

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for Naphy Appeal of Dunn School Amendment

Hearing Date: September 12, 2018
Staff Report Date: August 23, 2018
Case No.: 18APL-00000-00012
Environmental Document:
Notice of Exemption –
CEQA Sections 15303 and 15314

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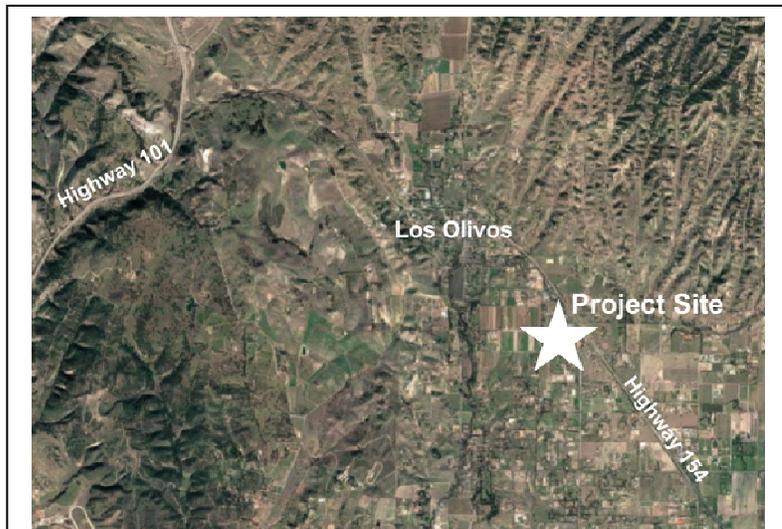
Dunn School
2555 W. Highway 154
Los Olivos, CA 93441
(805) 688-6471

APPLICANT:

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Dunn School
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APELLANT:

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This site is identified as Assessor Parcel Numbers 135-250-053 and 135-250-048 located at 2555 W. Highway 154, Los Olivos, in the Santa Ynez Valley Community Plan area, Third Supervisorial District.

Amendment application filed: March 21, 2017
Amendment approved: May 7, 2018
Appeal filed: May 17, 2018

1.0 REQUEST

Hearing on the request of Glenn and Katherine Naphy to consider the Appeal, Case No. 18APL-00000-00012 [application filed on May 17, 2018] in compliance with Chapter 35.102 of the County Land Use and Development Code, of the Planning and Development (P&D) Director's decision to approve Case No. 17AMD-00000-00003, an Amendment to the Dunn School Master Plan Conditional Use Permit (CUP) (Case No. 79-CP-47) as revised by Case No. 04RVP-00000-00018; and to determine that the approval of the Amendment is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15303 and 15314, included as Attachment C. The application involves Assessor Parcel Nos. 135-250-053 and -048, located at 2555 W. Highway 154, Los Olivos, in the Santa Ynez Valley Community Plan area, Third Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and deny the Appeal, Case No. 18APL-00000-00012, and affirm the Director's decision to approve the Amendment (Case No. 17AMD-00000-00003) marked "Officially Accepted, County of Santa Barbara, September 12, 2018, County Planning Commission Attachments A – G", based upon the project's consistency with the Comprehensive Plan, including the Santa Ynez Valley Community Plan and the ability to make the required findings.

Your Commission's motion should include the following:

1. Deny the Appeal, Case No.18APL-00000-00012;
2. Make the required findings for approval of the Dunn School CUP Amendment project (Case No. 17AMD-00000-00003) specified in Attachment A of this staff report, including CEQA findings;
3. Determine that the Dunn School CUP Amendment project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15303 and 15314, as specified in Attachment C of this staff report; and
4. Grant *de novo* approval of the project, Case No. 17AMD-00000-00003, subject to the 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

The County Planning Commission is considering this project based on Section 35.102.040 [Appeals to the Commission] of the Land Use and Development Code which states that the following decisions may be appealed to the Commission: "Any decision of the Director to approve, conditionally approve, or deny any other discretionary application where the Director is the designated review authority (35.102.040(3)(g))."

4.0 ISSUE SUMMARY

On March 21, 2017, Dunn School submitted an Amendment application to the Planning and Development Department to amend the approved Master Plan CUP (Case No. 79-CP-47) as previously revised pursuant to revision Case No. 04RVP-00000-00018. The Amendment includes revising the plan for staff housing by eliminating two future duplex townhouse staff residences. These residences were approved as a part of the overall Master Plan but have not been constructed. An existing staff residence which was proposed for removal under the approved Master Plan would be retained and converted into two units. The Amendment also includes legalizing an existing, as-built, steel-framed baseball tent structure. The baseball tent

structure is a white, canvas and plastic covered structure, with a rounded roof, open on the north and south sides, which houses three moveable baseball batting practice cages.

The baseball tent structure was donated to Dunn School and erected in their sports field area without obtaining the required permits to do so, in the Spring of 2016. To rectify this situation, Dunn School included the structure in their CUP amendment application to have it permitted as part of their school facilities.

On May 7, 2018, the P&D Director found the Amendment to be consistent with the Comprehensive Plan, including the Agricultural Element, Land Use Element, and Santa Ynez Valley Community Plan, as well as the Land Use and Development Code, and approved the Amendment.

On May 17, 2018, Glenn and Katherine Naphy submitted a timely appeal of the P&D Director’s decision to approve the project (Attachment D, dated May 17, 2018). The appeal focuses primarily on aesthetic compatibility of the baseball tent structure with the area, and night lighting. The appeal issues and responses from staff are included in Section 6.1, below.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	A-I-10 (Agriculture; 10-acre min. lot size) with an Educational Overlay; Inner Rural Area; Santa Ynez Valley Community Plan Area
Ordinance, Zone	LUDC, AG-I-10 zone (Agriculture, 10-acre min. lot size)
Site Size	57.37 gross acres consisting of two parcels that are 46.77 acres and 10.60 gross acres
Present Use & Development	Dunn School
Surrounding Uses/Zone(s)	North: CN (Neighborhood Commercial) and AG-I-10 (Agricultural I) South: AG-I-10 (Agricultural I) East: AG-I-10 (Agricultural I) West: AG-I-10 and AG-I-40 (Agricultural I)
Access	Two existing 26’ wide paved asphalt driveways off of Santa Ynez Street from the north and Roblar Avenue from the south
Public Services	Water Supply: Santa Ynez River Water Conservation District Sewage: On-site wastewater treatment system Fire: Santa Barbara County Fire Station #32 Law Enforcement Services: County Sheriff

5.2 Setting

The project site is comprised of two parcels located east of the community of Los Olivos within the Santa Ynez Valley Community Plan area. The site is located west of State Highway 154, south of Santa Ynez Street, and north of Roblar Avenue. Since 1957, the site has been used as a private middle and high school campus.

The 46.18-acre and 10.01-acre parcels comprising the school campus are bordered on the west by parcels zoned AG-I-10 and AG-I-40. These parcels are developed with row crops and low-density single-family residences. Property to the south is zoned AG-I-10 and is used for light agriculture and low-density single-family residences. Highway 154 bounds the site on the east, and across the highway are parcels zoned AG-I-10 which are planted in vineyards and developed with low-density single-family residences. The property to the north of the campus is developed with a grocery market. Limited public views of the Dunn School baseball tent structure are available from Highway 154 and Roblar Avenue. A large portion of the school grounds and facilities are not visible from Highway 154 due to a sound wall, berms, and mature landscaping that obscure views of the site. However, the baseball tent structure is momentarily visible to travelers on Highway 154 in one location. Additionally, the baseball tent structure is intermittently visible from Roblar Avenue.

Dunn School 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. Development at the school also includes classrooms, faculty housing, administration offices, dining commons, assembly areas, lounges, and recreational facilities. The site includes interior access roads, paved parking, and pathways.

There are no known threatened or endangered species onsite. However, there are several scattered specimen native and non-native trees throughout the site. Significant native vegetation includes Valley Oaks (*Quercus lobata*), Coast Live Oaks (*Quercus agrifolia*), and California Sycamores (*Platanus racemosa*). Groundcover includes annual grasses and irrigated grasses.

No archaeological resources are located onsite. The Red Barn and the School House located at Dunn School have historical value. 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. The School House is a one-room structure moved to the campus in 1982 from Buellton. Historical sites in the vicinity include the Los Olivos Market to the north and the Troup Grain Shed located on the Brander Vineyards property to the east.

5.3 Description

The request is for an amendment to the Dunn School Master Plan CUP (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 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 units were approved as a part of the revision to the approved Master Plan (04RVP-00000-00018) but have not been constructed. The existing

1,463 sq. ft. staff residence located on the western 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 eastern 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.

5.4 Background Information

Dunn School was originally permitted in 1959 with a Conditional Use Permit (Case No. 59-CP-125). Over the years there have been a number of permits (61-CP-70, 63-CP-93, 68-CP-47, 79-CP-47, 79-CP-47 RV2 and 79-CP-47 AM01) to expand the school facilities, faculty, and attendance levels. At this time the School is subject to Case No. 04RVP-00000-00018 which the County Planning Commission approved on December 14, 2005, and consists of a 20 year Master

Plan that would allow for the demolition of approximately 25,723 sq. ft. of buildings and structures, and the construction of approximately 124,419 sq. ft. for a total building coverage of 211,110 sq. ft. The revision allowed for maximum student enrollment to increase from 235 to 350 and number of faculty to increase from 38 to 58.

6.0 PROJECT ANALYSIS

6.1 Appeal Issues

Glenn and Katherine Naphy filed a timely appeal of the P&D Director's decision to approve the Amendment. The appeal application (Attachment D) contains a letter summarizing the issues raised on appeal. These issues and staff's responses are included below.

Appeal Issue 1: Compliance with exterior lighting requirements. The Appellant states that the baseball pitching tent does not comply with Section 35.30.120.C.6.e (Outdoor Lighting-General Requirements) of the Land Use and Development Code.

Staff Response: LUDC Section 35.30.120.C.6 – Outdoor Lighting General Requirements, states (in pertinent part) the following:

e. Outdoor light fixtures used for outdoor recreational facilities shall be fully shielded (full cutoff) except when such shielding would cause impairment to the visibility required in the intended recreational activity. In such cases, partially shielded fixtures and downward lighting methods shall be utilized to limit light pollution, glare, and light trespass to a reasonable level determined by the Director.

The baseball tent structure is enclosed on the west and east ends and is open on the north and south ends. No exterior light fixtures are located on the structure. Four fully shielded, downward directed lights are installed inside the baseball tent to allow the baseball tent to be used by Dunn School students after dark and before 7 p.m. during late fall, winter, and early spring. The manufacturer specifications for the light fixtures are included in this staff report (Attachment G).

The "Outdoor Lighting Regulations for the Santa Ynez Valley Community Plan Area" (Santa Ynez Valley Community Plan, Attachment H) state (in pertinent part) the following:

b. All outside illumination that is not fully shielded (full cutoff) of any building and/or surrounding landscape, public or private, for aesthetic and decorative purposes is prohibited between 9:00 p.m. and sunrise.

c. No outdoor recreational facility with lights that are not fully shielded (full cutoff) shall be illuminated between 9 p.m. and sunrise except to complete a specific organized recreational event, in progress and under illumination at 9 p.m. Fully shielded lights are not subject to a time restriction.

Four fully shielded, downward directed lights are installed inside the baseball tent. Timers are installed on these light fixtures to ensure that the lights are turned off at 7 p.m. The timers are located in a locked box which is only accessible to Dunn School staff. Therefore, the project complies with exterior lighting requirements.

Appeal Issue 2: Compliance with Development Standards. The Appellant states that the Director applied the wrong standards in concluding that the baseball pitching tent structure met the requirements of the Land Use and Development Code. Specifically, the Appellant states that the decision to approve the project fails to comply with Section 35.21.050.C.4 (Development standards for agricultural development that does not require the approval of a Final Development Plan) of the Land Use and Development Code which states the following:

The development shall be compatible with the character of the surrounding natural environment, subordinate in appearance to natural landforms, and sited so that it does not intrude into the skyline as seen from public viewing places. At a minimum, the development shall comply with the following design standards:

1. *Exterior lighting shall be for safety purposes only and shall comply with the following requirements:*
 - (1) *Light fixtures shall be fully shielded (full cutoff) and shall be directed downward to minimize impacts to rural nighttime character.*
 - (2) *To the extent feasible, lighting shall be directed away from habitat areas, nearby residences, public roads and other areas of public use.*
- b. *Building materials and colors (earth tones and non-reflective paints) compatible with the surrounding natural environment shall be used to maximize the visual compatibility of the development and surrounding areas.*

Staff Response: The 3,500 sq. ft. baseball tent is 70 ft. long, 50 ft. wide, and 20 ft. tall. 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. Dunn School currently has recreational facilities including a track, swimming pool, practice field, gymnasium, baseball diamond, and lacrosse field, all of which are permitted with the Dunn School CUP Case Nos. 61-CP-70 and 79-CP-47. The baseball tent is located next to the baseball field and is sited approximately 100 ft. north of the lacrosse field in an area of the campus developed with sports fields and facilities. The massing of the structure is minimized by virtue of its location in and amongst the open athletic fields, and is therefore compatible with the surroundings at Dunn School.

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. The 20 ft. tall baseball tent remains under the maximum height of 35 ft. allowed in the AG-I zone district (Land Use and Development Code Section 35.21.050). With a 3,500 sq. ft. floor area, the baseball tent is similar in size to homes located in the project site area which generally range in size from 2,000 to 4,000 sq. ft. No exterior light fixtures exist on the baseball tent, and the four fully shielded light fixtures that are located inside are on timers to turn off at 7 p.m. Therefore, the baseball tent is compatible with the rural, agricultural, lightly developed area surrounding the parcel.

Appeal Issue 3: Compliance with Landscaping and Screening Requirements. The Appellant contends that the project fails to include landscaping, fencing, and/or walls adequate to properly screen the facilities. The Appellant cites Sections 35.26.020.E (Purposes of Special Purpose Zones – Recreation Zone) and 35.34.090.E (Special Purpose Zones Landscaping Requirements – Recreation Zone) of the Land Use and Development Code.

LUDC Section 35.26.020.E – Purposes of Special Purpose Zones – Recreation (REC) zone, states the following:

Recreation (REC) zone. The REC zone is applied to provide public or private open space areas appropriate for various forms of outdoor recreation. The intent is to encourage outdoor recreational uses that will protect and enhance areas with the potential to accommodate both active and passive recreation because of their beauty and natural features. Proposed recreational uses should compliment and be appropriate to the area because of the natural features.

LUDC Section 35.34.090.E – Special Purpose Zones Landscaping Requirements – Recreation (REC) zone states the following:

Recreation (REC) zone. A landscape plan shall be approved for all development within the REC zone. The landscape plan shall include, at a minimum, the following:

- 1. Landscaping, fencing, and/or walls adequate to property screen the facilities (e.g., tennis courts, concession stands, restrooms, and other structures) shall be provided with the lot is adjacent to a residential zone.*
- 2. Parking areas shall be landscaped in compliance with Section 35.34.100 (Landscaping Requirements for Parking Areas).*

Staff Response:

The project site is zoned Agricultural (AG-I-10). The sections cited by the Appellant in this appeal issue apply to projects located within the Recreation (REC) zone and therefore do not apply to the proposed project. Dunn School is bounded by Santa Ynez Street to the north, Highway 154 to the east, Roblar Avenue to the south, and private parcels to the west. The baseball tent is 2,210 ft. from Santa Ynez Street and 1,670 ft. from the west property line and is not visible from either direction due to existing mature trees, topography, and structural development. The baseball tent structure is 370 ft. from Highway 154 and is not easily visible to the public, because it is predominantly screened from views by structural development, mature trees, berms, and an existing sound wall.

The baseball tent structure is located approximately 780 ft. from Roblar Avenue and is visible to travelers on Roblar Avenue through gaps in the existing mature landscaping. The baseball tent structure does not intrude into the skyline as seen from Roblar Avenue and Highway 154. In order to further screen and soften views of the baseball tent structure from both Highway 154 and Roblar Avenue, the applicant is proposing to install new landscaping adjacent to the baseball pitching tent which 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. 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. The oak trees would be maintained for the life of the project (Condition No. 5).

Appeal Issue 4: Size of the Baseball Tent Structure. The Appellant states that the size of the baseball tent is excessive for the intended use. According to the Appellant, the pitching tent size and structure exceeds all Universities, Colleges, and High Schools in Santa Barbara County. The Appellant cites the East Beach batting cages located at 226 S. Milpas Street in Santa Barbara which houses 16 batting cages and is 1,000 sq. ft. in size.

Staff Response: The Land Use and Development Code does not stipulate a maximum allowable size for schools or outdoor recreational facilities. The baseball tent structure complies with all of the AG-I zone requirements, including lot coverage and building heights (Land Use and Development Code Section 35.21.050).

The baseball tent structure provides shade for three separate batting cages and is proposed to be used for pitching and batting practice by students year-round. The 3,500 sq. ft. baseball tent is 70 ft. long, 50 ft. wide, and 20 ft. tall. According to Practice Sports, baseball batting cages are typically at least 70 ft. long, 14 ft. wide, and 12 ft. tall (“Best Dimensions for a Baseball Batting Cage” Practice Sports, accessed on June 13, 2018: <http://www.practicesports.com/playbook/best-size-baseball-batting-cage/>). Livestrong.com states that batting cages are typically 55 ft. to 75 ft. long, 12 ft. to 14 ft. wide, and 10 ft. to 16 ft. tall (“What are the dimensions of a batting cage?” Livestrong.com, accessed on June 13, 2018: <https://www.livestrong.com/article/16181-dimensions-batting-cage/>). These dimensions allow for usage by right-handed and left-handed batters without moving the plate and without risking damage to the netting from back-swing contact. When it is raining, the inner netting can be removed in order to allow students to practice other outdoor sports, such as soccer. The size of the baseball tent is adequate to provide shade for three separate batting cages and to provide shelter for other outdoor sports. Sports facilities, such as batting cages, are typically provided by high schools when financially feasible.

6.2 Environmental Review

Approval of the proposed project, Case No. 17AMD-00000-00003, is exempt from environmental review based upon Sections 15303 [New Construction or Conversion of Small Structures] and 15314 [Minor Additions to Schools]. 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. Section 15314 exempts minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or 10 classrooms.

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. The 3,500 sq. ft. baseball tent proposed to be legalized is located in a developed area adjacent to an existing baseball diamond and lacrosse field. No increase in student capacity is proposed. Therefore, CEQA Sections 15303

and 15314 apply 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. See Attachment C for a detailed discussion of this exemption.

6.3 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
Biological Resources	
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-13</i> <i>The use of native landscaping shall be encouraged, especially in parks, buffers to adjacent native habitats, and designated open space.</i></p>	<p>Consistent: The project includes planting 21 new 24” box coast live oak trees (<i>Quercus agrifolia</i>), 15 of which would be planted along Roblar Avenue amongst the existing mature trees in order to infill unplanted areas. The remaining six oak trees would be planted around the east and south edges of the baseball tent structure to screen the tent structure from Highway 154. <i>Quercus agrifolia</i> are native to the project region. Therefore, the project is consistent with this policy.</p>
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 integrity of agricultural operations would not be violated by the proposed project. The project site is at Dunn School within the AG-I-10 zone. Residential uses and school facilities are permitted in the AG-I-10 zone district with a CUP. The residence to be converted is located in a developed area of the parcel near existing staff residences and a girls’ dormitory. The converted duplex would remain in the same building footprint as the approved project.</p> <p>The baseball tent structure is located next to the baseball field and approximately 100 ft. north of the lacrosse field in an area of the parcel developed with sports fields. This project would not result in conversion or loss of agriculture. 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. Therefore, the</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>project is consistent with this policy.</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 converted 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.</p> <p>The baseball tent structure is located in the south east corner of the project site adjacent to the existing baseball field and near the lacrosse field. At 20 ft. in height, the baseball tent does not intrude into the skyline and is compatible with the height of other structures on the project site and on adjacent agricultural lands.</p> <p>Intermittent public views of the project site are available from Highway 154 and Roblar Avenue. The baseball tent structure is located 370 ft. from Highway 154 and is predominantly screened from views from the highway by mature landscaping, topography, structural development, and an existing sound wall. The baseball tent structure is located 780 ft. from Roblar Avenue and is intermittently visible to travelers on Roblar Avenue through gaps in the existing mature landscaping.</p> <p>In order to further screen and soften views of the baseball tent structure from Highway 154 and Roblar Avenue, the project's landscaping plan includes the installation of 21 oak trees, 15 of which would be planted along Roblar Avenue amongst the existing mature landscaping in order to infill the gaps. The remaining six trees would be planted along the east and south edges of the baseball tent structure to screen views in from Hwy 154.</p> <p>The proposed project would be subject to the design specifications of the Central Board of Architectural Review (CBAR) and would be</p>
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	<p>required to receive Final Approval by the CBAR prior to Zoning Clearance Issuance (Condition No. 3). Therefore, the project is 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: Domestic water for the remodeled two-unit staff residence 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. The baseball tent structure does not include any plumbing fixtures. 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. Therefore, adequate public and private services and resources would be available to serve the proposed development, and the project 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 baseball tent structure does not include any wastewater treatment connections. Both units of the proposed duplex 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. Therefore, the project is 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>Consistent: The proposed project would be in conformance with the scale and character of the existing community. 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 3,500</p>

Santa Ynez Valley Community Plan

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.

Santa Ynez Valley Community Plan

Policy VIS-SYV-2

All plans for new or altered buildings and structures within the Design Control Overlay shall be reviewed by the Central Board of Architectural Review.

sq. ft. baseball tent is 70 ft. by 50 ft. and has a rounded roof with a maximum height of 20 ft. The structure is located in the sports field area of the campus. 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 baseball tent remains under the maximum height of 35 ft. allowed in the AG-I-10 zone district. The campus property is currently located in the Inner Rural area of Los Olivos in the Santa Ynez Valley. The staff residence and baseball tent structure are 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 practice structure.

The project would minimize impacts to open space views as seen from public roads and viewpoints and avoid destruction of significant visual resources. Neither the existing residential unit nor the proposed baseball tent structure intrude into the skyline as seen from public roads and viewpoints, including Roblar Avenue and Highway 154. The baseball tent structure is located 370 ft. from Highway 154 and is predominantly screened from views on the highway by mature trees, topography, structural development, and an existing sound wall. The baseball tent is located 780 ft. from Roblar Avenue and is intermittently visible to travelers on Roblar Avenue through gaps in the existing mature landscaping. The project includes new coast live (*Quercus agrifolia*) oak trees which would be planted along Roblar Avenue and around the baseball tent structure. The proposed landscaping would screen and soften views of the baseball tent structure from Highway 154 and Roblar Avenue.

The project is located within the Santa Ynez Valley Community Plan Design Control Overlay. The CBAR conceptually reviewed the proposed project on May 12, 2017, and

	<p>requested that the applicant return with proposals for screening the baseball tent structure. The CBAR also recommended that the applicant consider eliminating the lighting located inside the baseball tent structure. The approved minutes for the May 12, 2017, CBAR meeting are included in this staff report (Attachment E). 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 project would be consistent with these policies.</p>
<p><i>Santa Ynez Valley Community Plan Policy VIS-SYV-3</i> <i>The night sky of the Santa Ynez Valley shall be protected from excessive and unnecessary light associated with new development and redevelopment.</i></p>	<p>Consistent: The night sky of the Santa Ynez Valley would be protected from excessive and unnecessary light. Timers are installed on the four existing fully shielded downward directed light fixtures located inside the baseball tent structure to ensure that the lights are turned off at 7 p.m. Neither the staff residence nor the baseball tent would include exterior lighting. Therefore, the project is consistent with this policy.</p>

6.4 Zoning: Land Use and Development Code Compliance

The proposed project is located within the AG-I-10 zone district. The AG-I zone is applied to areas appropriate for agricultural use within Urban, Inner Rural, and Existing Developed Rural Neighborhood areas, as designated on the Comprehensive Plan maps. The intent is to provide standards that will support agriculture as a viable land use and encourage maximum agricultural productivity.

Pursuant to Table 2-1 of Section 35.21.030, which identifies permit requirements for school facilities, the proposed project is an allowed use in the AG-I zone district with a CUP. The proposed project will amend the Dunn School CUP Case No. 79-CP-47, as revised pursuant to revision Case No. 04RVP-00000-00018. Structures in the AG-I zone are required to comply with the following setback requirements: Front – 50 ft. from the road centerline and 20 ft. from edge of right-of-way; Side – 20 ft., 10% of lot width on a lot of less than 1 acre, with no less than 5 ft. or more than 10 ft. required; Rear – 20 ft., 25 ft. on a lot of less than 1-acre. The baseball tent structure is setback 30 ft. from the adjacent property line to the east, and over 900 ft. from the property lines to the north, south and west. The staff residence is setback 90 ft. from the western property line, and more than 800 ft. from the north, east and south property lines. The proposed amendment complies with all of the AG-I zone requirements, including lot coverage, building heights, setbacks, adequate services, and protection of agricultural resources (LUDC Section 35.21.050).

Since the proposed project amends the Dunn School CUP and is not associated with agricultural operations, the proposed project does not meet the LUDC definition of Agricultural Structural Development. Therefore, the development standards for Agricultural Structural Development set forth in Section 35.21.050 do not apply to this project. The proposed project is consistent with all applicable zoning requirements of the County Land Use and Development Code.

6.5 Subdivision/Development Review Committee

The Subdivision/Development Review Committee (SDRC) reviewed the proposed project on April 20, 2017. During the meeting, Environmental Health Services notified the applicant that the existing onsite wastewater treatment system must satisfy Regional Water Quality Control Board requirements in order to support the staff residence conversion from one to two units. Dunn School complied with all requirements, and on August 2, 2017, the Regional Water Quality Control Board notified P&D that there were no objections to the staff residence conversion.

6.6 Design Review

On May 12, 2017, the project was conceptually reviewed by the CBAR. The CBAR requested: 1) that the applicant return with proposals for screening of the baseball tent structure; and 2) consider eliminating the lighting located inside the baseball tent structure. The approved minutes for the May 12, 2017, CBAR meeting are included in this staff report (Attachment E). Pursuant to Condition No. 3, the project will be required to receive Final Approval from the CBAR prior to Zoning Clearance Issuance.

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 \$668.06.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval
- C. Exemption
- D. Appeal Application
- E. BAR Minutes dated May 12, 2017
- F. Reduced Project Plans
- G. Light Fixture Specifications

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 Sections 15303 and 15314. 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 applicant is proposing to convert an existing 1,463 sq. ft. staff residence which was proposed for removal under the approved Master Plan into two units. The staff residence 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. No changes will be made to the existing building footprint. The project also proposes to legalize an existing 20 ft. tall as-built steel framed 3,500 sq. ft. baseball tent structure. The tent structure is located on the eastern portion of the parcel near the baseball diamond and lacrosse field in a developed area of the parcel. The project includes planting 21 new coast live oak trees (*Quercus agrifolia*). 15 will be planted along Roblar Avenue, four will be planted around the east side of the baseball tent to screen from Highway 154, and two will be planted on the southwest side of the baseball tent to provide further screening from Roblar Avenue.

The 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. Therefore, the site is adequate in terms of location, physical characteristics, shape, and size to accommodate the level of residential and school facilities proposed. 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 Report dated August 23, 2018, herein incorporated by reference, the project is exempt from environmental review pursuant to CEQA Guidelines Sections 15303 and 15314. 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 conversion of the existing staff residence falls within this exemption. Section 15314 exempts minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or 10 classrooms. The baseball tent structure is located in a disturbed area on the project site and will not increase student enrollment. Neither the conversion of the existing staff residence nor the permitting of the baseball tent structure will create potential significant impacts on the environment. 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 via two existing 26' 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 and after the fact permitting of the baseball tent structure. No additional traffic will be generated by this project. 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 via 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 requirements. 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. The 3,500 sq. ft. baseball tent is 70 ft. long, 50 ft. wide, 20 ft. tall, and has a rounded roof. Timers are installed on the fully shielded lights located inside the baseball tent structure to ensure that the lights are turned off at 7 p.m. Dunn School currently has recreational facilities including a track, swimming pool, practice field, gymnasium, baseball diamond, and lacrosse field, all of which are permitted with the Dunn School Conditional Use Permit 79-CP-47. The baseball tent structure is located next to the baseball field and approximately 100 ft. north of the lacrosse field in an area of the parcel developed with sports fields and facilities. The tent structure'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. With a 3,500 sq. ft. floor area, the baseball tent structure is similar in size to homes and agricultural structures located in Los Olivos. 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 Report dated August 23, 2018, herein incorporated by reference, the project conforms to all applicable requirements of the Comprehensive Plan, the Santa Ynez Valley Community Plan, and the Land Use and Development Code. 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 the Planning Commission Staff Report dated August 23, 2018, incorporated herein by reference, the proposed amendment 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. 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. The baseball tent structure does not intrude into the skyline as seen from Highway 154 and Roblar Avenue. The fully shielded downward directed lights located inside the baseball tent structure have timers installed to ensure that they are turned off at 7 p.m. The baseball tent structure will be screened by 21 new oak trees to be planted along Roblar Avenue and around the baseball tent. 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. 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-G, dated September 12, 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. **Landscp-01 Landscape and Irrigation Plan.** The Owner/Applicant shall prepare a Landscape and Irrigation Plan comprising the 21, 24' box coast live oak trees designed to screen the project from surrounding land uses.
PLAN REQUIREMENTS: The plan shall include the following:
 - a. An agreement by the Owner to install required landscaping & water-conserving irrigation systems prior to final clearance.
 - b. An agreement by the Owner to maintain required landscaping for the life of the project.
 - c. Securities posted by the Owner for installation and maintenance securities per

requirements in the Performance Securities condition. Specify the amount and duration of installation and maintenance securities to ensure successful implementation of this plan by P&D if the Owner fails to do so.

- d. All project landscaping shall consist of drought-tolerant native and/or low-water use/Mediterranean type species.
- e. Project landscaping along Roblar Avenue and adjacent to the pitching tent shall adequately screen the project site from surrounding land uses.

TIMING: The Owner/Applicant shall submit 4 copies of the Plan to P&D processing planner for review & approval prior to Zoning Clearance Approval and install landscape and irrigation prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved plan are in place as required prior to Final Building Clearance.

5. **Landscape Requirements.** Proposed new oak tree plantings shall be maintained for the life of the project. Two performance securities shall be provided by the applicant prior to approval of Zoning Clearance, one equal to the value of installation of all items to be installed for the respective Zoning Clearance (labor and materials) and one equal to the value of maintenance and/or replacement of the items for 3 years of maintenance of the items. The amounts shall be agreed to by P&D. Changes to approved landscape plans may require a substantial conformity determination or an approved change to the plan. The installation security shall be released upon satisfactory installation of all items. If plants and irrigation have been established and maintained, P&D may release the maintenance security 2 years after installation. If such maintenance has not occurred, the plants or improvements shall be replaced and the security held for another year. If the applicant fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property. The installation security shall guarantee compliance with the provision below:

- a. Installation of landscaping and irrigation in accordance with the approved Landscaping Plan pertaining to this specific Zoning Clearance prior to occupancy clearance.

MONITORING: P&D shall inspect landscaping and improvements for compliance with approved plans prior to authorizing release of both installation and maintenance securities.

6. **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

7. **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].
8. **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.
9. **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].

IV. COUNTY RULES AND REGULATIONS

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

13. **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.

14. **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.

15. **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.

16. **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 Staff Residences, Interior Remodel, and As-Built Baseball Tent Structure Amendment

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 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 Exemptions
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guidelines Section: Sections 15303 [New Construction or Conversion of Small Structures] and 15314 [Minor Additions to Schools].

Reasons to support exemption findings: The proposed project is categorically exempt from environmental review pursuant to Sections 15303 [New Construction or Conversion of Small Structures] and 15314 [Minor Additions to Schools] of the *Guidelines for Implementation of the California Environmental Quality Act (CEQA)*.

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. Therefore, Section 15303 applies to the proposed project.

Section 15314 (Class 14) exemptions include minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or 10 classrooms, whichever is less. The 3,500 sq. ft. baseball tent proposed to be legalized is located in a developed area adjacent to an existing baseball diamond and lacrosse field. No increase in student capacity is proposed. Therefore, Section 15314 applies to the 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 as-built baseball tent, 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. Due to mature trees, a sound wall, topography, and development, the as-built baseball tent structure is only momentarily visible to travelers on northbound and southbound Highway 154, a state designated scenic highway. Proposed oak trees to be planted around the pitching tent would further screen the structure from public views along Highway 154. 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's uses, 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:** September 4, 2018

Acceptance Date: _____

distribution: Hearing Support Staff
Date Filed by County Clerk: _____

ATTACHMENT D: APPEAL APPLICATION

ATTACHMENT E: CBAR MINUTES DATED MAY 12, 2017

ATTACHMENT F: REDUCED PROJECT PLANS

ATTACHMENT G: LIGHTING SPECIFICATIONS