

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

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

June 20, 1997

All Saints by the Sea Episcopal Church
Dr. James Dow
83 Eucalyptus Lane
Santa Barbara, CA 93108

RE: 96-CP-070, All Saints By The Sea Remodel/Addition

Hearing on request of Susette Naylor, agent for All Saints By The Sea Episcopal Church, for a Conditional Use Permit allowing expansion and renovation of the existing facilities of All Saints by the Sea Episcopal Church; modifications to front, side, and rear yard setbacks under the provisions of Article II Zoned 15-R-1; and to approve Negative Declaration, 97-ND-08, pursuant to the CEQA, AP Nos. 009-343-001; 009-333-011; 009-332-002; 009-332-008, and 009-332-010, known as 75, 80, 83, 84, 89 Eucalyptus Lane and 76 Humphrey Road, Montecito area, First District.

Dear Dr. Dow:

At the Planning Commission meeting of June 4, 1997, Commissioner Relis moved, seconded by Commissioner Jenkins and carried by a vote of 5-0 to:

1. Adopt the required findings for the project specified in Attachment A, including CEQA findings;
2. Approve the Proposed Final Negative Declaration for the project (97-ND-08);
3. Grant the requested modifications to the 15-R-1 front, side, and rear setback requirements pursuant to Article II §35-172.12, including the following revisions made at the meeting of June 4, 1997:
 - To include front yard setback modifications to Humphrey Road;
 - To revise the rear yard setback encroachment for the day school to read 13 feet rather than 23 feet;

4. Approve the project subject to the conditions in Attachment B, including the following revisions made at the meeting of June 4, 1997:

- The "Activity Schedule and Average Attendance" table will be included within the project description in Attachment B rather than being referenced as an attachment.
- The "Activity Schedule and Average Attendance" table will be modified to reflect the attendance of 375 rather than 350 at the 9:30 a.m. service.
- Condition 6b. is added:

6b. The proposed driveway which would serve the rectory at 76 Humphrey Road shall be redesigned to insure preservation of the existing oak tree located at the southwest corner of that parcel. The redesigned driveway/garage shall avoid the dripline of this tree to the extent feasible. Plan Requirements: Revised plans which reflect the revision of the driveway shall be submitted to P&D for review and approval prior to coastal development permit approval. Revised plan shall reflect the fact that a eucalyptus tree near the carport south of the administration building has been removed.

5. Determine the project to be exempt from the Montecito Growth Management Ordinance.

The attached findings and conditions reflect the Planning Commission's actions.


Decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or any interested person adversely affected by such decision. Appeal applications may be obtained at the Planning & Development Department or the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within ten (10) calendar days of the date of the Planning Commission's decision.

The Planning Commission's decision may be appealed by the applicant, an aggrieved person, as defined under Section 35-58, or any two members of the Coastal Commission within 10 calendar days of the date of the Planning Commission decision. The public appeal period expired on June 16, 1997.

Planning Commission Meeting of June 4, 1997
All Saints by the Sea Episcopal Church, 96-CP-070
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If an appeal is filed, it shall be filed and processed in accordance with all provisions of Section 35-182.3 of the Coastal Zoning Ordinance. If this decision is appealed no filing fee is required since this project is appealable to the Coastal Commission under Section 35-182.4.2.

Sincerely,


Albert J. McCurdy
Secretary to the Planning Commission

xc: Case File: 96-CP-070
Planning Commission File
Richard Corral, Planning Technician
Energy Division, Planning Technician [project is within appealable coastal zone]
California Coastal Commission: 89 So. California St., Ste. 200, Ventura, CA 93001
Susette Naylor, Dennis Thompson Architects, 900 Philinda Ave., Santa Barbara, CA 93101
Montecito Association
Public Works, Road Division
Air Pollution Control District
Mary Anne Slutzky, Deputy County Counsel
County Surveyor
Planner: Jarret Gorin

ATTACHMENTS: A. FINDINGS
B. CONDITIONAL USE PERMIT WITH DEPARTMENTAL LETTERS

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ATTACHMENT A

**Findings
All Saints by the Sea Remodel/Addition
96-CP-070**

1.0 CEQA FINDINGS

- 1.1 The Planning Commission has considered the Negative Declaration together with the comments received and considered during the public review process. The negative declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA, and is adequate for this proposal.
- 1.2 The Planning Commission finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Santa Barbara County Planning Commission, Mr. Albert J. McCurdy, Planning and Development, located at 123 E. Anapamu St., Santa Barbara, CA 93101.
- 1.4 Public Resources Code Section 21081.6. requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation

2.0 ADMINISTRATIVE FINDINGS

2.1 Conditional Use Permit Findings

Pursuant to Section 35-172.8, a Conditional Use Permit application shall only be approved if all of the following findings are made:

- 2.1.1 *That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.*

The 3.81 acre project site is adequate in size, shape, and physical characteristics to accommodate the proposed structural additions to the existing church and expansion of the existing parking areas. The requested modifications to setbacks are necessary due to the location of existing structures on the site. The project site is large enough

to allow for location of the proposed structural additions and parking area expansion outside of the standard setbacks, however many of the existing structures (including historically significant buildings such as the church and the administration building) would need to be demolished or relocated. Therefore, the proposed project, which preserves the locations of existing structures, parking areas, and general appearance of the facilities is considered preferable, as it would allow the applicant to meet their design objectives with substantially less alteration of the project site. The site is relatively level and proposed development is concentrated adjacent to and within the building footprints of existing structures. The project site is located in a predominantly residential area and the existing use is compatible with surrounding development. The proposed remodel/expansion would not lead to a change of use or intensification of the existing use on the site.

2.1.2 That adverse environmental impacts are mitigated to the maximum extent feasible.

As summarized in Section 6.1 of the staff report and detailed in the Proposed Final Negative Declaration (ND), all potential significant project impacts would be mitigated to less than significant levels through implementation of the mitigation measures identified in the Proposed Final ND.

2.1.3 That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

Roadways and intersections in the project area are adequately designed to accommodate increased traffic associated with the proposed renovations and additions to All Saints by the Sea Episcopal Church. As discussed in Section 4.3 of the Proposed Final Negative Declaration, the "worst case" project (which assumes overcrowding of the proposed expanded facilities) would generate approximately 194 Average Daily Trips, 27 morning peak hour trips and 28 evening peak hour trips. This traffic increase would not result in a measurable change to the Level of Service on any roadway or at any intersection affected by the project. The project would also be consistent with the roadway and intersection standards of the Montecito Community Plan as discussed in Section 6.2 of the staff report (see policy consistency discussion for CIRC-M-1.6).

2.1.4 That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

Adequate public services exist to serve the proposed All Saints by the Sea Remodel/Addition. The project site lies within the five minute response zone for Montecito Fire Department Station #1. The site is located within the service area for the Montecito Water District, and the District has issued a Can & Will Serve Letter for the project. Service for the proposed structural additions through the

Montecito Water District does not have the potential to cause overdraft of the Montecito Groundwater Basin because water supplies for the Montecito Planning Area (including deliveries from the State Water Project expected within the year) exceed the projected water demand associated with full buildout under the Community Plan. The project site is currently served by the Montecito Sanitary District (MSD), which has sufficient capacity to serve the proposed expansion of the existing facilities. Sewer service would be provided through existing connections. The existing structures on the site have service connections to public utility infrastructure (gas, electricity, etc.) which could be easily extended to serve the proposed additions and the new rectory structure. Police protection services for the Montecito area are considered adequate. Existing public services are adequate to meet the demand of the proposed project.

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

The proposed project consists of several small additions to an existing church and would not be detrimental to the health, safety, or welfare of the surrounding area. Existing uses and average attendance for regularly scheduled functions and special events are included in the project description for the proposed Conditional Use Permit. The proposed additions to the existing All Saints by the Sea facilities are not expected to generate an intensification of the existing uses on the project site (i.e. substantial increases in enrollment) or allow for the addition of new uses which would be incompatible with the surrounding residential area. The remodel/addition would not generate long-term noise, odors, night lighting, or a substantial increase in traffic which could adversely affect the comfort or convenience of nearby residents.

- 2.1.6 *That the project is in conformance with the applicable provisions and policies of this Article II and the Coastal Land Use Plan.*

With granting of the requested modifications to allow for existing structures and additions within the 25 foot rear yard setback and parking areas within the 50 foot from roadway centerline front yard setback, the project would be in conformance with applicable provisions of Article II as discussed in Section 6.3 of the staff report. The proposed remodel/addition would be consistent with all applicable policies of the Coastal Plan, Noise Element, and Montecito Community Plan as discussed in Section 6.2 of the staff report.

- 2.1.7 *That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.*

The project is not located in a rural area.

- 2.1.8 *That the project will not conflict with any easements required for public access through, or public use of the property.*

Eucalyptus Lane, which passes between the eastern and western halves of the project site, is a public road with a road shoulder trail along each side. The proposed remodel/addition and reconfiguration of the existing parking areas would not conflict with public access along the roadway or trail. An existing sidewalk along the eastern side of Eucalyptus Lane would be retained as a part of the project and a decomposed granite footpath would be provided along the western side of the road.

- 2.1.9 *That the proposed use is not inconsistent with the intent of the zone district.*

As discussed in Section 6.3.1 of the Staff Report, the proposed project would not be inconsistent with the purpose and intent of the Article II, 15-R-1 zone district.

ATTACHMENT B

June 4, 1997

**CONDITIONAL USE PERMIT
ARTICLE II, CHAPTER 35
96-CP-070**

I. A Conditional Use Permit is Hereby Granted:

TO: All Saints by the Sea Episcopal Church

APN: 009-343-001; 009-333-011; 009-332-002, 009-332-008, and 009-332-010

PROJECT ADDRESS: 75, 80, 83, 84, and 89 Eucalyptus Lane; 76 Humphrey Road

ZONE: Article II, 15-R-1

AREA/SUPERVISORIAL DISTRICT: First

FOR: Church facilities and associated day school and philanthropic programs

II. This permit is subject to compliance with the following condition(s):

PROJECT DESCRIPTION

1. This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-G, dated June 4, 1997 and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the Planning Commission for conformity with this approval. Deviations may require modification to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The proposed project is a Conditional Use Permit to allow for expansion and renovation of the existing facilities of All Saints by the Sea Episcopal Church, including several additions to existing structures, conversion of an existing rectory to a new parish house, demolition of an existing residence and replacement with a new rectory, and reconfiguration and expansion of existing parking areas.

Parish Hall Remodel/Expansion: The project would include two additions to the Parish Hall located on the eastern portion of the site. A 330 square foot addition located at the northwest corner of the structure would provide new storage area, enabling the existing interior storage

area to serve other uses. This addition would also allow existing restrooms within the structure to be remodeled to facilitate handicapped access. An existing room that is currently utilized for infant care during Sunday services would also be expanded by 230 square feet. An existing deck located on the east side of the structure would be relocated adjacent the east side of the expanded infant room.

Day School Remodel/Expansion: An existing classroom, located at the southern end of the structure would be expanded by 196 square feet. A 403 square foot teacher's lounge and storage area would also be added to the northern end of this classroom, combining the two existing day school classroom buildings into a single structure. Both additions to the Day School would be located within the existing footprint of existing covered walkways.

Garage Conversion: An existing garage located approximately 68 feet south of the church, on the eastern side of the existing rectory would be converted to storage and the driveway leading to it would be removed and replaced with lawn area.

Rectory Conversion and Expansion/Remodel: The existing rectory (located south of the church) would be expanded and converted to a new Parish House. The structure's kitchen would be modernized and upgraded to serve indoor functions. A 651 square foot, two-story structural addition would be added to the southern side of the structure as part of the conversion. The addition would include 383 square feet of first floor area and 268 square feet of second floor area. The remodeled parish hall would have a 2,672 square foot building footprint and a maximum height of 25 feet above finished grade (the current height of the structure).

Hall Building Complex (Friendship Center and Community Building) Renovation/Expansion: The existing 3,712 square foot Hall Building Complex would be expanded by 1,410 sq. ft. A 1,251 sq. ft. structural addition would extend between the easternmost sections of the existing "U-shaped" building complex. This addition would house a lobby and administrative workspace to serve the Friendship Center adult day care program. A portion of the existing interior storage area in the Hall Building Complex would also be relocated to this addition. A 159 square foot resting room would also be added to the southern end of the "L-shaped" friendship center. The remodeled Hall Building Complex would have a 6,306 square foot building footprint and a maximum height of 19 feet above finished grade. The community center (located within the complex) would also undergo interior renovations. The paved area located between the north and south wings of the complex would be replaced with a landscaped interior courtyard. The structural additions are proposed to be aesthetically compatible with the existing structure.

New Rectory: An existing 2,224 square foot residence (located at 76 Humphrey Road) would be demolished and replaced with a new 3,506 square foot Rectory. The new rectory would have a 2,311 square foot building footprint and a height of 24 feet above finished grade.

Parking Area Reconfiguration and Expansion: The existing church facility has approximately 55,056 sq. ft. of parking areas and driveways with spaces for 131 vehicles. Twenty nine of the

existing parking stalls are non-conforming as to size. The project would involve reconfiguration and expansion of the existing parking areas to provide a total of 127 spaces on the project site. The reconfigured parking area and driveways would have a combined area of approximately 56,875 square feet.

Other Development: An existing informal outdoor meeting area between the rectory structure and the church would be graded and paved to serve as a formal patio, and to facilitate handicapped access to the Church and Parish House (converted rectory). The hardscaped patio area would occupy approximately 4,982 square feet. The project includes a landscape plan for the site which would retain existing trees on the site in addition to providing a large amount of new landscaping throughout the project site. Many of the new plantings would be located in landscaped buffer strips along the east and west sides of Eucalyptus Lane and around the renovated and expanded Hall Building. A crushed gravel pedestrian pathway would also be provided along the western side of Eucalyptus Lane.

The project would involve approximately 50 cubic yards of excavation and 275 cubic yards of fill. Access to the eastern half of the project site would be from two existing driveways (26 and 20 feet wide) onto Eucalyptus Lane and an existing 15 foot wide common driveway onto Eucalyptus Lane which also serves the Miramar Hotel (located north of the project site). Access to the western half of the project site would be from three existing driveways (onto Eucalyptus Lane and a 24 foot wide driveway onto Humphrey Road (which lies adjacent to the western site boundary). An existing 40 foot wide driveway located immediately east of the Hall Building Complex would be abandoned and closed off as part of the project. Water service and sewer service for the project would continue to be provided by the Montecito Water District and Montecito Sewer District respectively. All new utility connections to serve proposed development would be located underground.

This Conditional Use Permit incorporates all existing development on the project site, including the 6,835 square foot church, 3,850 square foot administration building, located south of the Hall Building Complex, and three single family residences (2,224, 1,629 and 585 square feet) located on the west side of Eucalyptus Lane in the southernmost portion of the project site, and three small storage sheds. No alterations to these structures are included as part of the project.

Existing Activities: This permit also incorporates the existing activities which take place within the All Saints by the Sea Facility (as indicated in the following table).

DAY		ACTIVITY	ATTENDANCE ¹
Sunday	a.m. ²	Church Service	375 ³
		Infant Care	5
		Choir Warm-up	25
		Child Care	45
		Sunday School	60
	Total	510	
	p.m. ⁴	Youth Groups	15
		Total	15
Monday	a.m.	Parish Day School	72
		Friendship Center	45
		Alcoholics Anonymous	30
		Total	147
	p.m.	Parish Day School	72
Friendship Center	45		
Alcoholics Anonymous	15		
Total	132		
Tuesday	a.m.	Parish Day School	72
		Friendship Center	45
		Total	117
	p.m.	Parish Day School	72
		Friendship Center	45
Vestry Meeting Cocaine Anonymous		18 30	
Total	165		
Wednesday	a.m.	Parish Day School	72
		Friendship Center	45
		Men's Bible Study	15
		Senior Search	20
		Total	152
	p.m.	Parish Day School	72
		Friendship Center	45
Total	117		
Thursday	a.m.	Parish Day School	72
		Friendship Center	45
		Rector's Bible Study	25
		Total	142
	p.m.	Parish Day School	72
		Friendship Center	45
		Choir Rehearsal Cocaine Anonymous	25 15
Total	157		

¹ Average attendance based on information provided by Dr. James Dow, Senior Warden, All Saints by the Sea Episcopal Church, April 1, 1997.

² 8:00 a.m. through 12:00 p.m.

³ Represents average attendance for at the 9:30 a.m. service, which has the highest attendance of the three services held each Sunday.

⁴ 12:00 p.m. through 9:00 p.m.

DAY	ACTIVITY	ATTENDANCE ¹	
Friday	a.m.	Parish Day School	72
		Friendship Center	45
		Alcoholics Anonymous	18
		Total	135
	p.m.	Parish Day School	72
		Friendship Center	45
		Women's Bible Study	10
		Alcoholics Anonymous	30
Total	157		
Saturday	a.m.	Holy Huddle	25
		Total	25
	p.m.	Setup for Sunday Services	4
		Total	4
Special Events and Non-Time-Specific Activities	Wedding	100	
	Funeral	50	
	Music Office	1	
	Discipleship Class	10	
	Lenten Series	60	
	Lunches/Suppers	50-100	
	Adult Education	20	
	Family Gathering for Funeral	10	
	Seder Celebration	70	
	Bridal Party Dressing	20	
	Leadership Meetings	10	
	Day School Group Activities	80	
	Day School Parent's Meetings	10	
	Altar Guild Luncheon Meetings	20	
	Ladies Night Out	25	
	National Trinity Institute Downlink Conferences	40	
	"BackStage" for Christmas Pageant	50	

No new activities or increases in the frequency or enrollment of the existing activities is proposed as part of the project.

MITIGATION MEASURES FROM 97-ND-08

- The applicant shall limit excavation and grading to the dry season of the year (i.e. April 16 to November 1) unless a Public Works approved erosion control plan is in place and all measures therein are in effect. In addition, to reduce the effects of dust generation resulting from grading, the soil shall be kept damp during grading activities. Exposed graded surfaces shall be reseeded with ground cover to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within 60 days of grading completion.

Monitoring: Permit Compliance shall site inspect during grading to monitor dust generation and 60 days after grading to verify reseeding.

3. In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.

Monitoring: P&D shall check plans prior to approval of a Coastal Development Permit and shall spot check in the field.

4. Proposed structural additions shall be constructed in a manner which reduces interior noise levels from exterior sources to a maximum of 45 dB. Prior to occupancy clearance, the applicant shall submit an acoustical analysis which indicates that interior noise levels do not exceed 45 dB. **Plan Requirements/Timing:** This condition shall be printed as a textual note on all sheets of the building plans prior to Coastal Development Permit approval.

Monitoring: Building & Safety shall determine that the proposed construction methods/materials are capable of reducing interior noise levels to 45 dB or less during final plan check, and verify results of the acoustical analysis prior to occupancy clearance.

5. Construction activity for site preparation and for renovations and additions shall be limited to the hours between 7:00 a.m. and 4:30 p.m. Monday through Friday and no construction shall be permitted during state holidays (e.g. Thanksgiving). 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:** A sign stating these restrictions shall be provided by the applicant and posted at visible location along Eucalyptus Lane. **Timing:** The sign shall be in place prior to Coastal Development Permit approval and throughout grading and construction activities.

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

- 6a. Any exterior night lighting installed on the project site shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the subject parcel, to prevent spill-over onto adjacent parcels. **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture shall be depicted on the final site plans.

Monitoring: Planning and Development shall review final plans for compliance with this measure prior to approval of a Coastal Development Permit for the project. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final site plans.

- 6b. The proposed driveway which would serve the rectory at 76 Humphrey Road shall be redesigned to insure preservation of the existing oak tree located at the southwest corner of that parcel. The redesigned driveway/garage shall avoid the dripline of this tree to the extent feasible. **Plan Requirements:** Revised plans which reflect the revision of the driveway shall be submitted to P&D for review and approval prior to coastal development permit approval. Revised plan shall reflect the fact that a eucalyptus tree near the carport south of the administration building has been removed.

CONDITIONAL USE PERMIT CONDITIONS

7. Within 24 months after the effective date of this permit (measured from expiration of a 10 day appeal period, or the date after the matter is heard and approved on appeal to the Board of Supervisors), construction and/or the use shall commence. Construction or use cannot commence until a Coastal Development Permit has been issued. Failure to commence the construction and/or use pursuant to a valid Coastal Development Permit shall render the Conditional Use Permit null and void.
8. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Coastal Development Permit from Planning and Development. The Coastal Development Permit is required by ordinance and is necessary to ensure implementation of the conditions required by the Planning Commission. Before a Coastal Development Permit will be approved by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available in Planning and Development.
9. Two performance securities shall be provided by the applicant prior to approval of a Coastal Development Permit, one equal to the value of installation of all items listed in section (a) below (labor and materials) and one equal to the value of maintenance and/or replacement of the items listed in section (a) 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 in section (a). If plants and irrigation (and/or any items listed in section (a) below) have been established and maintained, P&D may release the maintenance security 3 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) Landscaping, and associated irrigation, in accordance with the approved landscape plan 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.

10. Landscaping shall be maintained for the life of the project.
11. All applicable final conditions of approval shall be printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
12. Developer shall defend, indemnify and hold harmless the County or its agents, 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 the Conditional Use Permit. In the event that the County fails promptly to notify the 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.
13. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed.
14. This Conditional Use Permit is not valid until a Coastal Development Permit for the development and/or use has been obtained. Failure to obtain said Coastal Development Permit shall render this Conditional Use Permit null and void. Prior to the approval of the Coastal Development Permit, all of the conditions listed in this Conditional Use Permit that are required to be satisfied prior to approval of the Coastal Development Permit must be satisfied. Upon issuance of the Coastal Development Permit, the Conditional Use Permit shall be valid. The effective date of this Permit shall be the date of expiration of the appeal period, or if appealed, the date of action by the Board of Supervisors.
15. Any use authorized by this CUP shall immediately cease upon expiration or revocation of this CUP. Any CDP issued pursuant to this CUP shall expire upon expiration or revocation of the CUP. CUP renewals must be applied for prior to expiration of the CUP.
16. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed to be acceptance by the permittee of all conditions of this permit.

17. If the applicant requests a time extension for this permit/project, the permit/project 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. Mitigation fees shall be those in effect at the time of Coastal Development Permit approval.
18. Compliance with departmental letters:
 - a. Air Pollution Control District dated November 11, 1996
 - b. Building and Safety dated May 21, 1997
 - c. Public Works Roads Division dated May 23, 1997
19. 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 Coastal Development Permit 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.
20. Prior to approval of Coastal Development Permit, the applicant shall pay all applicable P&D permit processing fees in full.
- III. This permit is issued pursuant to the provisions of Section 35-172 of Article II of the Code of Santa Barbara County and is subject to the foregoing conditions and limitations; and this permit is further governed by the following provisions:
 - a. If any of the conditions of the Conditional Use Permit are not complied with, the Planning Commission, after written notice to the permittee and a noticed public hearing, may in addition to revoking the permit, amend, alter, delete or add conditions to this permit at a subsequent public hearing noticed for such action.

Planning Commission Meeting of June 4, 1997
All Saints by the Sea Episcopal Church (96-CP-070)
Attachment B - Conditional Use Permit
Page B-10

- b. A Conditional Use Permit shall become null and void and automatically revoked if the use permitted by the Conditional Use Permit is discontinued for more than one year.
- c. Said time may be extended by the Planning Commission one time for good cause shown, provided a written request, including a statement of reasons for the time limit extension request is filed with Planning and Development prior to the expiration date.

Al McCurdy
Deputy Director, Development Review Division
For JOHN PATTON, DIRECTOR

Date

xc: Minute Book (original copy)
Case File: 96-CP-070
Permanent File
Fire Department
Flood Control
Park Department
Public Works
Environmental Health Services
APCD
Zoning Compliance (if necessary)
County Surveyor
Deputy County Counsel
Owner/Applicant: All Saints by the Sea Episcopal Church, 83 Eucalyptus Lane, Santa Barbara, CA 93108
Engineer:
County Chief Appraiser (Variances, Conditional Use Permit)
Planner: Jarrett Gorin

F:\GROUP\DEV_REV\WP\CP\6CP070\ACTLTR.JN4



Santa Barbara County
Air Pollution Control District

TO: Department of Planning and Development
ATTN: Jarrett Gorin
FROM: Paula Iorio, Air Quality Specialist Aide *AI*
DATE: November 11, 1996
CASE #: 96-CP-070 Church Renovation/Addition (APN 009-343-001)

RECEIVED

NOV 14 1996

The Air Pollution Control District has reviewed the referenced case and offers the following:

- The APCD has no comment on this project at this time.
- The APCD recommends that the following conditions be incorporated into the Land Use Permit:
 - Applicant must be issued an APCD permit prior to construction or operation of this project.
 - Applicant must apply for an APCD permit exemption prior to land use clearance.
 - The applicant should determine whether the structure(s) proposed for demolition contains asbestos that is friable or has the potential to become friable during demolition or disposal. If the structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal.
 - Standard dust mitigation measures (dated September, 1996) are recommended for all construction and/or grading activities. The name and telephone number of an on site contact person must be provided to the APCD prior to issuance of land use clearance.

PCACORR/MERGLUR2.WP5

Attachment

cc: Dennis Thompson Architects, Agent
All Saints by the Sea Episcopal Church, Owner
Project File
TEA Chron File

Douglas W. Allard Air Pollution Control Officer
26 Castilian Drive B-23, Goleta, CA 93117 Fax: 805-961-8801 Phone: 805-961-8800

14
Our Vision: Clean Air



**County of Santa Barbara
Planning and Development**

John Patton, Director

May 21, 1997

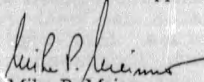
Jarrott Gorin, Planner P&D
Planning Commission

Re: 96-CP-70 All Saints by the Sea .Eucalytus Lane, Montecito Condition Letter

If this project receives Commission approval, then our Divisions conditions are:

1. A Building and Grading Permit will be required.
2. All roof and surface drainage shall be directed to the street for disposal.
3. Interior alterations as well as change of use to an existing structure may require special conditions which can be discussed in advance with any of our plan check personnel.

Thanks for the opportunity to respond.


Mike P. Meissner,
Supervising Inspector

cc: file

Building and Safety Division
123 East Anapamu Street • Santa Barbara CA 93101-2058
Phone: (805) 568-3030 Fax: (805) 568-3103

**COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT**

123 East Anapamu Street
Santa Barbara, California 93101
805/568-3000 FAX 805/568-3019



PHILLIP M. DEMERY
Director

May 23, 1997

Planning Commission
County of Santa Barbara
County Engineering Building
123 East Anapamu Street
Santa Barbara, CA 93101

Re: 96-CP-070
All Saints by the Sea
Eucalyptus Lane
APN 009-343-01

Dear Commissioners:

The Department of Public Works recommends the following conditions of approval:

1. New development, such as the development associated with the approval requested, which generates new peak hour trips, currently increases the costs for capital improvements required to service such increased road traffic by not less than \$1,300.00 per new peak hour trip. Analysis of this project reveals that it can be expected to generate 6 new peak hour trips. To mitigate the particular traffic impacts on area roads that can be seen to be caused by this development, developer shall, prior to Occupancy, make a payment of \$7,800.00 to the County to be deposited into the Road Improvement Trust Fund for Transportation related improvements identified on the Transportation Improvement Plan for the subject area.

The purpose of the payment required by this condition is to offset, in part, the increase in the costs for transportation related capital improvements that will be created by the new development.

The payment will be used to pay and/or reimburse County expenses incurred for engineering, design and construction of the improvements identified in the Transportation Improvement Plan for the area affected by the new development.

Rochelle Camozzi, Business Manager
Administration

Ronald S. Cortez, Deputy Director
Solid Waste & Utilities

Thomas D. Fayram, Deputy Director
Water Resources


Mark A. Schleich, Deputy Director
Roads & Transportation

Page 2.
May 23, 1997
96-CP-070

1. (cont'd)

Each year on the anniversary date of this letter, if said payment has not been made, the amount of said payment may be adjusted by the amount equal to the change in the construction cost index for the preceding year pursuant to "Cal Trans' Cost Data."

Sincerely,



Bret A. Stewart, P.E.
Senior Development Engineer

cc: Jarrett Gorin, P&D