



Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Elise Dale, Assistant Director

January 6, 2025

Henrik Nielsen
1695 Valle Vista Place
San Luis Obispo, CA
Via email at: henrikhn@aol.com

RE: Initial Feedback Letter

Recoup LLC Grading Case No. 23LUP-00139

0 Bell Street, New Cuyama, APNs 147-041-001 and -002, 147-043-001 to -014, and 147-044-001, -003, -004 to -011, -014 to -017, -023 to -036

Dear Mr. Nielsen:

Thank you for the application for a Land Use Permit to allow for 45,910 cubic yards of cut, 61,348 cubic yards of fill and 15,448 cubic yards of import grading, road, and underground utility construction for public roads within the Ranchoil Tract (Bk. 15/Pg. 287). Planning and Development (P&D) reviewed your application and determined that additional information is needed for processing and review of the proposed project for consistency with applicable State and County Land Use Development Code (LUDC) regulations. The purpose of this letter is to request additional information needed for processing and review of the proposed project and to provide you with initial advisories. Please submit the additional information required for review listed below.

Additional Information Required

- 1. Recorded Map Conflicts with County Development Standards.** Development pursuant to the recorded Ranchoil subdivision map does not meet current access standards. The Ranchoil subdivision map shows two access roads, Bell Drive and Superior Avenue, and alleys off Highway 166. The road labeled as Cassidie Drive on the plans does not have an existing 37-ft.-wide right-of way as shown. The Ranchoil Tract Map depicts the road labeled Cassidie Drive as a 20-ft. wide alley, which does not meet current width standards for private roads. If evidence of subsequent easements for Cassidie Drive exist, please provide them. Otherwise, please request that the new access easements be included in the project description for this permit application. Just as all other proposed development, the access must comply with all applicable Comprehensive Plan policy and zoning ordinance standards prior to permit approval. Please also be advised that an increased width to access easements over Cassidie

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Drive may affect parcels that are under separate ownership. See Advisory No. 1 below regarding changes to recorded subdivision maps.

2. **Revised Site Plans.** Please provide revised site plans showing the following:
 - a. the existing versus proposed public and/or private utility improvements.
 - b. if applicable, location of existing septic and proposed septic, plus 100% expansion area,
 - c. all existing and proposed public and private easements,
 - d. identify the species and DBH of tree(s) within development area and/or to be removed,
 - e. elevation detail of the proposed walls, and
 - f. clear depiction of directional flow of water run-off.
3. **County Driveway Standards.** Pursuant to Public Works Transportation Division, at this time the County may not take new roads into the maintained system with the exception of collector streets and arterial roads, unless authorized by the Director of Public Works. This is due to the massive maintenance backlog on the County's current road system. It appears that as currently designed the existing driveway configuration may not meet County standards for private roads. Please contact County Public Works via email at PWROWPermit@CountyofSB.org or by phone at (805) 803-8750 for North County to check if the driveway was previously approved. If not, please apply for a design exception from the County Public Works Transportation Division. Public Works will need plans stamped by a Civil Engineer with a substantiated reason for the exception.
4. **Fences and Walls.** As proposed, the 7-ft. to 9-ft. tall wall is located within required front setback area where walls more than 6-ft. in height require a Minor Conditional Use Permit pursuant to LUDC Section 35.30.070. Additionally, a wall on a corner lot shall comply with the vision clearance requirements in Section 35.30.090 (Height Measurement and Exceptions and Limitations) which states that the height limit for walls within a vision clearance area on a corner lot is 2.5-ft. above the adjacent curb grade or 3-ft. above the adjacent surface of pavement, whichever is less.
5. **Stormwater Control Plans for Tier 2 Projects.** Development projects that create or replace 1-acre or more of impervious surface (roofs or pavement) must incorporate specified measures to reduce runoff. This requirement is part of municipalities' comprehensive effort to reduce runoff pollution.

Please submit a Stormwater Control Plan that addresses site design and water quality treatment (Tier 2) and source control measures. You may see more information at this website <https://www.countyofsb.org/2324/New-Redevelopment>. Staff will forward your site plans to County Water Resources Division staff to confirm that the following design strategies have been incorporated into your project:

- Limit disturbance of creeks and natural drainage features;
- Minimize compaction of highly permeable soils;
- Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access, and provide fire protection; and

- Minimize impervious surfaces by concentrating improvements on the least-sensitive portions of the site, while leaving the remaining land in a natural undisturbed state.

The Stormwater Control Plan also requires that Tier 2 projects implement at least one of the following measures that help retain runoff onsite, which must be shown on site plans:

1. Disperse runoff from roofs or pavement to vegetated area;
2. Permeable pavement;
3. Cisterns or rain barrels; or
4. Bioretention facility or planter box.

- 6. Proposed Method of Water Supply.** Development pursuant to the recorded Ranchoil subdivision map does not meet current development standards for water service. The recorded Tract map stated water service to serve the Ranch Oil subdivision would be provided by private well. However, as of the date of this letter, the Ranch Oil subdivision was annexed to the Cuyama Community Services District. The following information is required in order to understand the how the project will be provided water service:
- i. If the project is proposed to be provided water service from an area water district or mutual water company, please provide an intent to serve letter from the serving district/company.
 - ii. If the project is proposed to be provided water service from a water well, please provide pump record reports and a water quality testing report in order to demonstrate that adequate quantity and quality of water exist to serve the proposed project.

For projects served by well water, please be advised that, prior to scheduling of the project for decision-maker action, documentation from the EHS (email or letter) must be received that finds that the proposed water service is adequate for the proposed development. Water systems with five or more connections require an application for a minor Conditional Use Permit, which is a separate application with fees.

- 7. Proposed Method of Sewage Disposal.** Development pursuant to the recorded Ranchoil subdivision map does not meet current development standards for sewer service. The recorded Tract map stated sewer service to serve the Ranch Oil subdivision would be provided by private septic. However, as of the date of this letter, the Ranch Oil subdivision was annexed to the Cuyama Community Services District. The following information is required in order to understand the how the project will be provided sanitary service:
- i. If the project is proposed to be provided sanitary service from an area sanitary district, please provide an intent to serve letter from the serving district.
 - ii. If the project is proposed to be provided sanitary service via a wastewater system, please provide the following information: 1) percolation tests demonstrating that the proposed system can accommodate the proposed project; 2) site plans showing all proposed elements of the system; 3) a copy of all application materials submitted to Environmental Health Services for the proposed wastewater system.

For projects served by a wastewater treatment system, please be advised that, prior to decision-maker action, documentation from the EHS (email or letter) must be received that finds that the proposed sanitary service is adequate for the proposed development.

- 8. Soils Engineering Report.** Because of the characteristics of the project site and grading quantity, a Soils Engineering Report, to be conducted by a licensed engineer, will be required for the proposed project. We will review the submitted site plan and future Soils Engineering report for project recommendations.

Resubmittal Instructions

Please upload all resubmittal materials to Case No. 23LUP-00139 in the Citizen's Access Portal at <https://aca-prod.accela.com/sbco/Default.aspx>. You must notify your assigned planner by email when all materials are uploaded. Additionally, all resubmittals must include a cover letter that describes all newly submitted materials, outlines any changes that were made to previously submitted materials, and responds to all requested items listed above.

Timely submission of the materials requested above will assist P&D in our review of the proposed project. Please email me at cruzt@countyofsb.org, if you have any questions or concerns regarding the requested items.

Project Description

Our initial review is based on the following project description. Please provide the missing information in the red-bracketed text:

The project is a request for a Land Use Permit to allow grading of approximately 45,910 cubic yards of cut, 61,348 cubic yards of fill and 15,448 cubic yards of import, associated with the construction of new 36-ft. wide paved roads, Bell Drive and Superior Avenue, and new 28-ft. wide paved road, Cassidie Drive, building pads and undergrounding utilities in the Ranchoil Tract (Bk. 15/Pg. 287). A total of [provide number / species] trees are proposed for removal. The parcel will be served by the Golden State Water Company, the Laguna Sanitation District, and the County Fire Department. Access will continue to be provided off Bell Drive. The property consists of 0.17-acre to 0.30-acre parcels zoned 15-R-1 and shown as Assessor's Parcel Numbers 147-041-001 and -002, 147-043-001 to -014, and 147-044-001, -003, -004 to -011, -014 to -017, -023 to -036 located at 0 Bell Street, in the New Cuyama Area, First Supervisorial District.

Please review this description carefully. If you believe the project description is incorrect or does not include components that you intend to include as part of the project (native tree or vegetation removal, lighting, etc.), please contact us as soon as possible.

Project Cost Estimate

Based upon our preliminary review, we estimate that processing of your project is preliminarily estimated to require approximately 45 planner hours. There are also fees for noticing and other costs for a total estimate of \$14,000.00 to complete P&D's action on the application as submitted, including time spent to date. Please refer to the enclosed Project Cost Estimate Worksheet for additional detail on this estimate. If unforeseen circumstances arise and we feel the cost estimate may be exceeded, we will inform you. Any security deposit balance remaining at completion of case processing will be refunded.

Starting next month, you will receive a monthly invoice for all unpaid charges on your account. All invoices must be paid within 30 days. Non-payment of an invoice will result in delays in the processing of the project.

Advisory Information and Potential Inconsistencies

Based on our preliminary review of your application, we offer the following advisory statements:

- 1. Modifications to Recorded Maps.** As designed, the project proposes changes to the access roads shown on the recorded Ranchoil Tract Map pursuant to changes in circumstance that occurred after recordation of the Ranchoil Tract Map. An application for modifications to a parcel map require a public hearing under the jurisdiction of the zoning administrator, and subject to Chapter 21 Section 21-15.9, Modifications to recorded maps, including the findings of approval copied below.

Chapter 21 Section 21-15.9.h

Findings. *Modifications to recorded final or parcel maps, lot split plats or lot line adjustments shall be approved only if all of the following findings can be made:*

- (1) There are changes in circumstances that make any or all of the conditions of such a recorded final or parcel map, lot split plat or lot line adjustment no longer appropriate or necessary.*
- (2) The modification does not impose any additional burden on the present fee owner of the property.*
- (3) The modification does not alter any right, interest or title reflected by the recorded final or parcel map, lot split plat or lot line adjustment.*
- (4) The recorded final or parcel map, lot split plat or lot line adjustment as modified conforms to the provisions of section 66474 of the California Government Code.*
- (5) The recorded final or parcel map, lot split plat or lot line adjustment as modified is consistent with the applicable zoning ordinance.*
- (6) The property for which the modification is sought is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, height and setbacks, and any other provisions applicable to the property for which the modification is sought, and such enforcement fees as established from time to time by the board of supervisors have been paid.*

(7) The recorded final or parcel map or lot line adjustment as modified does not result in an increased number of dwelling units or a greater density than the recorded final or parcel map or lot line adjustment.

(i) Final Action. Upon approval of the requested modification, the applicant shall submit to the county surveyor, consistent with such approval, either an amending map, certificate of correction or other documents as the county surveyor shall determine to be appropriate, which amending map, certificate of correction or other documents shall be recorded with the Santa Barbara County recorder.

(j) Certificate of Correction. A Certificate of Correction amending a final or parcel map shall be prepared in accordance with section 66470 of the California Government Code. Submittal requirements of the document shall include:

(1) Two copies of the certificate of correction;

(2) Current lot book guarantee or suitable document listing the present fee owners and all holders of record title interest of the real property affected by the certificate of correction;

(3) Assessor parcel numbers shall be listed on the certificate of correction for all affected property;

(4) Fees as prescribed by the board of supervisors.

2. Road Encroachment Permit. The proposed project contains elements that may extend into a Caltrans road right-of-way. Prior to issuance of the LUP, an Encroachment Permit from the Caltrans is required for any work within State right-of-way. Please contact Caltrans at email Shelby.Fredrick@dot.ca.gov for information on how and when to apply.

3. County Fire Department Approval. Prior to P&D approval of the LUP, documentation from the Fire District (email, stamped plan, or letter) must be received that finds that the proposed fire access and service is acceptable for the proposed development. Planning staff has transmitted your proposed plans to the Fire District.

4. Minimization of Grading. County policy requires that development minimize cut and fill and be designed to fit site topography and geology, and preserve natural landforms. Specifically, Land Use Element Hillside and Watershed Protection Policies 1 and 2 provide as follows:

a. Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.

b. All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

As designed, the proposed project may be inconsistent with these policies. The project involves 45,910 cubic yards of cut and 61,348 cubic yards of fill and is not balanced on site. Redesign of the project may be required to comply with these policies.

We encourage you to address these issues as early in the process as possible. Please contact me within the next week to discuss these changes to the project if you have any questions or concerns. Please feel free to contact me by email at cruzt@countyofsb.org. I look forward to working with you on this project.

Sincerely,



Tatiana Cruz, Development Review Division
Planning and Development Department
County of Santa Barbara
123 E. Anapamu St., Santa Barbara, CA 93101
Phone: (805) 568-2082
Fax: (805) 568-2020
Email: cruzt@countyofsb.org

cc: Case file (to Planner w/attachments)

Steve Simoulis
2159 San Luis Drive
San Luis Obispo, CA
Via email at: steve@sevenpeaksre.com
(W/attachments)

Attachments:
Cost Estimate Worksheet



Development Review Project Cost Estimate

This is not an invoice. Your assigned planner has prepared this cost estimate in order to advise you of the potential anticipated costs to process the proposed project. Please contact your assigned planner if you have any questions.

Case Name:	Case No(s):
Prepared by & Date:	Supervisor Approval & Date:

Planner Labor Costs¹

Project Review Task	Rate (\$/hour)	Estimated Hours	Cost
1. Application Review (Completeness/Initial Feedback)			
2. Site Visit			
3. Policy/Code Consistency Review (review of special studies, etc.)			
4. Meetings (applicant, resource agencies, other departments, etc.)			
5. Committee Meeting Attendance (SDRC, BAR, APAC, etc.)			
6. CEQA Document Preparation ²			
7. RFP and Consultant Contract(s) Preparation			
8. Prepare Staff Report and/or Board Agenda Letter			
9. Attend ZA, PC and/or Board Hearing(s)			
10. Permit Approvals/Issuance			
11. Case Closeout, Records Management, etc.			
12. Post-Approval Review			
13. Other:			
Subtotal Planner Labor			

Fixed Costs (some fees such as Board of Architectural Review and/or noticing may have already been paid at initial project intake)

Activity	Fee	Number	Cost
14. Board of Architectural Review – North, South, or Central			
15. Board of Architectural Review – Montecito			
16. APAC Hearing			
17. Zoning Administrator Hearing			
18. Montecito Planning Commission Hearing			
19. Planning Commission Hearing			
20. Noticing to Owners/Residents within 300 ft			
21. Noticing to Owners/Residents within 1000 ft			
22. Newspaper Display Advertisement			
23. Clerk of the Board Environmental Document Filing Fee			
24. Other:			
Subtotal Fixed Costs			

Total Cost Estimate

¹ The projected hours are for estimation purposes only. Your bills will reflect actual work completed.

² If document is not prepared by P&D, this will reflect cost of managing the EIR consultant.