

**CITY OF SOLVANG  
PLANNING COMMISSION**

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**MEETING AGENDA**

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**Monday, December 5, 2011 7:00 P.M.**  
Council Chambers – Solvang Municipal Center – 1644 Oak Street

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**Members:** Day Yeager, Chair; Kathi Hopkins, Vice-Chair;  
Aaron Petersen, Heather Lopes, Jennifer Sorensen

**Staff:** Arleen T. Pelster, Planning & Economic Development Director  
Dave Fleishman, Assistant City Attorney  
Lisa S. Martin, Associate Planner

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**PLEDGE TO THE FLAG**

**1. PRELIMINARY MATTERS:**

- A. **PUBLIC COMMENT:** Requests from the public to speak to the Commission on matters not on the agenda.
- B. Requests for continuance, withdrawals, or addition of ex-agenda items
- C. Approval of Minutes:  
August 1, 2011 – Regular Planning Commission Meeting

**2. PUBLIC HEARINGS ON NEW DEVELOPMENT AND CITY PROJECTS**

- A. **Copenhagen Court, LLC Development Plan Time Extension**  
**Location:** 1512-1516 Copenhagen Drive  
**APNs:** 139-174-002, -003  
**Planner:** Lisa S. Martin  
Hearing on the request of Copenhagen Court, LLC, owner, to consider a one (1) year time extension to an approved Development Plan related to TPM 30,072 and the development of four new two-story single-family dwellings, pursuant to Section 11-16-4-H of *Title 11 Zoning Regulations*; and accept the previous Notice of Exemption as adequate Environmental Review for the time extension, pursuant to §15332 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).

**3. PLANNING COMMISSIONERS' COMMENTS**

**4. PLANNING & ECONOMIC DEVELOPMENT DIRECTOR'S COMMENTS**  
(Oral reports only/no written materials provided in packet)

**5. ADJOURNMENT**

*In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the Office of Administrative Services at 688-5575 or the California Relay Service. Notification 48 hours prior to the meeting would enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

Distribution:

Planning Commission Members	SY Valley News
Board of Architectural Review Members	Parks & Recreation Commission Members – January only
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City Clerk (1 certified, 1 post)	Website (e-mail)

**CITY OF SOLVANG  
PLANNING COMMISSION**

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**DRAFT MEETING MINUTES**

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**Monday, August 1, 2011 7:00 P.M.**  
Council Chambers – Solvang Municipal Center – 1644 Oak Street

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**Commissioners Present:** Day Yeager, Chair; Kathi Hopkins, Vice-Chair;  
Aaron Petersen; Heather Lopes; Jennifer Sorensen

**Staff Present:** Arleen T. Pelster, Planning & Economic Development Director;  
Dave Fleishman, Assistant City Attorney;  
Lisa S. Martin, Associate Planner

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**CALL TO ORDER:** Commissioner Yeager called the meeting to order at 7:00 p.m.

**PLEDGE TO THE FLAG**

**1. PRELIMINARY MATTERS:**

**A. PUBLIC COMMENT:** Requests from the public to speak to the Commission on matters not on the agenda.

*None.*

**B.** Requests for continuance, withdrawals, or addition of ex-agenda items

*None.*

**C.** Approval of Minutes:  
June 6, 2011 – Regular Planning Commission Meeting

**Motion to approve as written by Commissioner Petersen and seconded by Commissioner Hopkins. Vote is 4-0 (Sorensen absent).**

**2. PUBLIC HEARINGS ON NEW DEVELOPMENT AND CITY PROJECTS**

**A. Santa Barbara Trust for Historic Preservation Lot Split (TPM 30,074)**

**Location:** 1945 Old Mill Road

**APNs:** 139-540-034, -024

**Planner:** Lisa S. Martin

Hearing on the request of Dr. Jarrell Jackman, Executive Director of the Santa Barbara Trust for Historic Preservation, owner, for approval of proposed Tentative Parcel Map No. 30,074 under Title 12, Subdivision Regulations, to divide one parcel of 9.29 acres into two parcels of 8.83 acres (Proposed Parcel 1) and 0.46 acre (Proposed Parcel 2) in the 20-R-1 Zone District and to accept a Categorical Exemption pursuant to Section 15315 of the State Guidelines for the Implementation of the California Environmental Quality Act (CEQA).

*Commissioner Petersen must step down as he owned the property six months ago.*

*Dave Fleishman noted that he may stay in the room and speak as a member of the public as he has a personal interest as well as first amendment rights.*

*Staff presentation by Lisa Martin.*

*7:15 - Commissioner Sorensen arrives.*

*Chair Yeager asked Commissioner Sorensen whether she had any conflicts or ex-parte contacts. None.*

*Chair Yeager asked Staff and City Attorney whether the noticing was properly completed. Dave Fleishman replied that publication was complete and mailed notices were sent out in a timely fashion to meet the requirement of ten days prior to hearing. Review of project may proceed.*

*Chair Yeager had a question relating to the five foot denied access easement. Dave Fleishman responded that as the City of Solvang is the holder of the easement, the City Council would have the authority to approve a modification to the easement, not the Planning Commission.*

*Commission takes five minute break to read public comment letters.*

*Applicant presentation by Jarrell Jackman.*

- Explained a little about the Trust for Historic Preservation and the history of the project and reason for the lot split. The Trust is not interested in ownership of newer single-family homes, so it makes sense for them to split the eastern portion of the parcel that contains the existing residence from the remainder of the parcel on the other side of the road so that they can sell it off separately.*
- Noted that the Trust would not be opposed to a revised Condition of Approval to delete the requested break in the 5' denied access easement from the project description.*
- Chair Yeager asked how the owners currently gain access to the property. Is it down the ramp from the Mission property?*
- Dr. Jackman answers that they currently use the gate at the end of Alamo Pintado to gain access. They have read the public comment letters and understand that the neighbors have concerns regarding public vehicular access to the property.*

*7:35 - Chair Yeager opened the public comment period.*

- Mike Stinson, 2140 High Meadow Road, has concerns regarding the use of High Meadow road for access to this property. Doesn't think the City of Solvang's 300 foot noticing requirement is sufficient. The notice was inadequate. The Trust did not explain to him the "new deal." Traffic safety is still a huge problem at the intersection of High Meadow and Highway 246. He will continue to object to the use of High Meadow Road as access to a State Park.*
- Pat Sullivan, 570 Ranch Road, did not receive the notice of public hearing. Does not have a problem with the easement on the south side if used only for agricultural purposes, since that strip of land was put there as a barrier against extending Alamo Pintado. What is the access to the new parcel? The current way to access the parcel is by a creek crossing.*
- Shawn Gran, 591 Ranch Road (old address 2007 High Meadow Road), just wants clarification as to how the Trust will access the new parcel and wants to be clear that they will not be able to access via High Meadow Road which is a private road which they not help maintain and does not meet minimum road standards for a public road.*
- Aaron Petersen, 1816 Old Mill Road, would like to help a little with the history of this property. In 2002 he processed a 4-way lot split, built a house on the vacant lot and later sold it to the Serruriers. During the lot split in 2002 the neighbors were very insistent that Alamo Pintado not be allowed to be extended south onto the County land. With the later 8-lot subdivision that he processed, the easement was modified to include access for agricultural, handicap, emergency, hiking/walking recreation. The County did not allow the grading permit for the access road and therefore the project was essentially dead, and he and his partner decided to process a Reversion*

to Acreage. Thinks Staff's recommendation to take the break in the access easement off the table tonight is a good solution.

- James Mills, 1660 Fredensborg Way, has worked with the Trust in the past and would like Solvang to recognize what an asset the Grist Mills represent.

7:52 - Chair Yeager closed the public comment period.

#### Planning Commission Comments

Commissioner Lopes feels that the lot split itself is beneficial, and would support access only for agricultural, recreational or similar purposes.

Commissioner Hopkins states that if they will be voting on the lot split only, then she is in favor.

Commissioner Sorensen asserts that her only concern would be with access through the easement.

Chair Yeager discusses the fact that we are not addressing potential future park access at this time as it is not agendized. Supports the lot split, it makes sense. Would recommend that when a future modification of the easement is requested, language similar to that of the 2008 Conditions of Approval be added. Asks for Staff clarification of the revised condition language relating to the denied access easement, and whether any changes would be required to the Resolution.

Arleen Pelster repeats wording of revised Condition No. 4, and advises that no changes would be required to the Resolution.

**Motion by Chair Yeager to adopt Resolution 11-08 and approve the Tentative Parcel Map subject to the Conditions of Approval as amended with the revision to Condition No. 4, and to accept the Categorical Exemption for the project pursuant to CEQA Section 15315. Motion seconded by Vice-Chair Hopkins.**

Vote is 5-0.

#### **B. General Plan Consistency Determination**

##### **Ten Year Capital Improvement Program**

**Location: Citywide**

**Planner: Arleen T. Pelster, AICP, Planning & Economic Development Director**

A review of the Capital Improvement Program (CIP) for FY 2011-2012 through FY 2020-2021, for a determination of conformity with the City's General Plan, pursuant to Government Code §65401.

*Staff presentation by Arleen T. Pelster, AICP.*

*Question from Commissioner Sorensen as to why their decision is required.*

*Arleen Pelster responds that pursuant to Government Code 65401, the Planning Commission is required to make the finding that public improvement projects are consistent with the jurisdiction's general plan.*

*Commissioner Petersen inquired as to the status of the improvements at Alamo Pintado and 246.*

*City Manager Vidro answers from the audience that it has been slow going through Caltrans.*

*8:20 - Chair Yeager opened the hearing to public comment.  
No public presentation regarding the project.  
Chair Yeager closed the public comment period.*

**Motion by Commissioner Petersen to adopt Resolution 11-09.  
Motion seconded by Commissioner Sorensen.**

**Vote is 5-0.**

**3. PLANNING COMMISSIONER'S COMMENTS**

- A. Chair Yeager very pleased with new Planning Director and would encourage other Commissioners to consult with Staff before any Planning Commission meeting if necessary.
- B. Commissioner Petersen has received complaints regarding the construction vehicles working on the cell site located at the Antique Center. Asks staff to monitor to make sure rules are complied with and encroachment permits obtained if necessary.

**4. PLANNING/COMMUNITY DEVELOPMENT DIRECTOR'S COMMENTS**

- A. Staff notes that a Conditional Use Permit application for a new cell site may be forthcoming, but no complete applications exist as far as scheduling a September PC meeting.

**5. ADJOURNMENT**

*Motion to adjourn by Commissioner Hopkins and seconded by Chair Yeager.  
Vote is 5-0.*

*Meeting is adjourned at 8:30 p.m.*



**PLANNING COMMISSION STAFF REPORT**

**COPENHAGEN COURT, LLC  
DEVELOPMENT PLAN TIME EXTENSION**

**MEETING DATE:** December 5, 2011

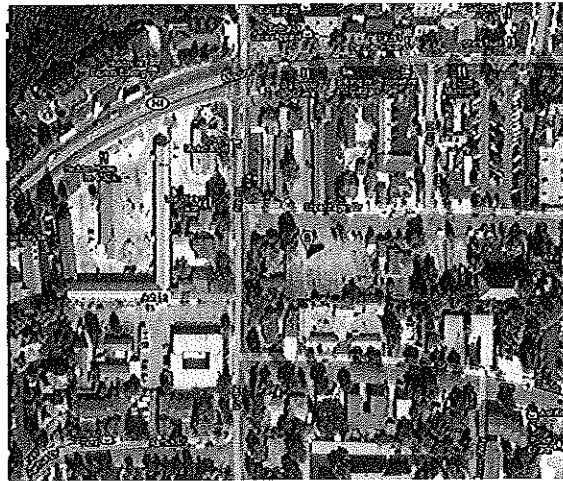
**TO:** CITY PLANNING COMMISSION

**FROM:** Lisa S. Martin, Associate Planner

**LOCATION:** 1512 & 1516 Copenhagen Drive  
(Located on southern side of Copenhagen  
approximately 80 feet east of the intersection of  
Fifth Street and Copenhagen Drive.)

**APN:** 139-174-002, -003

**APPLICANT/OWNERS:**  
Copenhagen Court, LLC  
2225 Hidden Hills Road  
Ballard, CA 93463  
(805) 688-5729



**REQUEST:** Hearing on the request of David R. Gowing and Roberta McGinnis, owners and managing partners for Copenhagen Court LLC, to consider a one (1) year time extension to an approved Development Plan for a Planned Unit Development pursuant to Section 11-16-4-H of Title 11 Zoning Regulations; for four new residential units to be constructed on four lots created by PM 30,072; and to accept the previous Notice of Exemption as adequate Environmental Review, pursuant to §15332 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).

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**I. RECOMMENDATION:**

- A. That the Planning Commission adopt Resolution 11-10, (Attachment A) approving the time extension to the Development Plan for a one-year period,

expiring October 16, 2012, subject to the attached Conditions of Approval (Attachment B) approved October 6, 2008, and;

- B. Accept the previous Notice of Exemption as adequate environmental review for the time extension, pursuant to §15332 of the Guidelines for the Implementation of CEQA.

## II. DISCUSSION:

The original development plan was approved with TPM 30,072 which split the two parcels into four (4) separate lots. The Board of Architectural Review approved the dwellings in a Northern European design as directed by the Planning Commission, on May 14, 2009. The development plan approval expired on October 16, 2011. The project consists of a planned unit development for four (4) new residential units with a reciprocal access easement for the private access drive to the four units; and modifications for reduced setbacks, an approximately eight-foot wall/fence along the southern property line, and total building coverage of 36.1% for the four parcels combined. No changes are proposed to the project.

The view at right shows the existing lots.

Staff is recommending that the Planning Commission grant a one-year time extension, until *October 16, 2012* based on the following:

The City Zoning Ordinance requires that a Development Plan expire three (3) years after approval *“unless substantial physical construction has been completed on the development, or a time extension has been applied for by the applicant.”* Since “substantial physical construction” had not been completed, the applicant submitted their application for a time extension prior to the expiration date as required by Zoning Ordinance, Section 11-16-4H, on October 14, 2011. The time extension was necessary due to the applicant encountering unexpected delays during the final process of map clearance and recordation of the Tentative Parcel Map, however, the parcel map did record recently, on October 27, 2011. The grading, drainage and public improvement plans are currently in plan check with the Public Works Department and it is estimated that the Grading Permit will be issued in January, 2012.



## III. ENVIRONMENTAL REVIEW:

A Notice of Exemption pursuant to CEQA Section 15332 (In-Fill Development Projects) was prepared and approved for the lot split and planned unit development in September 2008.

The approved project description has not been revised, and no changes are proposed. The environmental setting has not changed, and no new information has surfaced in connection with the proposed time extension. Therefore, no new environmental document is necessary. The original Notice of Exemption has been included in this staff report as Attachment D. All Conditions of Approval would remain in effect, unchanged.

**IV. DEVELOPMENT REVIEW COMMITTEE**

A formal Development Review Committee Meeting was not held for the time extension due to the relatively simple nature of the time extension request. No changes are proposed to the project.

**V. GENERAL PLAN AND ZONING ORDINANCE CONSISTENCY**

The project would remain consistent with all applicable policies of the General Plan and regulations of the Zoning Ordinance.

**VI. ATTACHMENTS:**

- A. Draft Resolution 11-10
- B. Conditions of Approval
- C. Site, Elevation and Floor Plans
- D. Original Notice of Exemption

ATTACHMENT A

PC RESOLUTION NO. 11-10

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF SOLVANG, APPROVING A ONE-YEAR TIME EXTENSION TO THE  
COPENHAGEN COURT LLC DEVELOPMENT PLAN, SUBJECT TO THE CONDITIONS OF  
APPROVAL; AND TO ACCEPT THE PREVIOUS EXEMPTION PURSUANT TO SECTION  
15332 OF THE STATE GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT.**

**THE PLANNING COMMISSION OF THE CITY OF SOLVANG HEREBY RESOLVES AS  
FOLLOWS:**

**WHEREAS**, the Planning Commission of the City of Solvang has considered the Copenhagen Court LLC Project, to allow a Vesting Tentative Parcel Map (#30,072) to create four parcels, and a Development Plan to allow for a planned unit development consisting of four new residential units with a reciprocal access easement for the private access drive to the four units; to allow a modification for reduced setbacks, to allow a modification for an approximately eight-foot tall wall/fence along the southern property lines of parcels 2 and 4, and to allow a modification for the building coverage of the four parcels combined not to exceed 36.1%, and for the building coverage of parcels 1 & 3 specifically not to exceed 36.5%, and for the building coverage of parcels 2 & 4 specifically not to exceed 35.8%; and

**WHEREAS**, the Planning Commission has held a duly noticed Public Hearing on the subject Time Extension to the Development Plan on December 5, 2011, at which time all interested persons were given the opportunity to be heard, and good cause was shown; and

Based upon all evidence presented at the December 5, 2011 public hearing, the Planning Commission of the City of Solvang makes the following findings in the matter of the applicant's request for a one-year of the Development Plan approval; and

**WHEREAS**, the Board of Architectural Review considered the architectural merits of the project on May 14, 2009, and found the proposed Development Plan proposal to be in compliance with the City Design Guidelines; and

**WHEREAS**, the Planning Commission previously approved the subject Development Plan (and associated TPM 30,072) proposal on October 6, 2008, continued from the hearing on September 2, 2008, and;

**WHEREAS**, the Planning Commission has previously reviewed this project in compliance with the California Environmental Quality Act (CEQA) and has determined that the project is Categorically Exempt pursuant to Section 15332; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Solvang hereby approves said Copenhagen Court LLC Time Extension to the Development Plan, subject to the Conditions of Approval included as Attachment B of the Staff Report dated December 5, 2011.

A one-year extension of the Development Plan is hereby granted until **October 16, 2012.**

On motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, the foregoing Resolution is hereby **adopted** by the following vote:

AYES:

NOES:

ABSTAINED:

DATE: December 5, 2011

APPROVED AS TO CONTENT:

APPROVED:

\_\_\_\_\_  
Arleen T. Pelster, AICP  
Planning & Economic Development Director

\_\_\_\_\_  
Day Yeager  
Planning Commission Chair

ATTACHMENT B

**CITY OF SOLVANG  
PLANNING COMMISSION**

**FINAL CONDITIONS OF APPROVAL**

**Copenhagen Court LLC Vesting Tentative Parcel Map (TPM 30,072) & Development Plan**

**1512 & 1516 Copenhagen Drive**

**APNs: 139-174-002 & -003**

**Adopted by Planning Commission on October 6, 2008**

Time Extension Approved by Planning Commission on December 5, 2011

The following proposed conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded with the Final Map as a "Notice Document":

**ORDER OF CONDITIONS:**

- A. Project Description
- B. Project Specific Conditions
- C. Prior to Map Recordation
- D. Prior to Issuance of any Land Use Permit, Grading or Building Permit
- E. Prior to Issuance of Certificate of Occupancy

**A. PROJECT DESCRIPTION:**

This Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked "Planning Commission Exhibit," dated October 6, 2008 and Conditions of Approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the City 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.

**The project description is as follows:**

A Vesting Tentative Parcel Map No. TPM 30,072 to divide two parcels totaling 14,316 square feet gross & net into four (4) parcels, as shown on the vesting tentative parcel map:

Proposed Parcel 1: 3,600 square feet gross/2,924.25 square feet net

Proposed Parcel 2: 3,558 square feet gross/2,987.25 square feet net

Proposed Parcel 3: 3,600 square feet gross/2,924.25 square feet net

Proposed Parcel 4: 3,558 square feet gross/2,987.25 square feet net

A Development Plan for a planned unit development consisting of four new residential units with a reciprocal access easement for the private access drive to the four units; a modification for reduced setbacks; a modification for an approximately eight-foot tall wall/fence along the southern property lines of proposed Parcels 2 and 4; a modification for the total building coverage of the four parcels combined not to exceed 36.1%, and for the building coverage of

Parcels 1 & 3 specifically not to exceed 36.5%, and for the building coverage of Parcels 2 & 4 specifically not to exceed 35.8%. Each residential unit would include a two-car garage.

**B. PROJECT SPECIFIC CONDITIONS:**

- B-1. Owner(s) shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and access road, as applicable. Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner, which will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
- B-2. The owner is responsible for notifying the City of any change in ownership of the subdivision in its entirety. The owner is also responsible for payment of all fees associated with the project up to the time of sale. If necessary, an additional deposit will be required from the new owner for processing the applications and appurtenant agreements, after which, the new owner(s) will be responsible for any fees.
- B-3. No recreational vehicles, boats or trailers shall be stored/parked in the front yard setback. However, recreational vehicles, boats or trailers may be stored in a garage.
- B-4. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day.
- Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
  - Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
  - Gravel pads must be installed at all access points to prevent tracking of mud on to public roads.
  - If importation, exportation, and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
  - After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure(s).

B-5. Since the building coverage for the entire project site is limited to 36.1%, and the building coverage for Parcels 1 & 3 specifically shall not exceed 36.5%, and the building coverage for Parcels 2 & 4 specifically shall not exceed 35.8%, each residential unit is limited to the first and second floor plans shown on the Development Plan. Additions to any of the four residential units shall be prohibited. However, interior remodels may be considered on a case-by-case basis.

B-6. The project is subject to the County Fire Department's conditions included in the letter dated July 18, 2008 (Attachment D, staff report).

B-7. All windows shall be casement, single-hung, double-hung or fixed.

**C. PRIOR TO RECORDATION OF THE PARCEL MAP, the owner shall submit the following evidence of completion to the Planning Department for review by both the Planning and Public Works Departments:**

C-1. The property owner shall sign acknowledgement of and agreement to comply with all of the adopted conditions of approval, prior to recordation of the Final Map.

C-2. Approval of Parcel Map shall not be deemed effective until the property owner has signed the Agreement to Comply with Conditions of Approval.

C-3. If the proposed map is revised from the approved tentative map, or if changes to conditions are sought, approval shall be in the same manner as for the originally approved tentative map.

C-4. Prior to recordation of the Parcel Map, the owner shall submit to the Planning Department for review and approval, 4 copies of a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer and the fee in effect at the time of submittal. Said map shall be recorded prior to issuance of any Land Use Permits.

C-5. A "Can & Will Serve" letter for water and sewer service shall be obtained from the City.

C-6. An executed Agreement for Land Development Improvements, prepared by the City Engineer, shall be submitted to the City Council with the Final Map. Said

Agreement shall guarantee the implementation of the required improvements within one year of recordation of the map.

- C-7. Prior to recordation, the applicant shall submit CC&R's for review and approval by the City Engineer and City Attorney. The CC&R's shall provide for shared maintenance responsibilities by all parcels for the landscaping, fencing and access, subject to approvals from the City Engineer and City Attorney. The CC&R's shall also include by reference responsibilities for all parcels to maintain property in compliance with all conditions of approval for the project. Planning Department staff will request that the approved CC&R's be recorded with the Final Map.
- C-8. The applicant shall submit with the Final Map, a Title Report dated not more than thirty (30) days from the date of submittal of the Final Map to the Planning Department, and for Public Works Director review and approval.
- C-9. The Vesting Tentative Parcel Map 30,072 shall expire 2 years after approval or conditional approval by the final decision maker unless otherwise provided in the Subdivision Map Act, Government Code Section 66452.6.
- C-10. Prior to recordation, the applicant shall include, as a note on a separate informational sheet to be recorded with the map, the dust control requirements referenced in Condition B-4. All requirements shall be shown on grading and building plans.

**D. PRIOR TO ISSUANCE OF ANY LAND USE PERMIT, GRADING OR BUILDING PERMIT, whichever is applicable, the applicant shall complete the following:**

- D-1. **Additional Permits Required:** 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 Land Use and Building and/or Grading Permit from the Solvang City Planning and Building Departments. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before the City will issue any Permit, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. **Plan Requirements:** The applicant shall submit to the Solvang Planning Department, four (4) complete sets of construction drawings consistent with City requirements for Land Use Permit review and approval.
- D-2 The applicant shall hold a pre-construction conference. The conference shall include representatives from the Public Works Department, Building Department, Planning Department, the applicant, and contractor(s). The following shall be finalized and specified prior to the start of construction:

- a. Hours of construction shall be limited to 7:30 am to 5:30 pm weekdays. No construction shall be allowed on Saturday, Sunday or State holidays except as approved in writing by the Public Works Director, or his designee.
  - b. Construction related truck-trips are to be scheduled during non-peak hours to help reduce truck traffic on adjacent streets and roadways.
  - c. The route of construction related traffic is to be established to minimize trips through surrounding residential neighborhoods.
  - d. Regular water sprinkling shall occur during site grading and the transportation of fill materials.
  - e. Trucks are covered when hauling grading material.
  - f. Maintain and clean public streets and sidewalks during grading and construction.
  - g. Tree protection measures are incorporated for all trees within 25' of construction activity or ground disturbance.
  - h. The street, whether public or private, shall not be used for storage of equipment or materials.
- D-3. Prior to issuance of Building Permits, the City shall approve plans for temporary runoff collection/retention to be in effect during construction.
- D-4. Driveways shall be located in such a manner as to not interfere with the street tree plantings, as shown on the Tentative Parcel Map, except for the one 7-inch City oak tree to be removed and transplanted (see condition D-9), unless written approval is obtained from the Public Works Director.
- D-5. Prior to issuance of Building Permits, the owner shall obtain a Fire Protection Certificate from the County of Santa Barbara Fire Department.
- D-6. Prior to issuance of Land Use Permits, Grading or Building Permits on the proposed parcels, the owner shall submit an application for addressing to the Santa Barbara County Fire Department. The address shall be posted on the property in a visible location, as approved by the Santa Barbara County Fire Department.
- D-7. Prior to issuance of Building Permits, all construction plans shall note the rules and regulations of the Santa Barbara County Air Pollution Control District regarding site preparation activities, which must be followed at all times.
- D-8. **BOARD of ARCHITECTURAL REVIEW (BAR):** The following shall be

subject to review and approval by the BAR, prior to issuance of Land Use Permits. Any changes to the following items after BAR approval shall require re-review and approval by the BAR prior to approval of any Land Use and/or Building Permits.

- Architectural Design
- Materials
- Colors
- Building Heights
- Landscaping
- Exterior Lighting

**Project Requirements:** Future development of the four residential units shall require Board of Architectural Review approval for Danish/Northern European building architecture, colors, and materials prior to the issuance of Land Use Permits (see Condition B-7 regarding windows).

**Exterior lighting,** where provided, shall be of low intensity and fully shielded (full cutoff) in order to promote safety, but shall in no way illuminate adjacent properties and/or uses, nor shall the light source be seen directly from off-site locations. Lighting shall be reviewed and approved by the Board of Architectural Review prior to the issuance of Land Use Clearance.

- D-9. Prior to issuance of Land Use Permits, the applicant shall remove the 7-inch City oak tree located within the curb cut area for the new access drive, and transplant the 7-inch City oak tree to a new location that is approved by the City's Public Works Director. The transplanted tree shall be evaluated by a City-approved arborist one-year from the date it was transplanted to assess the health of the tree. If the transplanted tree is in poor condition, it shall be replaced based on the City-approved arborist's recommendations, and the applicant shall be responsible for costs incurred.
- D-10. The project is subject to the County Fire Department's conditions included in the letter dated July 18, 2008 (Attachment E, staff report). See the letter for specifics that shall be addressed prior to issuance of permits.
- D-11. Executed Agreement for Land Development Improvements and improvement security for construction of landscape and public improvements.

**E. PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY for proposed parcels, the following shall be completed by the owner of the Real Property:**

- E-1. Repair any damaged public improvement (curbs, gutters, sidewalks, water valves, fire hydrants, manholes, etc) subject to the review and approval of the City Engineer.

- E-2. Provide individual water meters of the appropriate size for each dwelling unit at curbside, subject to review and approval by the Public Works Department. Installation shall conform to the Public Works Department Construction Standard Details.
- E-3. Place existing and new utility service lines underground from the nearest pole to each lot. All underground utilities shall be installed prior to final paving of roadways.
- E-4. Prior to issuance of the Certificate of Occupancy for proposed parcels, the applicant will provide a new sewer lateral for the proposed lots. The applicant shall pay any fees currently in effect for said wastewater service. All work shall conform to City Standards.
- E-5. Payment of the necessary fees as follows:
  - a. Water connection fee for each new lot as set forth in the Municipal Code.
  - b. Sewer connection fee for each new lot as set forth in the Municipal Code.
  - c. Traffic Mitigation fee as determined by the City Engineer.
  - d. All applicable processing and review fees.
- E-6. Landscape Plan of right-of-way shall be approved by the Public Works Director, and must be installed prior to issuance of Certificate of Occupancy. Right-of-way landscaping shall be preserved and maintained by the property owner(s).
- E-7. Prior to occupancy clearance, landscaping shall be installed according to the landscape plan approved by the Board of Architectural Review (BAR) at a future BAR meeting. Planning Department staff will inspect the landscaping to ensure compliance.
- E-8. A final inspection by each City department and Public Works Divisions, and a signature from a representative of each department signifying that no further actions are needed to comply with these conditions.
- E-9. The project is subject to the County Fire Department's conditions included in the letter dated July 18, 2008 (Attachment E, staff report). See the letter for specifics that shall be addressed prior to occupancy clearance.

NOTICE OF EXEMPTION

ATTACHMENT D

TO: County Clerk (Fax No. 568-2249)  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, CA 93101



FROM: City of Solvang, Tina Wilson, Associate Planner

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 City of Solvang Guidelines for the implementation of CEQA.

APNs: 139-174-002 & -003

Specific Location: 1512 & 1516 Copenhagen Drive

Project Title: Copenhagen Court LLC Vesting Tentative Parcel Map (TPM 30,072) & Development Plan

Project Description: The request of Copenhagen Court LLC for approval of Vesting Tentative Parcel Map No. 30,072 [application filed April 24, 2008] to divide two parcels totaling 14,316 square feet gross and net into four (4) parcels ranging in size from 3,558 square feet gross/2,987 square feet net to 3,600 square feet gross/2,924 square feet net, in the DR-20 Zone District, and a Development Plan for a planned unit development consisting of four new residential units with a reciprocal access easement for the private access drive to the four units; to allow a modification for reduced setbacks, to allow a modification for an approximately eight-foot tall wall/fence along the southern property lines of proposed parcels 2 and 4, and to allow a modification for the building coverage of the four parcels combined not to exceed 36.1%, and for the building coverage of parcels 1 & 3 specifically not to exceed 36.5%, and for the building coverage of parcels 2 & 4 specifically not to exceed 35.8%. Each residential unit would include a two-car garage. The property would be served by City water and wastewater systems. Access to the project site would be from Copenhagen Drive.

Name of Public Agency Approving Project: City of Solvang

Exempt Status: (Check one)

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect [§15061(b,3)]

Cite specific CEQA Guideline Sections:

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section. (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

Reasons to support exemption findings:

The four residential units are considered in-fill development, and consistent with the DR-20 (Design Residential) Zone District and General Plan policies. The property is within City limits, and the project site is less than one acre in size. The project would not result in any significant effects relating to traffic, noise, air quality or water quality. The property would be served by City water and wastewater systems. The property is located in an urbanized area and there are no known environmentally sensitive conditions present.

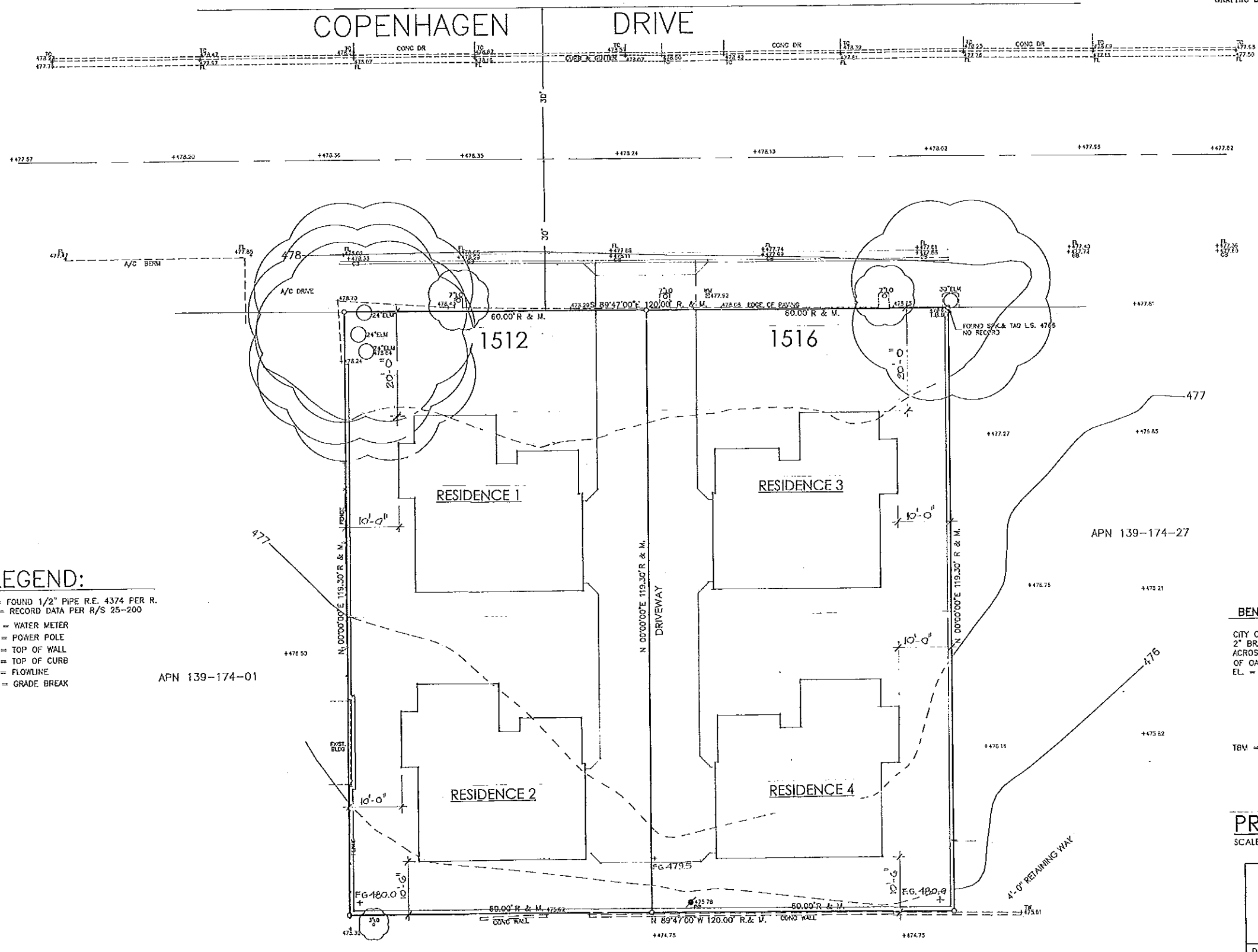
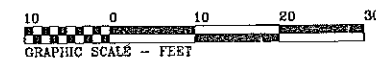
Lead Agency Contact Person: Tina Wilson

Telephone: 805-688-4414

Signature:

Date: 10/7/08

Acceptance Date: 10/6/08



**LEGEND:**  
 O = FOUND 1/2" PIPE R.E. 4374 PER R.  
 R = RECORD DATA PER R/S 25-200  
 WM = WATER METER  
 PP = POWER POLE  
 TW = TOP OF WALL  
 TC = TOP OF CURB  
 FL = FLOWLINE  
 GB = GRADE BREAK

**BENCHMARK:**  
 CITY OF SOLVANG BM 91-32  
 2" BRASS DISC ON TOP OF CURB, WEST SIDE OF 5TH ST.  
 ACROSS FROM SOUTHEASTERLY CCR. OF INTERSECTION  
 OF OAK ST. AND FIFTH ST.  
 EL. = 466.68 (1929 DATUM)  
 TBM = LARGE SPK. & TAG MKD. L.S. 4786 @ SOUTH  
 EDGE OF 30" ELM.  
 EL. = 478.62 (1929 DATUM)

**PROPOSED SITE PLAN**  
 SCALE: 1" = 10'-0"

TOPOGRAPHICAL MAP		
BEING A PORTION OF SUBDIVISION 6 OF TRACT 29 RECORDED IN R/S BOOK 25 PAGE 200 CITY OF SOLVANG SANTA BARBARA COUNTY, CALIFORNIA		
DATE: MARCH 2007	DRAWN BY: E. SORENSEN	SCALE: 1" = 10'
<b>CAL COASTAL ENGINEERING &amp; LAND SURVEYING, INC.</b> 375 Atsot Rd., Solvang, Ca. (805) 688-6556 93463 FAX 688-3966		A.P.H. 139-174-02.03 W.O. (GOWING) 2007-03-4898

PROPOSED DEVELOPMENT FOR  
**Copenhagen Court, LLC**  
 1512 and 1516 COPENHAGEN DRIVE  
 SOLVANG, CA 93463

A-2

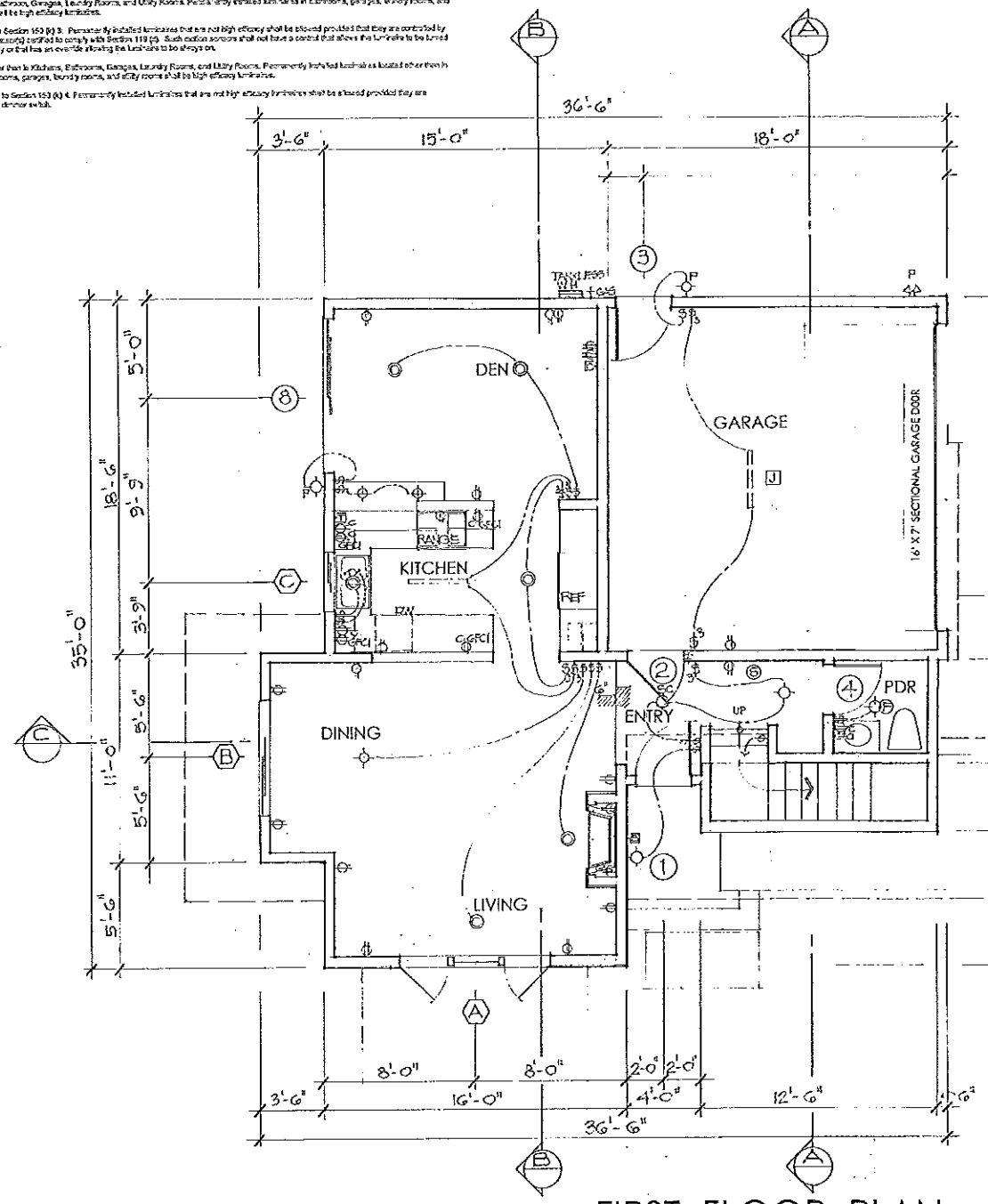
**ANGELO CACIOLA, ARCHITECT**  
 2200 HIDDEN HILLS ROAD, BALLARD, CA 93463 • 310.308.3333 • FAX 805.664.5546 • Accociola@aol.com

4/20/10

7. Residential Lighting  
 High Efficiency Luminaires for residential lighting shall contain only high efficiency lamps and shall not contain a medium base ballast. High efficiency lamps shall be as listed in TABLE 150-C. Ballasts for lamps rated 15 Watts or greater shall be electronic and shall have an output frequency no less than 20 kHz.  
 EXCEPTION to Section 150 (C) 1: High intensity discharge luminaires containing ballast electromagnetic ballasts in medium base ballast sockets shall be considered high efficiency luminaires for the purposes of meeting Section 150 (C) 1, provided they meet the criteria contained in TABLE 150-C.  
 NOTE: To determine the minimum lamp efficiency category only the watts of the lamp (not the ballast) are to be considered.  
 2. Lighting in Kitchens: Permanently installed luminaires in kitchens shall be high efficiency luminaires.  
 EXCEPTION to Section 150 (C) 2: Up to 50 percent of the total rated wattage of permanently installed luminaires in kitchens may be in luminaires that are not high efficiency luminaires, provided that these luminaires are controlled by an automatic device that allows the luminaire to be turned on automatically or that has an override allowing the luminaires to be always on.  
 3. Lighting in Bathrooms, Garages, Laundry Rooms, and Utility Rooms: Permanently installed luminaires in bathroom, garage, laundry room, and utility rooms shall be high efficiency luminaires.  
 EXCEPTION to Section 150 (C) 3: Permanently installed luminaires that are not high efficiency shall be allowed provided that they are controlled by an automatic device that allows the luminaire to be turned on automatically or that has an override allowing the luminaires to be always on.  
 4. Lighting other than in Kitchens, Bathrooms, Garages, Laundry Rooms, and Utility Rooms: Permanently installed luminaires installed other than in Kitchens, Bathrooms, Garages, Laundry Rooms, and Utility Rooms shall be high efficiency luminaires.  
 EXCEPTION 1 to Section 150 (C) 4: Permanently installed luminaires that are not high efficiency luminaires shall be allowed provided they are controlled by a dimmer switch.

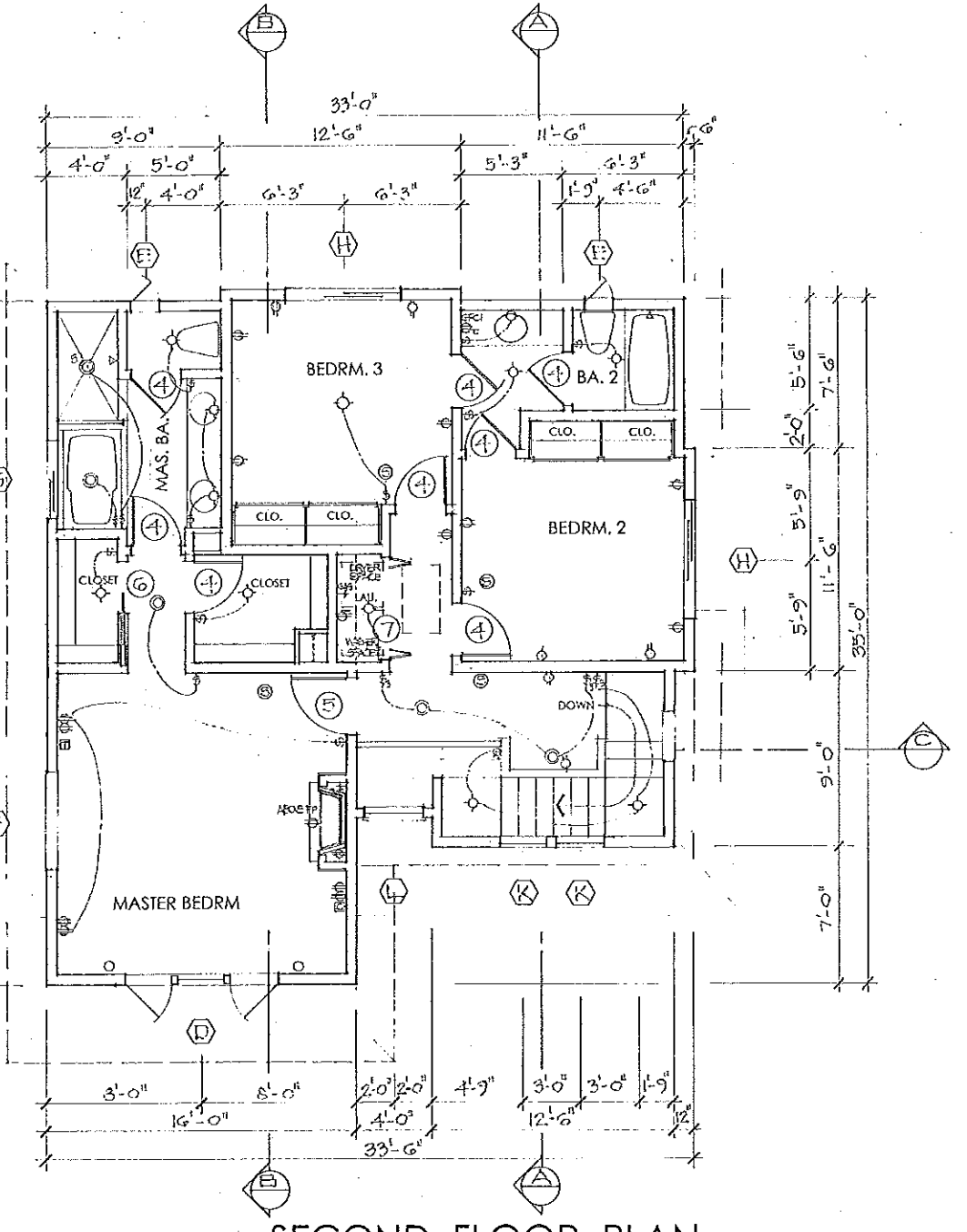
EXCEPTION 2 to Section 150 (C) 4: Permanently installed luminaires that are not high efficiency shall be allowed provided that they are controlled by an automatic device that allows the luminaire to be turned on automatically or that has an override allowing the luminaires to be always on.  
 EXCEPTION 3 to Section 150 (C) 4: Permanently installed luminaires that are not high efficiency luminaires shall be allowed in closets less than 75 square feet.  
 NOTE: Lighting in areas adjacent to the kitchen, including but not limited to dining and breakfast areas, are considered kitchen lighting if they are not separately controlled from kitchen lighting.  
 5. Recessed Luminaires in Insulated Ceilings: Luminaires recessed into insulated ceilings shall be approved for zero clearance installation over (ZC) by Underwriters Laboratories or other testing laboratory recognized by the International Conference of Building Officials, and shall include a label certifying as Type (A1) or similar designation in accordance with Section 24.04 of the 2019 California Building Code (CBC) or 157.04 of the 2019 California Building Code (CBC), and shall be tested with a gasket or seal between the housing and ceiling.  
 6. Outdoor Lighting: Luminaires providing outdoor lighting and permanently mounted to a residential building or to other buildings on the same lot shall be high efficiency luminaires.

EXCEPTION 1 to Section 150 (C) 6: Permanently installed outdoor luminaires that are not high efficiency shall be allowed provided that they are controlled by a motion sensor with integral photocontrol to comply with Section 118.10.  
 EXCEPTION 2 to Section 150 (C) 6: Permanently installed luminaires in or around swimming pools, water features, or other features subject to Article 603 of the California Building Code need not be high efficiency luminaires.  
 7. Parking Lots and Garages: Lighting for parking lots for eight or more vehicles shall comply with the applicable requirements in Sections 150, 112 and 147. Lighting for parking garages for eight or more vehicles shall comply with the applicable requirements in Sections 150, 141, and 148.  
 8. Common Areas of Low Rise Residential Buildings: Permanently installed lighting in the enclosed, non-dwelling spaces of low rise residential buildings with four or more dwelling units shall be high efficiency luminaires.  
 EXCEPTION 1 to Section 150 (C) 8: Permanently installed luminaires that are not high efficiency shall be allowed provided that they are controlled by an occupant sensor certified to comply with Section 118.10.



**FIRST FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

- Electrical Legend**
- Surface Mount Light
  - ⊕ Pendant Light
  - ⊙ Recessed Can Light
  - ⊕ Sconce Light (\*P\* indicates photo sensor)
  - Surface Fluorescent
  - ⊕ Exterior Utility Light (on Timer)
  - ⊙ Pole Light
  - ⊕ Fan plus Light (3 changes per hour)
  - ⊙ Hardwired Smoke Detector
  - ⊕ Switch (\*3\* indicates 3-way, etc.)
  - ⊕ Duplex Outlet (GFCI where indicated)
  - ⊕ C Counter Height GFCI Outlet
  - ⊕ Junction Box for Garage Door
  - ⊕ Cable Outlet
  - ⊕ Telephone Outlet
  - ⊕ Bell



**SECOND FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

PROVIDE 5/8" GYP. BD. TYPE "X" 1 HOUR FIRE-RESISTIVE CONSTRUCTION THROUGHOUT  
 SC INDICATES SELF-CLOSER & 20 MINUTE RATED DOOR.  
 ⊙ INDICATES APPROVED SMOKE DETECTOR (110 VOLTS) SMOKE DETECTORS SHALL RECEIVE THEIR PRIMARY POWER SOURCE FROM THE BUILDING WIRING AND SHALL BE EQUIPPED WITH BATTERY BACK UP AND LOW BATTERY SIGNAL. SMOKE DETECTORS SHALL BE LOCATED IN EACH SLEEPING ROOM & HALLWAY OR AREA GIVING ACCESS TO A SLEEPING ROOM, AND ON EACH STORY AND BASEMENT FOR DWELLINGS WITH MORE THAN ONE STORY.  
 ⊕ INDICATES FAN TO PROVIDE 5 A/R CHANGES PER HOUR  
 PROVIDE SCREENED VENTS IN GARAGE TO PROVIDE MIN. 1 SQ. FT. OF VENT FOR EA. 300 SQ. FT. OF GARAGE FLOOR AREA

NOTE: PLANS FOR PARCELS 3 & 4 ARE TO BE BUILT IN REVERSE

PROPOSED DEVELOPMENT FOR  
**Copenhagen Court, LLC**  
 1512 and 1516 COPENHAGEN DRIVE  
 SOLVANG, CA 93463

**A-3**

**ANGELO CACIOLA, ARCHITECT**  
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WEST

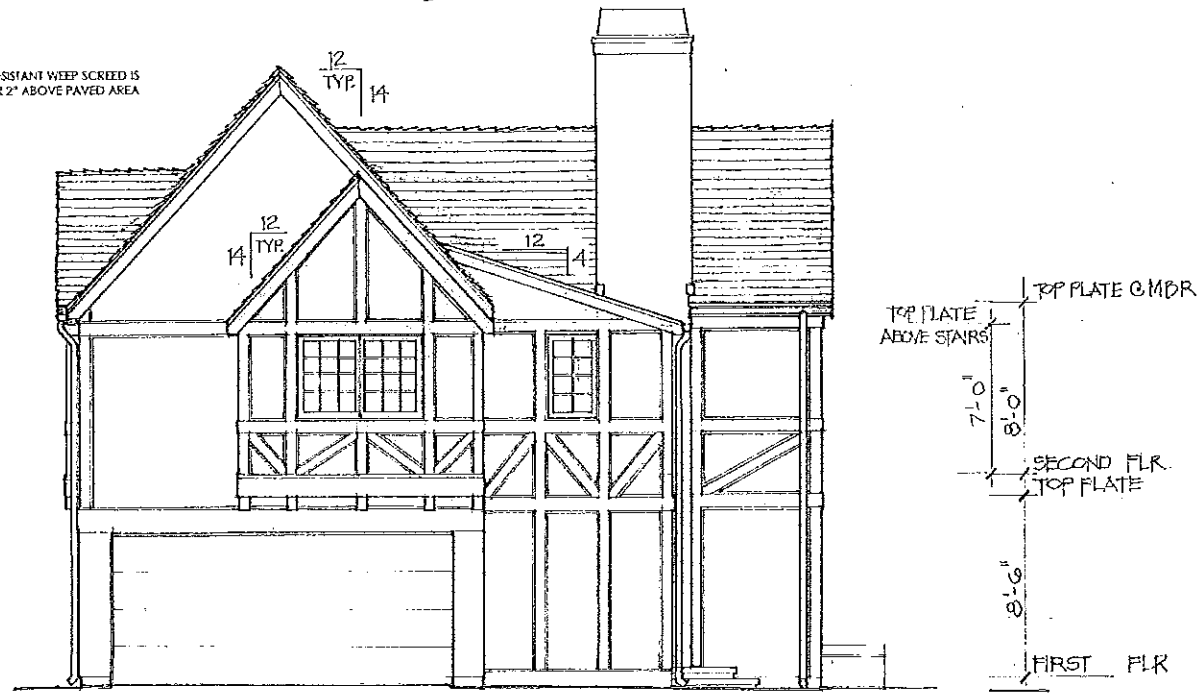
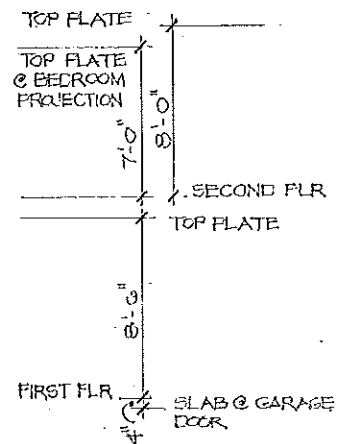


NORTH



SOUTH

- MATERIAL LEGEND:
- A) FIBERGLASS COMPOSITION SHINGLES
  - B) 2" X 10" PAINTED WOOD FASCIA W/ CLOSED SOFFIT
  - C) 2" X 12" WOOD PLANT-ON W/ Z-BAR FLASHING @ TOP
  - D) 1" X 4" WOOD PLANT-ON UNDER STUCCO LATH
  - E) 1" X 6" WOOD PLANT-ON UNDER STUCCO LATH
  - F) VINYL FRAME WINDOW
  - G) VINYL FRAME SLIDING DOOR
  - H) STUCCO
  - I) CORROSION RES. WEEP SCREED (A CORROSION RESISTANT WEEP SCREED IS REQUIRED BELOW STUCCO A MIN. OF 4" ABOVE EARTH OR 2" ABOVE PAVED AREA)



EAST

ELEVATIONS  
SCALE: 1/4" = 1'-0"

PROPOSED DEVELOPMENT FOR  
Copenhagen Court, LLC  
1512 and 1516 COPENHAGEN DRIVE  
SOLVANG, CA 93463

BUILDING TYPE 1

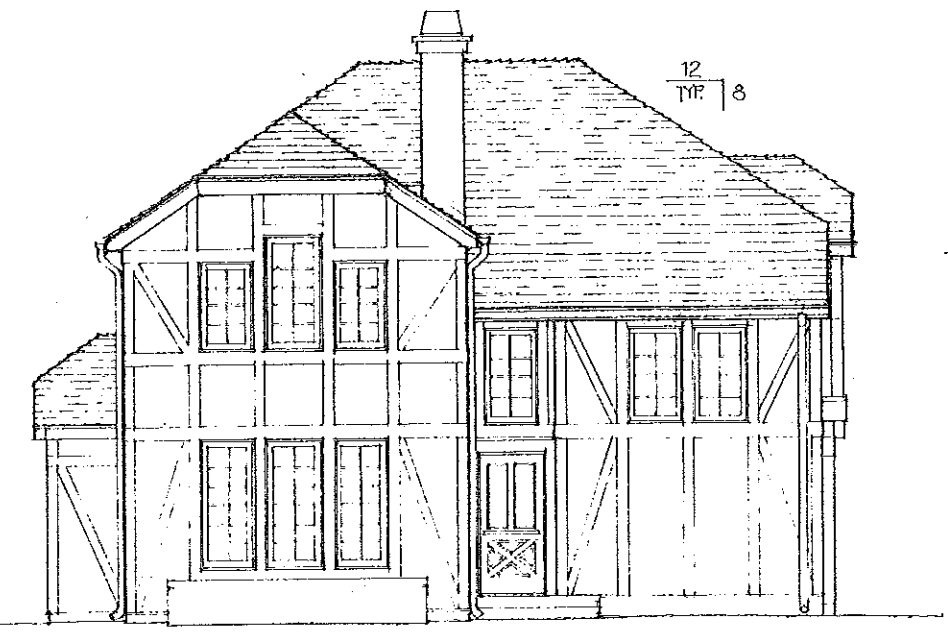
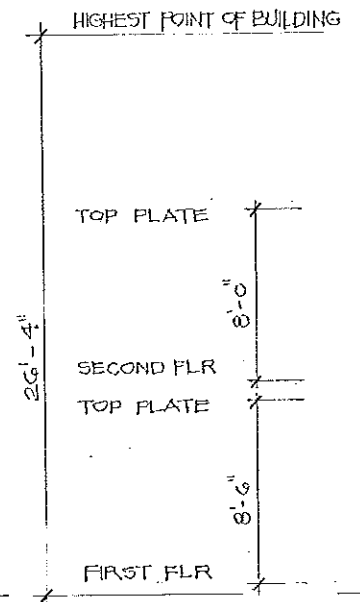
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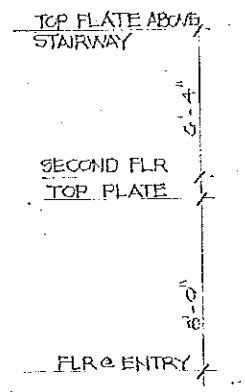
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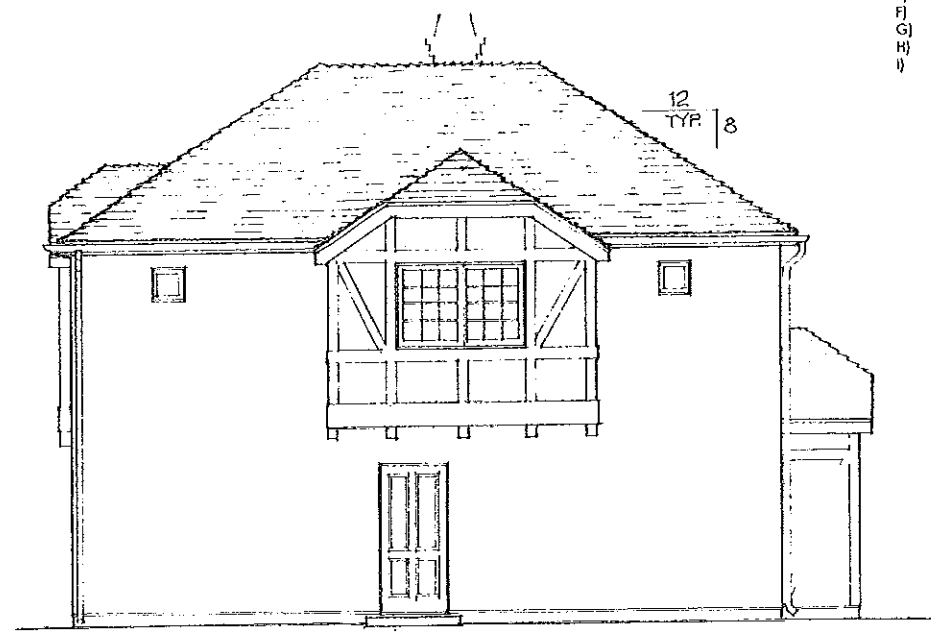
EAST



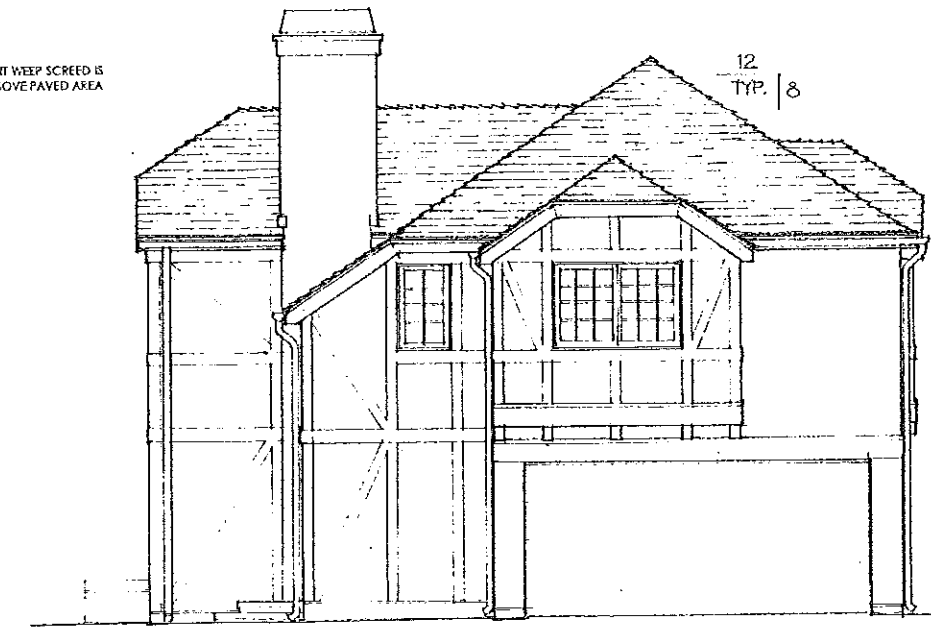
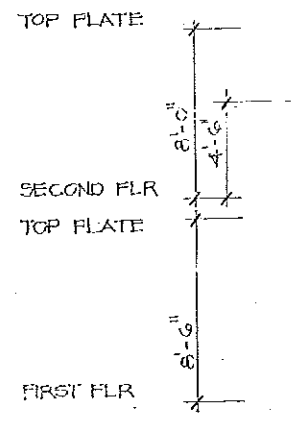
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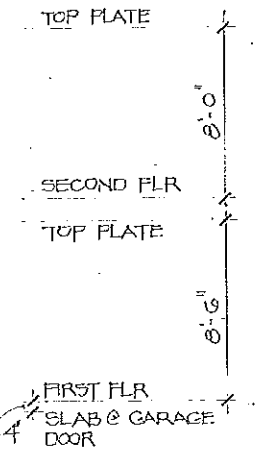
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SOUTH



WEST



- MATERIAL LEGEND:**
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  - B) 2" X 10" PAINTED WOOD FASCIA W/ CLOSED SOFFIT
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  - G) VINYL FRAME SLIDING DOOR
  - H) STUCCO
  - I) CORROSION RES. WEEP SCREED (A CORROSION RESISTANT WEEP SCREED IS REQUIRED BELOW STUCCO A MIN. OF 4" ABOVE EARTH OR 2" ABOVE PAVED AREA 91.2506.5)

**ELEVATIONS**  
SCALE: 1/4" = 1'-0"

PROPOSED DEVELOPMENT FOR  
**Copenhagen Court, LLC**  
1512 and 1516 COPENHAGEN DRIVE  
SOLVANG, CA 93463

BUILDING TYPE 2

A-6

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