



COUNTY OF SANTA BARBARA PLANNING AND DEVELOPMENT

MEMORANDUM

TO: County Planning Commission

FROM: Jeff Wilson, Deputy Director
Staff contact: Dana Eady, Senior Planner

DATE: October 11, 2018

HEARING DATE: October 31, 2018

RE: Naphy Appeal of the Dunn School Amendment Project
Case No. 18APL-00000-00012

1.0 Background

The Naphy Appeal of the Planning and Development Director's approval of an Amendment (Case No. 17AMD-00000-00003) to the Dunn School Master Plan Conditional Use Permit (CUP) was reviewed by the Planning Commission on September 12, 2018. At this hearing, the Planning Commission continued the item to October 31, 2018, and requested that staff prepare revised findings to: 1) uphold the appeal challenging the unpermitted baseball pitching tent structure; and 2) approve the Amendment project, with findings addressing the unpermitted baseball pitching tent structure. The revised findings are included as Attachment A to this memorandum.

A condition of approval has been added to the project (Condition No. 8) requiring that the unpermitted baseball pitching tent structure be removed from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Condition No. 8 addresses the structure's incompatibility with existing development and its inconsistency with visual resources and lighting policies contained in the Santa Ynez Valley Community Plan (SYVCP). These policies are discussed in Section 2.0 of this memorandum. With Condition No. 8 and as discussed in Section 6.4 of the Planning Commission staff report dated August 23, 2018, and in Section 2.0 below, the proposed Amendment to the CUP is consistent with the Comprehensive Plan including the SYVCP, and compliant with the Santa Barbara County Land Use & Development Code (LUDC).

2.0 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
Agriculture	
<p><i>Comprehensive Plan – Agricultural Element Agriculture Policy I A</i> <i>The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.</i></p>	<p>Consistent: The proposed project will not adversely affect agricultural operations. The project site is at Dunn School within the AG-I-10 zone district. Residential uses and school facilities are permitted in the AG-I-10 zone district with a CUP. The existing staff residence to be remodeled is located in a developed area of the parcel near existing staff residences and a girls’ dormitory. The remodeled residence would remain in the same building footprint as the approved project. The project would not affect the agricultural production capability of adjacent agricultural lands as there are appropriate buffers and setbacks in place to protect adjacent agricultural operations from potential conflicts and claims of nuisance. The removal of 5,936 sq. ft. of development from the approved Master Plan CUP which has never been constructed would not affect the integrity of agricultural operations. The unpermitted baseball pitching tent structure would be removed in accordance with Condition No. 8. Therefore, the overall Amendment project including the proposed remodel of the 1,463 sq. ft. staff residence and the removal of 5,936 sq. ft. of development which was originally proposed as a part of the Master Plan CUP are consistent with this policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy LUA-SYV-3</i> <i>New development shall be compatible with adjacent agricultural lands.</i></p>	<p>Consistent: The proposed project would be compatible with surrounding agricultural lands, which are used to grow vineyards and row crops as well as support low-density single family residences. The staff residence to be remodeled is not visible from adjacent agricultural lands due to existing topography, mature trees, and development located at Dunn School, and is part of the existing landscape. The proposed project would be subject to the design specifications of the Central Board of</p>

	<p>Architectural Review (CBAR) and would be required to receive Final Approval by the CBAR prior to Zoning Clearance Issuance (Condition No. 3). The unpermitted baseball pitching tent structure would be removed in accordance with Condition No. 8. Therefore, the overall Amendment project including the proposed remodel of the 1,463 sq. ft. staff residence and the removal of 5,936 sq. ft. of development which was originally proposed as a part of the Master Plan CUP are consistent with this policy.</p>
<p>Services</p>	
<p><i>Comprehensive Plan – Land Use Element Land Development Policy 4</i> <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</i></p>	<p>Consistent: Adequate public and private services and resources are available to serve the proposed remodel of the staff residence to two units. Domestic water would continue to be provided by the Santa Ynez River Water Conservation District. Sewage disposal for the remodeled two-unit staff residence would be provided by an existing onsite wastewater treatment system built in conformance with Environmental Health Services and State Water Board requirements. Access to the site would continue to be provided by two existing 26’ wide paved asphalt driveways off of Santa Ynez Street from the north and Roblar Avenue from the south. Fire protection services would continue to be provided by the Santa Barbara County Fire Station #32. Police service would continue to be provided by the County Sheriff. The unpermitted baseball pitching tent structure would be removed in accordance with Condition No. 8. Therefore, the overall Amendment project, including the proposed remodel of the 1,463 sq. ft. staff residence and the removal of 5,936 sq. ft. of development which was originally proposed as a part of the Master Plan CUP, but was never constructed, is consistent with this policy.</p>

<p><i>Santa Ynez Valley Community Plan Policy WW-SYV-1</i> <i>Development and infrastructure shall achieve a high level of wastewater treatment, in order to best serve the public health and welfare.</i></p>	<p>Consistent: The residential units will connect to the existing private aerated wastewater treatment system that serves Dunn School. This system has been reviewed and approved by Environmental Health Services and the State Water Board. The unpermitted baseball pitching tent structure would be removed in accordance with Condition No. 8. Therefore, the overall Amendment project, including the proposed remodel of the 1,463 sq. ft. staff residence and the removal of 5,936 sq. ft. of development which was originally proposed as a part of the Master Plan CUP, but was never constructed, are consistent with this policy.</p>
<p>Visual Resources</p>	
<p><i>Comprehensive Plan – Land Use Element Visual Resource Policy 3</i> <i>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.</i></p> <p><i>Santa Ynez Valley Community Plan Policy VIS-SYV-1</i> <i>Development of property should minimize impacts to open space views as seen from public roads and viewpoints and avoid destruction of significant visual resources.</i></p> <p><i>Santa Ynez Valley Community Plan Policy VIS-SYV-2</i> <i>All plans for new or altered buildings and structures within the Design Control Overlay shall be reviewed by the Central Board of Architectural Review.</i></p>	<p>Consistent: The Dunn School premises contains approximately 205,000 sq. ft. of development, including three dormitories and the school house which are between 32 ft. tall and 34 ft. tall. The proposed remodel to the 1,463 sq. ft. staff residence would be in conformance with the scale and character of the existing community. The staff residence is a similar size and architectural style to the adjacent existing structural development including two dormitories of 1,439 sq. ft. each. No significant exterior changes are proposed to the staff residence, and the staff residence is architecturally compatible with existing residential development at the Dunn School. The staff residence is also consistent with the existing development in the Inner Rural area which includes low density homes as well as barns and agricultural structures of a size and massing similar to the existing residence. This structure does not intrude into the skyline and is not visible from surrounding public roadways.</p> <p>Pursuant to Condition No. 3, the project will be required to receive Final Approval from the CBAR prior to Zoning Clearance Issuance. Therefore, the proposed remodel of the 1,463 sq. ft. staff residence and the removal of 5,936</p>

sq. ft. of development which was originally proposed as a part of the Master Plan CUP, but was never constructed are consistent with these policies.

The existing 20-ft. tall unpermitted baseball pitching tent structure is used to provide shade for baseball practice (batting and pitching) and shelter for other recreational activities when it is raining. The tent structure is 3,500 sq. ft. in size and is located on the eastern portion of the 10.01-acre parcel, adjacent to the baseball field and approximately 100 ft. north of the lacrosse field. The tent's covering is made of white canvas coated in an opaque white plastic, which allows for reflective light to illuminate the interior of the tent during the day. At 20-ft. in height, the pitching tent is visible from surrounding properties as well as public roadways including Roblar Avenue and Highway 154. The existing landscaping adjacent to the structure is not adequate to minimize the visibility of the structure from surrounding public viewpoints and roadways.

The design, scale and massing of the structure are not compatible with the existing development on the Dunn School premises or with existing structural development in the vicinity which consists primarily of single-family dwellings, barns, and wineries. Therefore, the baseball pitching tent structure is not consistent with Visual Resources Policy 3 and Santa Ynez Valley Community Plan Policy VIS-SYV-1. As a condition of approval of the proposed project, however, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. With this condition, the overall project is consistent with these policies.

***Santa Ynez Valley Community Plan
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.

Consistent: The proposed remodel to the existing staff residence will not include additional lighting. The existing lighting on this structure is fully shielded and in compliance with this policy. Therefore, the proposed remodel of the 1,463 sq. ft. staff residence and the removal of 5,936 sq. ft. of development which was originally proposed as a part of the Master Plan CUP, but was never constructed are consistent with this policy.

Four lights are installed inside the unpermitted baseball pitching tent structure to allow for use after dark and before 7 p.m. during late fall, winter, and early spring. Timers are installed on the four light fixtures to ensure that the lights are turned off at 7 p.m. The opaque white plastic covering on this structure allows the lights inside the baseball pitching tent to permeate through the cover, thereby excessively illuminating the entire structure.

As evidenced by the photograph included as Attachment D to this memorandum, the lighting effect caused by this illumination is incompatible with the existing lighting at the Dunn School and within the vicinity and does not protect the night sky of the Santa Ynez Valley from excessive lighting. The applicant's proposal to install oak trees to screen the pitching tent would not be sufficient to address the excessive illumination of the structure. Therefore, the baseball pitching tent is inconsistent with Santa Ynez Valley Community Plan Policy VIS-SYV-3. However, as a condition of approval of the proposed project (Condition No. 8), the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. With this condition, the overall project is consistent with these policies.

3.0 Recommendations & Procedures

Follow the procedures as outlined below. Your Commission's motion should include the following:

1. Uphold the appeal (Case No. 18APL-00000-00002).
2. Make the required findings to approve the Dunn School CUP Amendment project (Case No. 17AMD-00000-00003) as specified in Attachment A of this memorandum, dated October 11, 2018, including CEQA findings.
3. Determine that the Dunn School CUP Amendment project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15303 as specified in Attachment C of this memorandum dated October 11, 2018.
4. Grant *de novo* approval of the Dunn School CUP Amendment project, Case No. 17AMD-00000-00003, subject to the conditions of approval specified in Attachment B of this memorandum, dated October 11, 2018.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

4.0 Attachments

- A. Findings
- B. Conditions of Approval
- C. CEQA Notice of Exemption
- D. Baseball Pitching Tent Photograph

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

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. Please see Attachment C, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 Conditional Use Permit Findings

A. Findings required for all Conditional Use Permits. In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code (LUDC), prior to the approval or conditional approval of an application for a Conditional Use Permit, the review authority shall first make all of the following findings, as applicable:

2.1.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.

The staff residence to be remodeled is located on the western portion of the Dunn School property and is sited in a developed area of the parcel near existing staff housing. The design of the staff residence is consistent with the existing development at the school and only minor exterior changes to the structure are proposed consisting of the addition of a porch and repairs to the siding. No changes will be made to the existing building footprint. The Central Board of Architectural Review (CBAR) has conceptually reviewed the proposed project to ensure visual compatibility, and the project will be required to receive Final Approval from CBAR prior to Zoning Clearance issuance. The physical characteristics, shape, and size of the site have not changed since the original Conditional Use Permit was approved. The site is adequate in terms of location, physical characteristics, shape, and size to accommodate the level of proposed residential development. As a condition of approval of the proposed project, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Therefore, this finding can be made.

2.1.2 Adverse impacts will be mitigated to the maximum extent feasible.

As discussed in Attachment C of the Planning Commission Staff Memorandum dated October 11, 2018, incorporated herein by reference, the remodel of the existing staff residence and removal of previously approved but un-built

structures from the overall Dunn School Master Plan CUP is exempt from environmental review pursuant to CEQA Guidelines Section 15303. Section 15303 exempts accessory 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 remodel of the existing staff residence falls within this exemption and will not create potential significant impacts on the environment.

The size, bulk, and scale of the unpermitted baseball pitching tent structure is not compatible with the existing surrounding development in Los Olivos or with the existing structures on the Dunn School premises. As discussed in Section 2.0 of the staff memorandum dated October 11, 2018, incorporated herein by reference, the lights installed within the unpermitted baseball pitching tent structure are inconsistent with Santa Ynez Valley Community Plan Policy VIS-SYV-3 which states: *The night sky of the Santa Ynez Valley shall be protected from excessive and unnecessary light associated with new development and redevelopment.* The opaque white plastic covering on this structure allows the lights installed inside of the baseball pitching tent structure to permeate through the cover illuminating the entire structure. As evidenced by the Appellant's photograph included as Attachment D to this memorandum, the lighting effect caused by this illumination is incompatible with the existing lighting at the Dunn School and within the vicinity and does not protect the night sky of the Santa Ynez Valley. Therefore, the baseball pitching tent is inconsistent with Santa Ynez Valley Community Plan Policy VIS-SYV-3. Adverse visual and lighting impacts have not been mitigated to the maximum extent feasible for the baseball pitching tent. As a condition of approval of the proposed project, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Therefore, this finding can be made.

2.1.3 Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The project site is accessed from two existing 26-ft. wide paved asphalt driveways off of Santa Ynez Street from the north and Roblar Avenue from the south. These are generally unobstructed and provide adequate site distance to exit the driveways safely. Santa Ynez Street and Roblar Avenue are public roads that are properly designed to carry the type and quantity of traffic for the existing and proposed uses. The existing use of the property will not change upon conversion of the staff residence to two units. No additional traffic will be generated by this project. As a condition of approval of the proposed project, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following

final action on the subject Amendment by the decision-maker. Therefore, this finding can be made.

2.1.4 There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.

The property is currently served and will continue to be served by the Santa Ynez River Water Conservation District for water and an existing onsite wastewater treatment system for wastewater. Access will continue to be provided by an existing 26' wide paved asphalt driveways off of Santa Ynez Street from the north and Roblar Avenue from the south. Fire and police protection will continue to be provided by Santa Barbara County Fire and the Santa Barbara County Sherriff, respectively. Therefore, this finding can be made.

2.1.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.

As discussed in Finding 2.1.3 above, the proposed project will not increase the traffic associated with the previously approved project, nor will it require changes in previously approved ingress, egress, or parking plans for the site. The property's existing use as Dunn School will not change. The project is consistent with the AG-I-10 zone district, which allows for residential and school uses with an approved CUP. Dunn School contains approximately 205,000 sq. ft. of development, including three dorms and the school house which are between 32 ft. tall and 34 ft. tall. The staff residence is compatible with the surrounding residences and structures located at Dunn School and in Los Olivos.

As discussed in Section 2.0 of the staff memorandum dated October 11, 2018, incorporated herein by reference, the lights installed within the existing unpermitted baseball pitching tent structure are inconsistent with Santa Ynez Valley Community Plan Policy VIS-SYV-3. The opaque white plastic covering on this structure allows the lights installed inside of the baseball pitching tent structure to permeate through the cover illuminating the entire structure. As evidenced by the Appellant's photograph included as Attachment D to this memo, the lighting effect caused by this illumination is incompatible with the existing lighting at the Dunn School and within the vicinity and does not protect the night sky of the Santa Ynez Valley. Therefore, the baseball pitching tent is inconsistent with Santa Ynez Valley Community Plan Policy VIS-SYV-3.

At 20-ft. in height, the pitching tent is visible from public roadways including Roblar Avenue and Highway 154. The existing landscaping adjacent to the structure is not adequate to minimize the visibility of the structure from surrounding public viewpoints and roadways. The design, scale and massing of

the structure is not compatible with the existing development on the Dunn School premises or with existing structural development in the vicinity which consists primarily of single-family dwellings, barns, and wineries. As a condition of approval of the proposed project, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Therefore, this finding can be made.

2.1.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.

As discussed in the Planning Commission Staff Memorandum dated October 11, 2018, incorporated herein by reference, the remodel of the 1,463 sq. ft. staff residence and the removal of 5,936 sq. ft. of development which was originally proposed as a part of the Dunn School Master Plan CUP conforms to all applicable requirements of the Comprehensive Plan, the Santa Ynez Valley Community Plan, and the Land Use and Development Code.

As discussed in Section 2.0 of this staff memorandum dated October 31, 2018, incorporated herein by reference, the pitching tent structure does not comply with Santa Ynez Valley Community Plan Policy VIS-SYV-3 and Visual Resources Policy 3. However, as a condition of approval of the proposed project, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Therefore, this finding can be made.

2.1.7 Within Rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.

The project site is not located within a designated rural area. Therefore, this finding is not applicable.

2.2 Conditional Use Permit Amendment Findings

A. Findings Required for Amendment to an approved Development Permit. In compliance with Subsection 35.84.040.D.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to an approved Development Permit the review authority shall first make all of the following findings, as applicable:

2.2.1 In addition to the findings required for approval of a Conditional Use Permit identified in Subsection 35.82.060.E (Findings required for approval), the Amendment is consistent with the specific findings of approval, including the environmental review findings in compliance with the California Environmental Quality Act, if applicable, which were made when the Conditional Use Permit was initially approved.

As discussed in finding 2.1.2 above, incorporated herein by reference, the proposed remodel to the existing staff residence and the removal of approved square footage from the overall Dunn School Master Plan CUP will not result in any new or greater environmental impacts which could be detrimental to the comfort, convenience, general welfare, health, and safety of Dunn School and the surrounding area. All of the findings of approval, including CEQA findings that were made with approval of Conditional Use Permit 79-CP-047 as revised by 04RVP-00000-00018 can still be made for the remodel to the staff residence and removal of square footage from the master plan.

As discussed in Section 2.0 of this memorandum dated October 31, 2018, incorporated herein by reference, the size, bulk, and scale of the baseball pitching tent structure are not compatible with the existing surrounding development on adjacent parcels or with the existing structures on the Dunn School premises. Furthermore, the interior lighting of the baseball pitching tent is inconsistent with Santa Ynez Valley Community Plan Policy VIS-SYV-3. As a condition of approval of the proposed project, however, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Therefore, this finding can be made.

2.2.2 The environmental impacts related to the proposed Amendment are determined to be substantially the same or less than those identified during the processing of the previously approved Conditional Use Permit.

The project will not result in significant environmental impacts which were not previously considered or mitigated. The existing services provided onsite will be adequate to accommodate the project. The existing roadways operate at acceptable levels and will continue to operate at these levels with the proposed development in place. The converted two-unit staff residence will remain within the same building footprint of the existing one-unit staff residence. Any potential impacts related to the proposed Amendment will be substantially the same or less than those identified for the previously approved Conditional Use Permit 79-CP-047 as revised in 04RVP-00000-00018. As a condition of approval of the proposed project, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning

clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

I. PROJECT DESCRIPTION

1. **Proj Des-01 Project Description.** This Amendment is based upon and limited to compliance with the project description, the hearing exhibits marked A-D, dated October 31, 2018, 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:

The request is for an amendment to the Dunn School Master Plan Conditional Use Permit (Case No. 79-CP-47) as revised by Case No. 04RVP-00000-00018. At full build-out under 04RVP-00000-00018, the approved Master Plan includes approximately 211,110 sq. ft. of development. The applicant is proposing to amend the approved project by eliminating 5,936 sq. ft. of development consisting of two 2,968 sq. ft. duplex townhouse staff residences. These four units were approved as a part of the 04RVP-00000-00018 but have not been constructed. The existing 1,463 sq. ft. staff residence located on the west portion of the 46.18-acre parcel which was proposed for removal under the approved Master Plan would be retained. The applicant is proposing to remodel the interior of this residence to convert it into two units consisting of approximately 985 sq. ft. and 478 sq. ft. each. No ground disturbance outside of the footprint of the existing staff residence is proposed. Proposed construction build out is 206,637 sq. ft., which is a 4,473 sq. ft. reduction from the approved Master Plan.

The project also includes legalizing an existing, 20 ft. tall, steel framed, white plastic coated canvas tent structure used to provide shade for baseball practice (batting and pitching) and shelter for other recreational activities when it is raining. The tent structure is 3,500 sq. ft. in size and is located on the east portion of the 10.01-acre parcel, adjacent to the baseball field and approximately 100 ft. north of the lacrosse field. With a rounded roof, the tent structure is enclosed on the west and east ends and is open on the north and south ends. The baseball tent provides a shaded area for three separate batting and pitching cages and is proposed to be used by students year-round. When the inner netting is removed, the tent can also be used to practice other outdoor sports, such as soccer, on rainy days. The tent's covering is made of industry-standard white canvas coated in an opaque white plastic, which allows for reflective light to illuminate the interior of the tent during the day. Four fully-shielded lights are installed inside the structure to allow for use after dark and before 7 p.m. during late fall, winter, and early spring. Timers are installed on the four light fixtures to ensure that the lights are turned off at 7 p.m.

The project includes planting 21 new 24" box coast live oak trees (*Quercus agrifolia*), 15 of which would be planted along Roblar Avenue amongst the existing mature trees, many of which are oaks, in order to infill unplanted areas and further screen the baseball tent structure from public views into the school grounds from Roblar Avenue. The remaining six oak trees would be planted around the east and south edges of the baseball tent to

screen views in from Hwy 154.

No grading, tree removal, or vegetation removal is proposed as a part of the project, nor was any performed for the installation of the baseball tent structure. Water would continue to be provided by the Santa Ynez River Water Conservation District. Wastewater treatment would continue to be provided by an on-site private waste water treatment system. Access to the site would continue to be provided by two existing 26 ft. wide paved asphalt driveways off of Santa Ynez Street from the north and Roblar Avenue from the south. The staff residence to be converted to a duplex is located on a 46.18-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 135-250-053, located at 2555 W. Highway 154. The baseball tent structure is located on the adjacent 10.01-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 135-250-048, located at 2555 W. Highway 154. Both parcels are located in the Santa Ynez area, Third Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. CONDITIONS BY ISSUE AREA

3. **BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials, and landscaping shall be compatible with vicinity development).
TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance.
MONITORING: The Owner/Applicant shall demonstrate to P&D staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.
4. **Construction Hours.** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.
PLAN REQUIREMENTS: Signs stating these restrictions shall be provided by the applicant and posted on site.

TIMING: Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits.

MONITORING: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

III. CONDITIONAL USE PERMIT CONDITIONS

5. **Rules-01 Effective Date- Not Appealable to the CCC.** This Amendment shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit [LUDC §35.82.020].
6. **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit Amendment. If the required Zoning Clearance is not issued within the 18 months following the effective date of this Conditional Use Permit Amendment, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code, and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit Amendment shall be considered void and of no further effect.
7. **Rules-12 CUP Void.** This Conditional Use Permit Amendment shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit Amendment is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit Amendment shall immediately cease upon expiration or revocation of this Conditional Use Permit Amendment. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit Amendment shall expire upon expiration or revocation of the Conditional Use Permit Amendment. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].
8. **Removal of Unpermitted Baseball Pitching Tent Structure.** The existing unpermitted baseball pitching tent structure shall be removed from the Dunn School premises prior to Zoning Clearance issuance or within 30-days following final action by the decision maker on the subject Amendment (Case No. 17AMD-00000-00003).

IV. COUNTY RULES AND REGULATIONS

9. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained.

10. **Rules-05 Acceptance of Conditions.** The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the applicant.
11. **Rules-23 Processing Fees Required.** Prior to issuance of the Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees and enforcement fees in full as required by County ordinances and resolutions.
12. **Mitigation Monitoring Required:** The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the applicant agrees to:
 - a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
 - b. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, compliance staff, other agency personnel, and with key construction personnel.
 - c. Pay fees prior to approval of Zoning Clearance permits as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.
13. **Rules-30 Plans Requirements.** The 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.
14. **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.
15. **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 NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Planning and Development Department

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.

APNs: 135-250-048, -053

Case No.: 17AMD-00000-00003

Location: 2555 W. Highway 154, Santa Ynez, CA 93441

Project Title: Dunn School Master Plan Conditional Use Permit Amendment Project

Project Applicant:

Dunn School
Pat Carroll, Director of Facilities
2555 W. Highway 154
Santa Ynez, CA 93441

Project Description:

The request is for an amendment to the Dunn School Master Plan Conditional Use Permit (Case No. 79-CP-47) as revised by Case No. 04RVP-00000-00018. At full build-out under 04RVP-00000-00018, the approved Master Plan includes approximately 211,110 sq. ft. of development. The applicant is proposing to amend the approved project by eliminating 5,936 sq. ft. of development consisting of two 2,968 sq. ft. duplex townhouse staff residences. These four units were approved as a part of the 04RVP-00000-00018 but have not been constructed. The existing 1,463 sq. ft. staff residence located on the west portion of the 46.18-acre parcel which was proposed for removal under the approved Master Plan would be retained. The applicant is proposing to remodel the interior of this residence to convert it into two units consisting of approximately 985 sq. ft. and 478 sq. ft. each. No ground disturbance outside of the footprint of the existing staff residence is proposed. Proposed construction build out is 206,637 sq. ft., which is a 4,473 sq. ft. reduction from the approved Master Plan.

The project also includes legalizing an existing, 20 ft. tall, steel framed, white plastic coated canvas tent structure used to provide shade for baseball practice (batting and pitching) and shelter for other recreational activities when it is raining. The tent structure is 3,500 sq. ft. in size and is located on the east portion of the 10.01-acre parcel, adjacent to the baseball field and approximately 100 ft. north of the lacrosse field. With a rounded roof, the tent structure is enclosed on the west and east ends and is open on the north and south ends. The baseball tent provides a shaded area for three separate batting and pitching cages and is proposed to be used by students year-round. When the inner netting is removed, the tent can also be used to practice other outdoor sports, such as soccer, on rainy days. The tent's covering is made of industry-standard white canvas coated in an opaque white plastic, which allows for reflective light to illuminate the interior of the tent during the day. Four fully-shielded lights are installed inside the

structure to allow for use after dark and before 7 p.m. during late fall, winter, and early spring. Timers are installed on the four light fixtures to ensure that the lights are turned off at 7 p.m.

The project includes planting 21 new 24” box coast live oak trees (*Quercus agrifolia*), 15 of which would be planted along Roblar Avenue amongst the existing mature trees, many of which are oaks, in order to infill unplanted areas and further screen the baseball tent structure from public views into the school grounds from Roblar Avenue. The remaining six oak trees would be planted around the east and south edges of the baseball tent to screen views in from Hwy 154.

No grading, tree removal, or vegetation removal is proposed as a part of the project, nor was any performed for the installation of the baseball tent structure. Water would continue to be provided by the Santa Ynez River Water Conservation District. Wastewater treatment would continue to be provided by an on-site private waste water treatment system. Access to the site would continue to be provided by two existing 26 ft. wide paved asphalt driveways off of Santa Ynez Street from the north and Roblar Avenue from the south. The staff residence to be converted to a duplex is located on a 46.18-acre parcel zoned AG-I-10 and shown as Assessor’s Parcel Number 135-250-053, located at 2555 W. Highway 154. The baseball tent structure is located on the adjacent 10.01-acre parcel zoned AG-I-10 and shown as Assessor’s Parcel Number 135-250-048, located at 2555 W. Highway 154. Both parcels are located in the Santa Ynez area, Third Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Pat Carroll, Director of Facilities for Dunn School

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guidelines Section: Section 15303 [New Construction or Conversion of Small Structures].

Reasons to support exemption findings: The proposed project is categorically exempt from environmental review pursuant to Section 15303 [New Construction or Conversion of Small Structures].

Section 15303 (Class 3) exemptions include the construction and location of limited numbers of new, small facilities or 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. Section 15303 specifically exempts accessory 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 staff residence is proposed to be

converted from one unit to two units where only minor modifications would be made to the exterior of the structure. As a condition of approval of the proposed project, the applicant will be required to remove the unpermitted baseball pitching tent structure from the Dunn School premises prior to zoning clearance issuance or within 30-days following final action on the subject Amendment by the decision-maker. Therefore, Section 15303 applies to the proposed project.

There is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might 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 project site is located entirely outside of any designated or existing Environmentally Sensitive Habitat (ESH) areas. There are no other designated or mapped environmental resources of hazardous or critical concern on or adjacent to the project site. Therefore, no significant impacts which threaten the environment would result from the project.

- (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 project site is located within an existing developed agricultural area where residential and school uses are allowable by ordinance. There are no sensitive resources that would be impacted by the remodeled staff residence, and there is no expectation that other accessory structures proposed on this lot or other adjacent lots in the vicinity would cause significant cumulative impacts. The cumulative impact of successive projects of the same type in the same place, or 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.**

The proposed project is minor in nature, and there is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant effects on the environment.

- (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.

The staff residence is not visible from Highway 154, a state designated scenic highway. As such, there are no protected scenic views impacted by the project.


- (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 site is not a hazardous waste site 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.**

Dunn School, founded in 1957, has two structures that are of significant historical value located at the center of the upper school academic core. The Red Barn was part of the original Valley School that preceded Dunn School. The students use the Red Barn for theatrical performances and school meetings. Over the years, the interiors have been modified to accommodate safety issues and school needs, but the exterior has been kept historically intact. The School House is a one-room structure moved to the campus in 1982 from Buellton. Dunn School has kept the internal and external structure in its historical condition and it has become the focal point of the campus. No alterations of the Red Barn or School House are proposed as part of this project. Therefore, the project would not have the potential to cause a substantial adverse change in the significance of a historic resource.

Lead Agency Contact Person: Dana Eady, Planner **Phone #:** (805) 934-6266

Department/Division Representative:  **Date:** October 10, 2018

Acceptance Date: _____

distribution: Hearing Support Staff

Date Filed by County Clerk: _____

ATTACHMENT D

