed" architecture and did not know of any Shed architecture examples in Santa Ynez. (Goldstein, Jones & Jones).

2. Two of the Santa Barbara architectural historians from the Architectural Foundation did not know of any examples of Shed architecture in Santa Barbara County. (Nancy Caponi & Julia ?)

3. Another Architectural Historian, Elizabeth Carlson, PhD, was familiar with Shed architecture, primarily due to her experience in Vermont. She described the Shed style as evolving in the mid 1960's and dying out in the mid 1970's. It was a woodsy style (which was also the theme from other sources). She stated "I do not know of any shed architecture in Santa Barbara County" (see Exhibit A for copy of her statement).

4. I reviewed over 35 books on Santa Barbara Architectural History and several of Southern California Architectural History. A list of the most descriptive books and a list of the diverse styles of architecture found in Santa Barbara and adjacent counties are contained in Exhibit B. There was not one example of Shed architecture, past or present, nor any style remotely similar to the proposed structure.

Other comments from the CBAR members centered on

- 1. making exterior color "dark" to integrate into the rural setting,
- 2. light fixtures within the structure should be recessed,
- 3. placing sod on trailer roofs, and

4. extending the roof an additional three feet from upper edge (creating an even larger Shed roof. The sketch above does not reflect the 3' roof extension.

1. Santa Barbara Architecture, Capra Press / 1995 / Santa Barbara, Ca

The intent of CBAR appeared to force the structure to disappear into the background. Unfortunately that cannot happen. There are no trees to reduce the starkness of the building on the landscape and low bushes cannot hide the **open parking lot** or the building.

With the following paragraph I want to extend some thoughts which are related to, but go slightly beyond, the CBAR's charter of reviewing the project's exterior desirability, suitability, and economic benefit for the neighborhood and the County which | discussed at length in my first letter. The primary purpose for bringing these additional issues forward here is to demonstrate how **unsuitable** this proposal is for this location. We do not have the strong woodland environment of cooler climates more appropriate for Shed architecture or related styles. Instead the Santa Ynez Valley can be much hotter and much cooler than the South County. The proposed structure will be a "dark brown" hot box in 100°F + summer and an ice box in 25°F winter temperatures. With no slab foundation there is no heat sink to cool the interior summer temperatures or moderate the colder winter temperatures. The wood siding of this Shed architecture should never be recommended or permitted in a high fire hazard area such as ours. In addition, no fire proofing is underneath the 3/8" wood veneer. Further, the metal roof will have difficulty withstanding the 85 mph winds funneled into a north/south arroyo. The wind not only acts as an aerodynamic wing lifting force from the top of the roof but also acts as a force acting vertically from below the roof. In addition, if you haven't slept in a house with a metal roof when it rains you will not understand why metal roofs should be discouraged for residences. Sound insulation doesn't do much to lessen the discomfort. All of these issues beg the questions; "Is this construction style practical.

The proposal totally ignores over 60 years of evolution in building residential structures. Stucco siding, practical roofing materials of concrete or clay, and concrete foundations have vastly improved the comfort and longevity today's housing. The cheaper building materials used for pier and beam, plywood siding, metal roofing do not enhance the desirability of neighboring properties nor the esthetics of the rolling hills view line.

Shed or similar architecture is out of place anywhere in Santa Barbara County but especially in the Santa Ynez Valley. Finally, one must ask the determining questions:

- 1. Would you want this house next door or in your neighborhood?
- 2. What is the financial impact of this type of construction on our property value and that of neighboring properties?
- 3. Cheap housing such as this will reduce the local tax base supporting schools, roads, and other County services.
- 4. What is the purpose of the Board of Architectural Review if it is not to prevent the construction of housing such as the one being considered?

EXHIBIT A

STATEMENT OF ELIZABETH CARLSON, ARCHITECTURAL HISTORIAN



4

EXHIBIT B

HISTORICAL ARCHITECTURAL REFERENCES WITH HIGHEST NUMBER OF RECOMMENDATIONS

Santa Barbara Architecture, Third Edition, Capra Press / 1995 / Santa Barbara Style, K. Masson, J Chen, Rizzoli, New York

Excerpts from Southern California's Architectural Heritage, T. Sillo, Gallery Productions, Pasadena

San Luis Obispo, A History of Architecture, Images of America, Janet Franks, Arcada Santa Barbara El Pueblo Viejo, R. Conrad, C. Nelson, Capra Press 1986 Californian Architecture in Santa Barbara, P Statts, Rowman & Littlefield 1989

HISTORICAL ARCHITECTURAL STYLES OF SANTA BARBARA COUNTY

Variations of the following architectures were examined to determine if there was any relationship between them and the proposed structure. None were found. Some styles identified below are sometimes identified as subsets of other styles.

Spanish Colonial Revival Adobe Craftsman Romanesque, Colonial Revival Queen Annie Mission Revival Neo Classical Hispanic Modern Gothic Revival Greek Revival Art Deco Victorian Mediterranean Third Bay Region Tradition Cape Cod Midwestern French Provencal Italianate



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ATTACHMENT G





























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