

**CITY OF SOLVANG  
PLANNING COMMISSION**

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**MEETING AGENDA**

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**Monday, June 6, 2016 – 6:00 P.M.**  
Council Chambers – Solvang Municipal Center – 1644 Oak Street

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**Members:** Robert Clarke, Chair; Jack Williams, Vice-Chair;  
Aaron Petersen; Gay Infanti; Brian Chaney

**Staff:** Arleen T. Pelster, Planning & Economic Development Director  
Dave Fleishman, Assistant City Attorney  
Brynda Messer, Assistant 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.** Conflicts and/or Ex-Parte Communications
- D.** Approval of Minutes:  
May 2, 2016

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

**A. Development Plan – New Commercial Retail Building**

**Location: 1650 Copenhagen Drive**

**APN – 139-192-020**

**Planner: Brynda Messer**

**Request from Brian McInerney, Owner, to consider the approval of a Development Plan for a new 1,220 square foot (sq. ft.) commercial retail building with a 280 sq. ft. front patio and a 400 sq. ft. storage building, in the TRC zone district; and to accept the Categorical Exemption pursuant to §15303 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA).**

**3. PLANNING COMMISSIONER'S COMMENTS**

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

(Oral reports only/no written materials provided in packet)

**5. ADJOURNMENT**

CITY OF SOLVANG  
**PLANNING COMMISSION**

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**DRAFT MEETING MINUTES**

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Monday, May 2, 2016 6:00 P.M.  
Regular Hearing of the Planning Commission  
Council Chambers – Solvang Municipal Center – 1644 Oak Street

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**Commissioners Present:** Robert Clarke, Chair; Jack Williams, Vice Chair;  
Gay Infanti, Aaron Petersen

**Commissioners Absent:** Brian Chaney

**Staff Present:** Arleen T. Pelster, Planning & Economic Development  
Director  
Brynda Messer, Assistant Planner  
Dave Fleishman, Assistant City Attorney

CALL TO ORDER: Chair Clarke called the meeting to order at 6:00 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. Conflicts and/or Ex-Parte Communications

None.

D. Approval of Minutes:

April 4, 2016 –Regular Planning Commission Meeting

Commissioner Infanti asked that the minutes be amended to reference the letters

submitted by the public.

**Motion to approve made by Commissioner Infanti with changes and seconded by Commissioner Williams. Vote is 3-1-1, with Commissioner Chaney absent and Commissioner not voting.**

2. PUBLIC HEARING ON NEW DEVELOPMENT AND CITY PROJECTS

**Proposed Amendment to the General Plan for the Conservation, Open Space and Safety Elements**

Hearing to review updates to the General Plan/Open Space and Safety Elements and consider a recommendation for approval by the City Council.

Arleen Pelster presented staff report.

Commissioner Infanti asked if the MND had been corrected and Ms. Pelster responded yes.

Commissioner Petersen discussed Open Space near his home and whether or not it could be rezoned to Open Space. David Foote, from Firma, stated that when the General Plan Land Use Element is updated, those areas could be brought into the appropriate zoning.

Commissioner Williams requested the status of the upland wells. Matt van der Linden, Public Works Director, provided an update on the wells. Five have been drilled and the well at Hans Christian Andersen Park is the best developed well. He also discussed a future blending study for the wells. There was further discussion regarding water storage.

Commissioner Infanti referred to her memo and noted she had met with staff regarding minor changes for clarification. Ms. Pelster stated she would make the changes before taking the item to City Council. Commissioner Infanti stated the need for an implementation plan with a recommendation to City Council with a timeline and the responsible parties.

Commissioner Infanti stated there should be a view protection ordinance and a tree protection ordinance. Discussion followed regarding trees and views.

Commissioner Williams questioned the term “where possible” and asked if it can be deleted. Dave Fleishman responded saying they are guiding documents, not mandatory. Discussion followed regarding applying general plan amendments and the burden put on the applicant to prove why completing them is not feasible.

Commissioner Williams asked for several changes: Page 12 is too specific. Remove language “and keep bio-retention...” Page 37 AI.G. Page 65 City of Patterson, Page 38 remove 5.2 AI #B. 6.1 add support of green business program, and encourage businesses to obtain certifications. 6.4 AI C & E are redundant. Remove E. 7.2 need to add Action Item.

**Motion to approve resolutions with additional items made by Commissioner Williams and seconded by Commissioner Infanti. Vote is 4-0-1, with Commissioner Chaney abst.**

3. PLANNING COMMISSIONER’S COMMENTS

None.

4. PLANNING & ECONOMIC DEVELOPMENT DIRECTOR’S COMMENTS

5.

Arleen Pelster stated there would be a Planning Commission meeting in June.

6. ADJOURNMENT

Motion to adjourn at 7:11 p.m.



## PLANNING COMMISSION STAFF REPORT

### NEW COMMERCIAL RETAIL BUILDING DEVELOPMENT PLAN

Meeting Date: JUNE 6, 2016

**TO:** CITY PLANNING COMMISSION  
**FROM:** Brynda Messer  
Assistant Planner

**AGENT:** Paul Zink, Architect  
779 Calabria Dr.  
Santa Barbara, CA 93105

**OWNER:** Mr. Brian McInerney  
PO Box 40191  
Santa Barbara, CA 93140

**REQUEST:** Hearing on the request of Brian McInerney, owner of 1650 Copenhagen Drive, to consider the approval of a Development Plan and Modifications [application filed December 23, 2015] for the construction of a new commercial retail building with a front patio and a new storage building; within the TRC Zone District; and to accept a Categorical Exemption pursuant to Section 15303 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA).

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#### I. RECOMMENDATION:

- A. Adopt Resolution 16-03 (Attachment C) and approve the Development Plan and Modifications, subject to the Findings and the Conditions of Approval (Attachment A), and;
- B. Accept the Categorical Exemption (Attachment B), pursuant to Section 15303 of the Guidelines for Implementation of the California Environmental Quality Act; or

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

**II. BACKGROUND AND JURISDICTION:**

The previous use of this property was used as part of the parking lot for the previous RoboBank. Approximately 85% of the existing site is covered with asphalt paving.

This Development Plan relates to the construction of a new commercial building proposed in the TRC zone district.

Zoning Ordinance Section 11-7A-1-B.1 states:

*"No permits for development, including grading, shall be issued except in conformance with an approved development plan as provided in section 11-16-1 of this title."*

Since this is a new building, a Development Plan application was required for the project.

Zoning Ordinance Section 11-16-2-C.1, specifies that the Planning Commission has jurisdiction as decision-maker for all Development Plans.

**III. ISSUE SUMMARY:**

A. Aesthetics

The square footage of the new proposed commercial building is 1,220 square feet (sq. ft.) with a 280 sq. ft. front patio and a 400 sq. ft. storage building. The Board of Architectural Review (BAR) granted conceptual approval of the project at the January 14, 2016 meeting. The design complies with the City's Design Guidelines; historic Danish architecture is used with appropriate features and materials.

B. Parking

The number of parking spaces required for the project would be three (3). This parking requirement calculation is shown below:

1220 sq. ft. of retail area = 3 spaces (1 per 500 sq. ft.)

Modifications to the parking requirements may be granted by the Planning Commission per subsection 11-16-4G. The applicant is requesting two (2) parking modifications.

Zoning Ordinance subsection 11-11-4C4 reads as follows:

*"For nonresidential uses, parking areas shall be so designed that no vehicle shall be required to encroach into a street, alley or sidewalk when backing out of a parking space."*

Zoning Ordinance subsection 11-11-9 reads as follows:

*“A. Purpose: To implement the objectives of the city's general plan and to mitigate the adverse parking impacts caused by new retail and commercial development in the city, applicants for retail and general commercial development projects (as such projects are defined in this chapter) must: 1) provide three and six-tenths (3.6) on-site parking spaces per one thousand (1,000) square feet of gross floor area in accordance with the specifications set forth in this chapter; or 2) provide two (2) parking spaces per one thousand (1,000) square feet of gross floor area on-site and in accordance with the parking section of this code and pay a parking development fee (the "in-lieu parking fee") in lieu of providing one and six-tenths (1.6) additional parking spaces per one thousand (1,000) square feet of gross floor area; or 3) if the project involves the conversion of gross floor area which has been used for storage purposes to retail and/or commercial uses, pay a parking development fee in lieu of providing any parking on-site. The city council has determined that, for those developers who choose not to provide three and six-tenths (3.6) on-site parking spaces per one thousand (1,000) square feet gross floor area, such a parking development fee is necessary to: 1) finance the construction of alternative parking facilities within the city; and 2) pay for each such development's fair share of the construction costs of those parking facilities. In establishing the in-lieu parking fee, the city council has found such a fee to be consistent with its general plan.”*

Due to the narrow width of the lot, any parking space provided on site would result in requiring the vehicle to back onto Molle Way. The lot is also too small to provide 3.6 or 2 parking spaces per 1,000 square feet. Therefore, the applicant has requested two (2) modifications to facilitate development of the site.

The applicant proposes to locate one (1) accessible van space on the site, and to pay in-lieu fees for the two additional parking spaces according to Zoning Ordinance Section 11-11-9.

With the requested modifications, the project is consistent with the parking requirements of Zoning Ordinance Section 11-11-7.

**IV. PROJECT INFORMATION:**

**A. Site Information**

Land Use Designation:	Tourist Commercial
Zoning:	TRC, Tourist Commercial
Present Development and Use:	Vacant
Surrounding Uses/Zoning:	North: Retail / TRC South: Retail/TRC East: Retail / TRC West: Retail / TRC
Access:	Primary access would be pedestrian from Copenhagen Drive. Vehicular access into the

	parking lot is from Molle Way (public alley).
Public Services:	Water: City of Solvang Sewer: City of Solvang Fire: County of Santa Barbara/City of Solvang

**B. Project Description**

The applicant, Brian McInerney, has proposed a Development Plan application to construct a 1,220 square foot retail building with a 280 square foot front patio at Copenhagen Drive. Also an additional 400 square foot storage building will be constructed at the rear of the property. Since the existing condition of the parcel is relatively flat, less than 50 cubic yards of grading is proposed for the project. Storm water will be addressed by discharge to the alley following the existing historical runoff.

**V. FINDINGS REQUIRED FOR APPROVAL:**

- 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 lot size is 3,250 square feet. The proposed building(s) are adequate in regard to shape, location and physical characteristics.

- 2. That significant environmental impacts are mitigated to the maximum extent feasible.*

The proposed project is categorically exempt from CEQA, and no significant environmental impacts are anticipated.

- 3. That streets and highways are adequate and properly designed.*

The proposed use is not anticipated to greatly increase the number of people or amount of traffic in the area. First Street, Molle Way, and Copenhagen Drive have served the area without incident.

- 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 are available to serve this project.

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

This proposed project is compatible with the surrounding Tourist Commercial uses and should not be detrimental to the legal, non-conforming residential use located farther south on First Street.

6. *That the project is in conformance with the applicable provisions and policies of this title and the general plan.*

This project is in conformance with all applicable provisions and policies of the Zoning Ordinance and the General Plan.

**VI. DEVELOPMENT REVIEW COMMITTEE:**

A formal Development Review Committee (DRC) Meeting was not held for the Development Plan request due to the relatively simple nature of the project. Instead, the request was reviewed by the City Engineer, and Fire Chief. Their conditions are included in Attachment A.

**VII. ZONING ORDINANCE CONSISTENCY:**

The proposed project would be consistent with all applicable regulations of the TRC Zone District, Zoning Ordinance, Title 11.

**VIII. GENERAL PLAN CONSISTENCY:**

The project would be consistent with the following applicable General Plan policies:

**Land Use Element:**

Policy 1.2: Provide a mix of commercial uses to promote both the tourist economy and the needs of residents.

Policy 2.2: Ensure that commercial development is located conveniently and is consistent with the Community Design Element of the General Plan.

**Community Design Element:**

Policy 5.e: The city shall require orientation of shops to pedestrian traffic rather than automobile traffic in the Village theme area.

**IX. ENVIRONMENTAL DETERMINATION:**

The project was determined to be exempt from environmental review, pursuant to §15303 of the Guidelines for the Implementation of the California Environmental Quality Act. This section specifies: *“15303. New Construction or Conversion of Small Structures: Class 3 consists of construction and location of limited new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.”*

***Commercial Retail Building***

*Hearing Date: June 6, 2016*

*Page 6 of 6*

The proposed project consists of activities that fall within these categories. Please see Attachment B (Notice of Exemption) of this staff report for additional information.

**Attachments:**

- A. Conditions of Approval (Draft)
- B. Notice of Exemption
- C. Draft Resolution 16-03
- D. Full-Size Plans (Planning Commissioners only)

ATTACHMENT A

**Draft Conditions of Approval**  
**Retail Store – 1650 Copenhagen Drive APN – 139-192-020**  
**Development Plan**  
**Draft for Review by the Planning Commission on 6-6-2016**

The following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded with the Development Plan on an “Agreement Relating to Conditions Imposed on Real Property” which shall be reviewed as to form and content by the City Attorney.

ORDER OF CONDITIONS:

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

A. Project Description

- A-1. This Development Plan is based upon the following project description:  
Construct a new 1,220 square foot retail building with a 280 square foot patio on Copenhagen Drive in the TRC zone district. Also an additional 400 square foot storage building will be constructed at the rear of the property. The total square footage of the lot is 3,250 square feet (.075 acres), and was once used as the parking lot for the RaboBank business. Less than fifty cubic yards of grading is being proposed for the project. Applicant is also requesting a modification to the parking requirements to allow one accessible parking space at the rear of the property to back out onto Molle Way. Applicant is also requesting to pay in-lieu fees to satisfy the parking requirements.

The grading, development, use, and maintenance of the property; the size, shape, arrangement, and location of structures, parking areas and landscape areas; and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the City of Solvang.

- A-2. Compliance with the Law: The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.

B. PROJECT SPECIFIC CONDITIONS:

- B-1. Drainage. 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. All construction shall be in conformance with the City of Solvang Storm Water Management Program.
- B-2. Signage. No signs of any type are approved with this action. All proposed signage shall comply with the City's Sign Regulations. All signs require a separate Land Use Clearance and shall not be installed prior to Board of Architectural Review approval.
- B-2. Development Impact Fees to be paid prior to Building Permit Issuance:
- a. Drainage Impact Fee in the amount of \$500.00.
  - b. Water connection fee as set forth in the Municipal Code.
  - c. Sewer connection fee as set forth in the Municipal Code.
  - d. Parking In-Lieu fees for two (2) spaces in the amount of \$24,752.00.
  - e. To mitigate effects to the area street network, the applicant shall pay a calculated amount per peak hour trip, toward traffic impacts.
- B-3. 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 Department. 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 Clearance review and approval.

- B-4. Construction Hours Limited. Hours of construction shall be limited to 7:30 a.m. to 5:30 p.m. 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, or in the case of emergency for the immediate preservation of life, health, or property.
- B-5. Expiration. This Development Plan shall expire three (3) years after the date of final approval unless substantial physical construction has been completed on the development or unless a time extension has been applied for by the applicant in compliance with City rules and regulations.
- B-6. Agreement to Comply. The applicant shall sign and record an agreement to comply with the project description and all conditions of approval on a form acceptable to the Planning Department. Such form may be obtained from the Planning Department office prior to the issuance of Land Use Clearance. The applicant shall provide evidence that he/she has recorded the Agreement to Comply with Conditions.
- B-7. Interpretations and Exceptions. The Planning Director is authorized to render decisions as to the applicability or interpretation of the conditions set forth herein, including minor changes, when the strict application of the conditions conflicts with the underlying purpose of the conditions or creates undue hardship or administrative burden. Any administrative change granted shall be subject to such conditions as will: (i) assure that the adjustment thereby authorized shall appropriately implement purposes and objectives of the original conditions; and (ii) not change or compromise the effectiveness of the original conditions. As an example, and for illustrative purposes only, the Planning Director may modify the implementation timing of specific conditions at the mutual convenience of the City and Applicant. Minor changes authorized pursuant to this condition shall not require separate processing of a formal amendment.
- B-8. Indemnity. Applicant agrees, as its sole cost and expense, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul all, or any part, of the approval, decision or action of the City Council,

Planning Commission, or other decision-making body, or staff action concerning the Project.

B-9. Legal Challenge. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the Applicant 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.

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

C-1. Construction Wash-Out Area. The owner/Applicant shall designate a washout area(s) for the washing of concrete, stucco, paint, equipment, tools, etc., to prevent wash water from discharging to the storm drains, streets, drainages, or creeks. Polluted water and materials from the washout area(s) shall be contained within this area and removed from the site at least once a week or more often as needed to prevent spillage. The construction washout area shall be depicted on project plans submitted for land use clearances and grading permits.

C-2. Fire Protection Certificate. Prior to the issuance of Land Use Clearance, applicant shall obtain a Fire Protection Certificate. The project shall comply with all requirements of the Fire Code.

C-3. Board of Architectural Review. Prior to Land Use Clearance, applicant shall obtain Final BAR approval of the project. The project will comply with all aspects of the BAR approval.

C-4. **Construction Management Plan.** A Construction Management Plan shall be prepared, and reviewed and approved by the Public Works Department, Building Department, and Planning Department prior to issuance of land use clearances and grading permits. The Construction Management Plan shall include the following:

- a) Reiteration of Condition B-4 which states "Hours of construction shall be limited to 7:30 a.m. to 5:30 p.m. 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, or in the case of an emergency for the immediate preservation of life, health, or property."
- 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 street and alley, whether public or private, shall not be used for storage of equipment or materials.

- d) A parking plan for construction workers shall be shown and discussed in the plan. Adequate parking for construction workers shall be provided and demonstrated within the property boundaries. Construction workers shall not be allowed to park on the surrounding neighborhood streets.
- f) The use of portable stereos (i.e., boom boxes) shall be prohibited.
- g) Trash shall be placed in proper receptacles onsite at all times.

The Construction Management Plan shall be adhered to throughout construction. In the event that complaints are received, the City may amend the Construction Management Plan.

- C-5. Best Management Practices (BMP) to control the discharge of material from the site and into local storm drains shall be utilized. At a minimum, the following BMP designed to reduce or eliminate construction site pollutants shall be incorporated into all project plans as a condition of approval and be implemented during construction:

Construction Site Planning BMP, including but not limited to:

- a) Concrete, asphalt, and seal coat shall be applied during dry weather only; storm drains and manholes within the construction area shall be covered when paving or applying seal coat, slurry, fog seal, etc.

Good Housekeeping BMP, including but not limited to:

- a) Storm drain inlets shall be protected from the sediment-laden waters for the duration of the grading period and until graded areas have been stabilized by structures, long-term erosion control measures, or landscaping.
- b) All leaks, spills, or drips shall be immediately cleaned up and property disposed of.
- c) One or more emergency spill containment kits shall be placed on-site in easily visible locations and personnel will be trained in proper use and disposal methods.
- d) Vehicles and heavy equipment shall be refueled and serviced in one designated location; vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid or other pollutants shall be immediately contained and either repaired immediately or removed from the site.
- e) Trash cans and recycling bins shall be placed liberally around the site and property maintained.
- f) Dry clean-up methods shall be used whenever possible.

- g) Construction material and waste management practices shall be identified, including temporary borrow and waste disposal areas, temporary debris and garbage disposal, and chemical/fuel areas.
- h) All subcontractors and laborers shall be educated about proper site maintenance and storm water pollution control measures through periodic site “tailgate” meetings.

D. PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY for the proposed Development Plan, the following shall be completed by the owner of the Real Property:

- D.1 Final Repairs. Applicant shall repair any damaged public or private improvement (curbs, gutters, sidewalks, water valves, fire hydrants, manholes, etc.) prior to occupancy clearance, subject to the review and approval of the City Engineer.
- D.2 Construction Debris. The applicant shall clear the project site of all excess construction debris prior to occupancy clearance.
- D.3 Construction Material Recycling. Excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. The requirement shall be printed on grading and construction plans. Permittee shall provide Planning and Community Development with receipts for recycled materials or for separate bins. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.
- D.4 Trash Pick-Up and Commercial Recycling. The applicant shall ensure that trash pick-up is adequate for the project. The project shall conform to all requirements of the Mandatory Commercial Recycling Program. Businesses can utilize one of any combination of the following in order to reuse, recycle, compost or otherwise divert solid waste from disposal:
  - Self-haul.
  - Subscribe to a hauler(s).
  - Arrange for pickup of recyclable materials.
  - Subscribe to a recycling service that may include mixed waste processing that yields diversion results comparable to source separation.

Attachment: Public Works Conditions of Approval  
Fire Department Letter



• INTER-OFFICE MEMORANDUM •

**TO:** Arleen Pelster, Planning Director

**FROM:** Bridget Elliott, Associate Engineer

**DATE:** Wednesday, April 27, 2016

**SUBJECT:** New Solvang Retail Shop  
1650 Copenhagen Dr. (APN: 139-192-020)  
Public Works Department, Conditions of Approval

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The Public Works Department has the following conditions of approval for the subject project:

**Erosion Control & Drainage**

- 1) Provide a Stormwater Control Plan prior to land clearance, per Tier 1 requirements of the Stormwater Technical Guide for Low Impact Development. Your stormwater control plan submittal should include the following:
  - a. Project Data Form including the runoff reduction measures selected. (This can be added to the submitted stormwater control plan)
  - b. Site plan showing the runoff management from impervious areas. (Show the direction of the onsite runoff)
  - c. Completed checklist of runoff reduction design standards
- 2) The stormwater control site plan should also call out all Good House Keeping BMPs that will be used onsite to prevent pollutants such as trash, construction debris, and sediment from leaving the site.
- 3) It is unclear how the catch basins along the east side of the building will drain. If an underground storm drain system is used please provide the top of grade elevations, the invert elevations and pipe slopes. A minimum slope of 0.5% will be required to prevent standing water.
- 4) Waterproof barrier will not be allowed between the soil and gravel in the Pervious Pavement System.

**Water**

- 1) Reference to all City Details by name and drawing number. For example, "4" DIA. SEWER CONNECTION PER CITY'S SANITARY SEWER LATERAL DETAIL DRW. NO. 606."
- 2) Label all existing utilities with the pipe diameter. The sizes for the utilities in Molle Way are as followed: Sewer 6-inch, Water 8-inch, Storm drain 18-inch RCP. All underground existing and proposed utilities should be shown in the site utility plan.
- 3) Install a 1-inch domestic service with a ¾-inch meter. Any other meter size will require sizing calculations based upon maximum daily demands. Water meter sizing shall follow the guidelines and principles found in AWWA "Sizing Water Service Lines and Meters, M22." If a different sizing method is being used please provide additional narrative to explain.

- 4) Install a 2-inch fire service. Provide the Fire Department approved fire flow requirement of the development.
- 5) All service connections to the City water main require backflow prevention. Indicate on the utility plan the type of backflow prevention devices to be installed. The on-site fire line must have a double detector check assembly or approved equal.
- 6) All water service connection to the public main must maintain a 3-foot minimum separation.

#### **Wastewater**

- 1) All new food service establishments are required to install, operate, and maintain a grease interceptor. If in the future a restaurant occupies the retail space the City will require the installation of an outside grease interceptor.

#### **Right-of-Way**

- 1) All sidewalks replaced along Copenhagen Drive must be mortared brick. Per the City's "Brick Sidewalk - Mortared" Standard Detail Drawing Number 307.
- 2) Provide a 12-inch wide concrete edger strip along the alley's asphalt pavement and the project's proposed pavers system.

*Please Contact the Public Works Department for plan layout standards and requirements prior to construction document preparation.*

Copy: Matt van der Linden, Public Works Director / City Engineer

# Stormwater Control Plan for a Small (Tier 1) Land Development Project

## Introduction

The California Regional Water Quality Control Board for the Central Coast Region (Water Board) adopted the Post-Construction Requirements (PCRs) in July 2013. As of March 6, 2014, development projects that create or replace 2,500 square feet\* 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.

It is fairly easy to achieve compliance with the stormwater requirements for most small land development projects. However, compliance for each project must be carefully documented. Please complete the following form and include it with your land use permit application submittal.

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

\*Projects that create or replace 5,000 square feet or more of impervious surface except for detached single-family homes, and single-family homes that create or replace 15,000 square feet or more of impervious surface, require a more comprehensive Stormwater Control Plan. See Santa Barbara Project Clean Water's *Stormwater Technical Guide*.

## Step-by-Step Instructions

The steps are:

1. Fill out the Project Data Form (below) and select one or more runoff reduction measures.
2. Prepare a site plan or sketch. Specify and design the runoff reduction measures you will use to meet the stated minimum requirements.
3. Complete your submittal, which will include:
  - Project Data Form
  - Site Plan or Sketch
  - Completed checklist for each Runoff Reduction Measure selected

### Step 1: Project Data Form

Complete all fields.

Project Name / Case File Number	
Application Submittal Date [to be verified by municipal staff]	
Project Location [Street Address if available, or intersection and/or APN]	
Name of Owner or Developer	
Project Type and Description [Examples: "Single Family Residence," "Parking Lot Addition," "Retail and Parking"]	
Total Project Site Area (acres)	
Total New Impervious Surface Area (square feet) [Sum of currently pervious areas that will be covered with new impervious surfaces]	
Total Replaced Impervious Surface Area [Sum of currently impervious areas that will be covered with new impervious surfaces.]	
Total Pre-Project Impervious Surface Area	
Total Post-Project Impervious Surface Area	
Runoff Reduction Measure(s) Selected (Check one or more)	<input type="checkbox"/> 1. Disperse runoff from roofs or pavement to vegetated area <input type="checkbox"/> 2. Permeable pavement <input type="checkbox"/> 3. Cisterns or Rain Barrels <input type="checkbox"/> 4. Bioretention Facility or Planter Box

## Step 2: Delineate impervious areas and locations of runoff reduction measures

Delineate the impervious area. On an attached site plan or sketch, show the impervious area—for example, a roof, or portion of a roof, or a paved area—that will drain to your runoff reduction measure. Typically these delineations follow roof ridge lines or grade breaks. Alternatively, show the type and extent of pervious paving. An example sketch is attached.

Indicate the location and type of runoff reduction measure you've selected. At least one measure, designed to manage runoff from some amount of impervious area—or to avoid creating runoff—is required.

For each measure selected, fill out the brief checklist to demonstrate how your design and submittal meet minimum standards.

## Step 3: Complete and submit your plan

Your Stormwater Control Plan will accompany your land use application submittal and will include:

1. Project Data Form including the runoff reduction measures(s) selected
2. Site plan or sketch showing runoff management from impervious areas
3. Checklist of runoff reduction design standards (see below)

## Runoff Reduction Design Standards Checklist

Measure 1: Disperse runoff from roofs or pavement to vegetated areas.

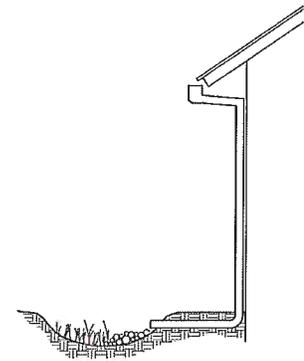
This is the simplest option. Downspouts can be directed to vegetated areas adjacent to buildings, or extended via pipes to reach vegetated areas further away. Paved areas can be designed with curb cuts, or without curbs, to direct flow into surrounding vegetation.

On the site plan, show:

- Each impervious area from which runoff will be directed, and its square footage.
- The vegetated areas that will receive runoff, and the approximate square footage of each.
- If necessary, explain in notes on the plan how runoff will be routed from impervious surfaces to vegetated areas.

Confirm the following standards are met:

- Tributary impervious square footage in no instance exceeds twice the square footage of the receiving pervious area. On your sketch, show rough dimensions that will confirm this criterion is met.
- Roof areas collect runoff and route it to the receiving pervious area via gutters and downspouts.
- Paved areas are sloped so drainage is routed to the receiving pervious area.
- Runoff is dispersed across the vegetated area (for example, with a splash block) to avoid erosion and promote infiltration.
- Vegetated area has amended soils, vegetation, and irrigation as required to maintain soil stability and permeability.
- Any area drains within the vegetated area have inlets at least 3 inches above surrounding grade.
- Additional comments: \_\_\_\_\_



Connecting a roof leader to a vegetated area. The head from the eave height makes it possible to route roof drainage some distance away from the building.

## Measure 2: Permeable Pavement

Permeable pavements may include pervious concrete, pervious asphalt, porous pavers, crushed aggregate, open pavers with grass or plantings (turf block), open pavers with gravel, or solid pavers with open (non-grouted) joints.



Show on your site plan:

- Location, extent and types of pervious pavements.

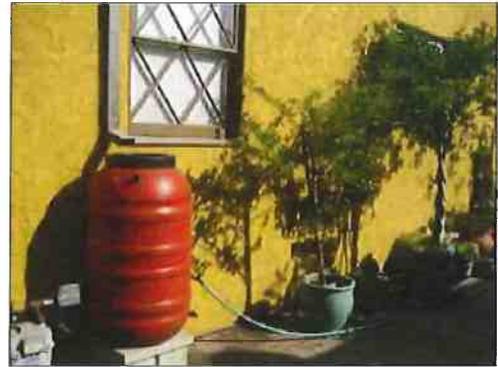
Confirm the following standards are met:

- No erodible areas drain on to permeable pavement.
- Subgrade compaction is minimal.
- Reservoir base course is of open-graded crushed stone. Base depth (3" or more) is adequate to retain rainfall and support design loads (more depth may be required).
- No subdrain is included or, if a subdrain is included, outlet elevation is a minimum of 3 inches above bottom of base course.
- Subgrade is level and slopes are not so steep that subgrade is prone to erosion.
- Rigid edge is provided to retain granular pavements and unit pavers.
- Solid unit pavers, if used, are set in sand or gravel with minimum 3/8 inch gaps between the pavers. Joints are filled with an open-graded aggregate free of fines.
- Permeable concrete or porous asphalt, if used, are installed by industry-certified professionals according to the vendor's recommendations.
- Selection and location of pavements incorporates Americans with Disabilities Act requirements (if applicable), site aesthetics, and uses.
- Additional comments: \_\_\_\_\_

Check with local Fire Department for applicability criteria using permeable pavement.

### Measure 3: Cisterns or Rain Barrels

Use of cisterns or rain barrels to comply with this requirement may be subject to municipality approval. Planning and Building Permits may be required for larger systems.



Show on your site plan:

- Impervious areas tributary to each cistern or rain barrel.
- Location of each cistern or rain barrel.

Confirm the following standards are met:

- Rain barrels are sited at or above grade on a sound and level surface at or near gutter downspouts.
- Gutters tributary to rain barrels are screened with a leaf guard or maximum 1/2-inch to 1/4-inch-minimum corrosion-resistant metallic hardware fabric.
- Water collected will be used for irrigation only.
- Openings are screened with a corrosion-resistant metallic fine mesh (1/16 inch or smaller) to prevent mosquito harborage.
- Lids are secured to prevent entry by children.
- Rain barrels and gutters are to be cleaned annually.
- Additional comments: \_\_\_\_\_

#### Measure 4: Bioretention Facility or Planter Box

An above-ground planter box may be appropriate if the development site lacks level landscaped areas for dispersion and pervious pavements are not practical. Planter boxes and bioretention facilities can treat runoff from impervious surfaces 25 times their area (sizing factor of 0.04).

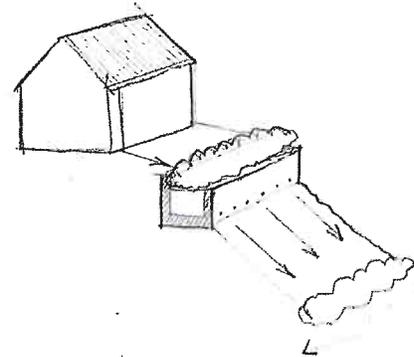
Detailed design guidance for bioretention facilities is in the *Stormwater Technical Guide*.

Show on your site plan:

- Impervious areas tributary to the facility.
- Location and footprint of facility.

Confirm the following standards are met:

- Ponding depth is 4"-6" minimum.
- Minimum 18" depth soil mix (60%-70% sand; 30%-40% compost) with minimum long-term infiltration rate of 5"/hour.
- Surface area of soil mix is a minimum 0.04 times the tributary impervious area.
- "Class 2 permeable" (Caltrans specification 68-2.02(F)(3) drainage layer 12" deep.
- No filter fabric.
- Perforated pipe (PVC SDR 35 or approved equivalent) underdrain.
- Connection with sufficient head to storm drain or discharge point.
- Underdrain has a clean-out port consisting of a vertical, rigid, non-perforated PVC pipe, connected to the underdrain via a sweep bend, with a minimum diameter of 4" and a watertight cap.
- Overflow outlet connected to a downstream storm drain or approved discharge point.
- Planter is set level.
- Emergency spillage will be safely conveyed overland.
- Plantings are suitable to the climate, exposure, and a well-drained soil.
- Irrigation system, if any, controlled as a separate zone.
- Additional comments: \_\_\_\_\_



Flow-through planter built into a hillside. Flows from the underdrain and overflow must be directed in accordance with local requirements.



## Useful Resources

The following references may be useful for design. Designs must meet the minimum standard specifications herein.

Santa Barbara Project Clean Water Stormwater Technical Guide. Available at <http://www.sbprojectcleanwater.org>

Start At the Source: Design Guidance Manual for Stormwater Quality.  
Bay Area Stormwater Management Agencies Association, 1999.

California Nevada Cement Association, [www.cncpc.org](http://www.cncpc.org)

[Specifiers' Guide for Pervious Concrete](http://www.crmca.org), Colorado Ready Mixed Concrete Association.  
[www.crmca.org](http://www.crmca.org)

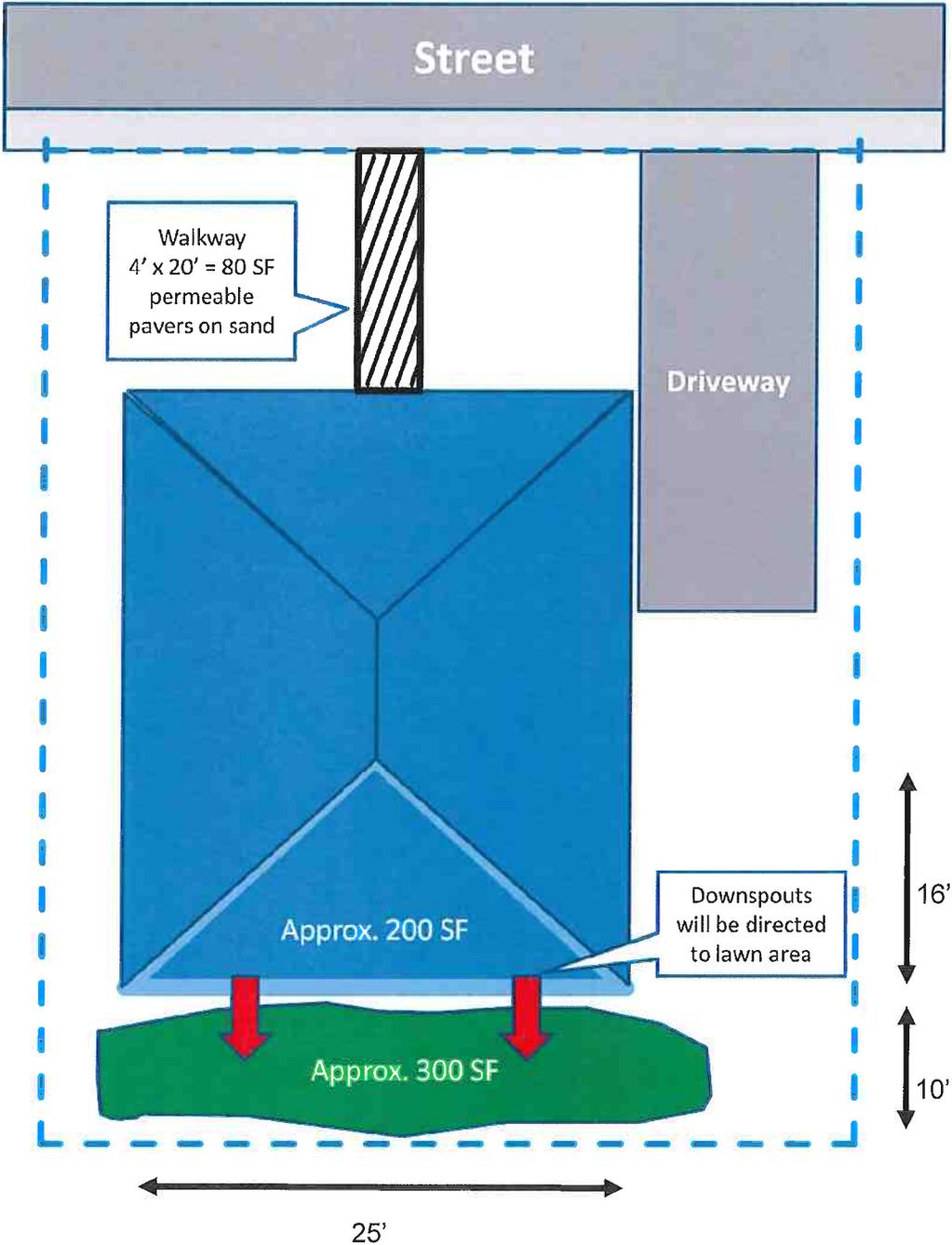
Interlocking Concrete Pavement Institute  
<http://www.icpi.org/>

Porous Pavements, by Bruce K. Ferguson. 2005. ISBN 0-8493-2670-2

Example Sketch

The example below illustrates the level of detail required.

Not to Scale



# MEMORANDUM

DATE: April 28, 2016

TO: Brynda Messer  
Planning and Development  
Solvang

FROM: Fred Tan, Captain  
Fire Department

SUBJECT: APN: 139-192-020; Permit: None  
Site: 1650 Copenhagen Drive, Solvang  
Project: New Commercial Building



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The above project is located within the jurisdiction of the Santa Barbara County Fire Department.

## NO CONDITIONS FOR DEVELOPMENT PLAN

The Fire Prevention Division must be notified of any changes to the project proposal. A change in the project description may cause conditions to be imposed.

## THE FOLLOWING CONDITIONS FOR FUTURE DEVELOPMENT ARE ADVISORY ONLY AT THIS TIME

We submit the following with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions.

1. All access ways shall be installed, made serviceable and maintained for the life of the project.
  - Driveway shall have a minimum width of twelve (12) feet.
  - Surface shall be paved.
  - A minimum of 15 feet of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
  - Reference Santa Barbara County Fire Department Development Standard #1.\*
2. Temporary address posting is required during construction. Inspections will not be completed without temporary address posted.
3. Signs indicating "Fire Lane – No Stopping" shall be placed every 150 feet or as required by the Fire Department. Refer to current adopted California Fire Code.

4. Portable fire extinguishers are required and shall be in accordance with the current adopted Santa Barbara County Code Chapter 15.
5. An automatic fire sprinkler system shall be installed.
  - Fire sprinkler plans shall be approved by the Fire Department prior to installation.
  - A set of approved plans, stamped and dated by the Fire Department shall be kept at the job site and available upon request.
  - The Fire Department shall determine the location of any Fire Department connection (FDC) that may be required.
  - Fire Department Connection (FDC) shall be labeled, identifying all buildings or addresses it serves, per NFPA 13.
  - Water systems shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior Fire Department approval.
  - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by the Fire Department.
  - Reference Santa Barbara County Fire Department Standard #4.\*
6. The Fire Department connection shall be clearly visible from the access road or driveway. Provide unobstructed access from the roadway to the Fire Department connection. Clearance around the Fire Department connection shall be a minimum of 3 feet.
  - Clearance shall be maintained for the life of the project.
7. If the building is equipped with a with an automatic fire sprinkler system, a current five-year fire sprinkler certification shall be provided to the Fire Department.
8. An automatic fire or emergency alarm system shall be installed.
  - Fire alarm system shall meet Santa Barbara County Fire Department requirements.
  - Automatic fire or emergency alarm system plans shall be approved by the Fire Department.
  - Alarm panel locations and annunciator graphics shall be approved by Fire Department prior to installation.
  - Reference Santa Barbara County Fire Department Standard #5.\*
9. Recorded addressing for the building and suites is required by the Fire Department.\*
10. Address numbers shall be a minimum height of six (6) inches for the building and four (4) inches for the suites.
  - Address number location(s) shall be approved by the Fire Department.
  - Address numbers shall be a color contrasting to the background color.

- The address numbers shall be elevated at least three feet from the ground for clear visibility and easy directional identification.
- The numbers shall be visible from the access road when travelling in either direction.

11. A Knox Box entry system shall be installed.\*

12. The applicant will be required to pay Fire Department Development Impact Mitigation Fees. In accordance with Chapter 15 of the Santa Barbara County Code, the fee shall be computed per square foot of occupied space in each new building.

- Payment shall be made according to the schedule of fees in place on the date fees are paid.

Nonresidential-Retail/Commercial	\$0.77 per square foot
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- Final occupancy clearance inspection will not be scheduled unless fees have been paid.

As always, if you have any questions or require further information, please call me at 805-681-5528 or 805-681-5523.

FT:kk

\*Information is posted at [sbcfire.com](http://sbcfire.com). Select Doing Business/Planning and Engineering. To have information provided, telephone 805-681-5523.

ATTACHMENT B

**NOTICE OF EXEMPTION**

TO: County Clerk  
County of Santa Barbara  
105 East Anapamu Street, Room 407  
Santa Barbara, CA 93101

Fax #: 568-2249

FROM: City of Solvang, Planning Department, 411 Second Street, Solvang, CA 93463

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 139-192-020

Case No.: 160041

**Specific Location:** 1650 Copenhagen Drive.

**Project Title:** NEW COMMERCIAL RETAIL BUILDING DEVELOPMENT PLAN

Project Description: The request of Brian McInerney, owner, to consider the approval of a Development Plan for the construction of a new commercial retail building with a front patio and a new storage building, within the TRC zone district.

**Name of Public Agency Approving Project:** City of Solvang

**Exempt Status:** (Check one)

Ministerial

Statutory

XX Categorical Exemption

Emergency Project

No Possibility of Significant Effect [§15061(b,3)]

**Cite specific CEQA Guideline Section:** 15303 (b,c)

This section exempts construction and location of limited numbers of new small facilities or structures and the conversion of existing structures from one use to another.

**Reasons to support exemption findings** (attach additional material, if necessary)

The project consists of a new retail commercial building with a front patio and a new storage building. The project would be constructed on a developed commercial lot, which formerly served as parking for a bank. There would be no impacts relating to archaeological or biological resources, no loss of native vegetation or tree removal. Water and sewer services are adequate to serve the project. Traffic and the demand on existing services would not be increased.

**Lead Agency Contact Person:** Brynda Messer

Telephone: 805-688-4414

Signature: \_\_\_\_\_

Date of Approval: \_\_\_\_\_

PC RESOLUTION NO. 16-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOLVANG APPROVING A DEVELOPMENT PLAN AND PARKING MODIFICATION FOR A NEW 1220 SQUARE FOOT COMMERCIAL RETAIL BUILDING WITH A 280 SQUARE FOOT FRONT PATIO AND A NEW 400 SQUARE FOOT STORAGE BUILDING IN THE TRC ZONE DISTRICT; AND TO ACCEPT THE NOTICE OF EXEMPTION FOR ENVIRONMENTAL REVIEW PURPOSES**

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

**WHEREAS**, the Planning Commission of the City of Solvang has considered a Development Plan request to allow the subject proposal in the Tourist Commercial TRC Zone; and

**WHEREAS**, the Planning Commission has held a duly noticed public hearing on the subject Development Plan and Parking Modification proposal on June 6, 2016, at which time all interested persons were given the opportunity to be heard; and

**WHEREAS**, the Board of Architectural Review considered the architectural merits of the project on January 14, 2016, and found the proposed Development Plan proposal to be in compliance with the City Design Guidelines; and

**WHEREAS**, the Planning Commission has reviewed this project in compliance with the California Environmental Quality Act (CEQA) and has determined that the project is Categorically Exempt pursuant to Section 15303, and directs staff to prepare and file a Notice of Exemption; and

**WHEREAS**, the Planning Commission finds after due study, deliberation and public hearing that the following circumstances exist:

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;
2. That streets and highways are adequate and properly designed;
3. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project;
4. 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;
5. That the project is in conformance with the applicable provisions and policies of Title 11 and the General Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Solvang hereby approves said Development Plan subject to the attached Conditions of Approval contained in the proposed Attachment A.

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

AYES:	0
NOES:	0
ABSENT:	0
ABSTAIN:	0

DATE: June 6, 2016

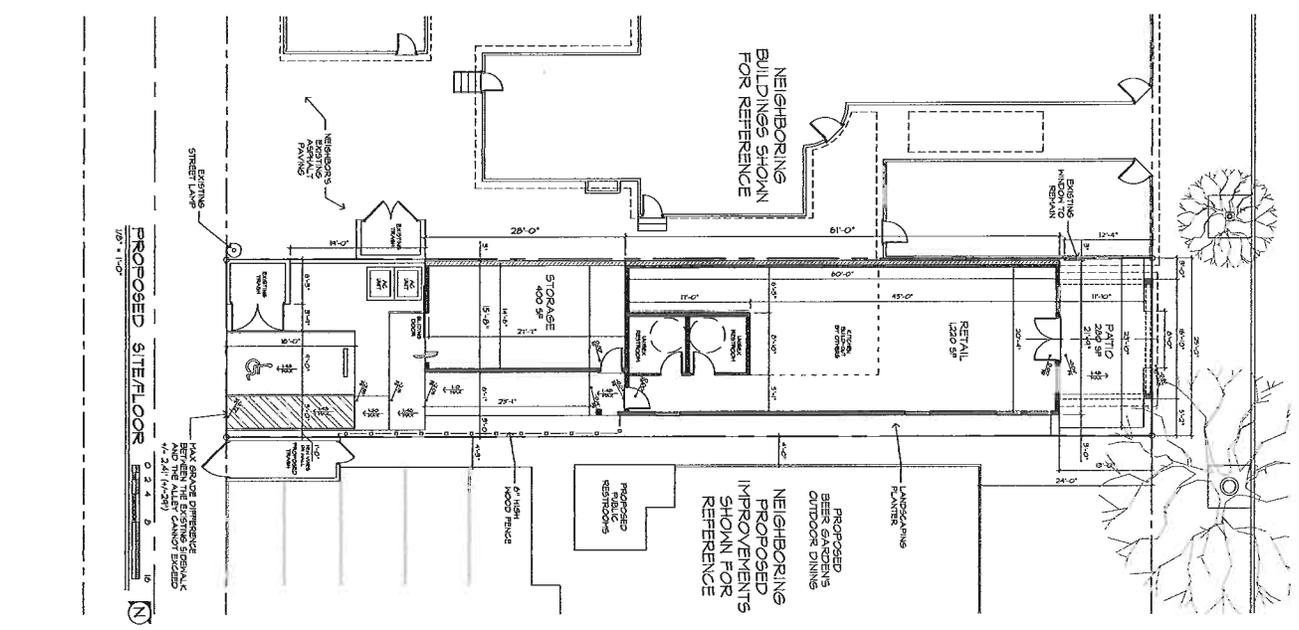
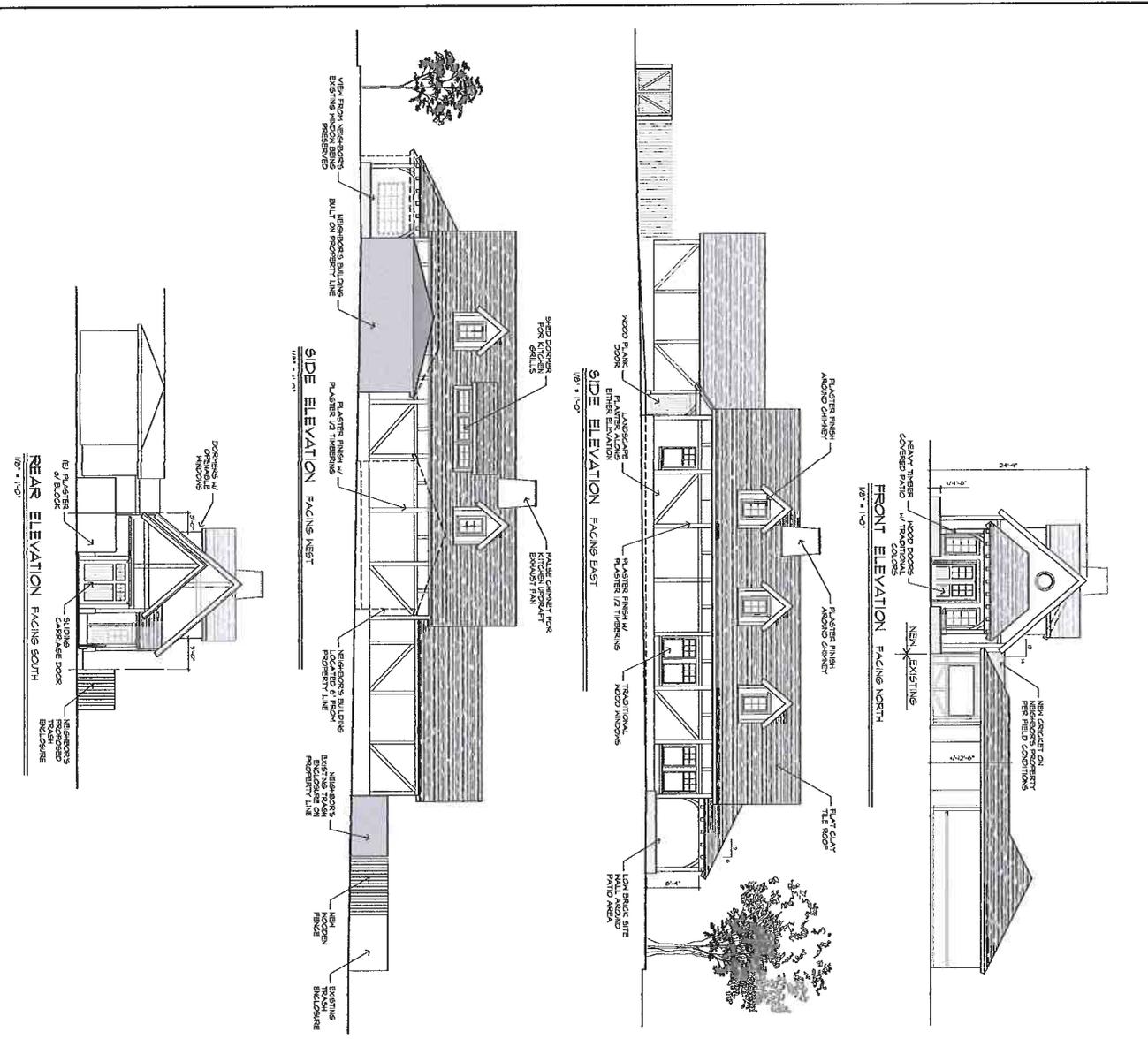
APPROVED AS TO CONTENT:

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

APPROVED:

\_\_\_\_\_  
Robert Clarke  
Planning Commission Chair





<p><b>PROPOSED SITE/FLOOR</b></p> <p>1/8" = 1'-0"</p> <p>0 3 4 5 10</p> <p>MAX GRADE DIMENSIONS REFER TO THE EXISTING ELEVATION M. 2.41 (4/28/17)</p> <p>(N)</p>	<p><b>REVISIONS BY</b></p> <p>PAUL ROBBERS</p> <p><b>ZINK ARCHITECT</b></p> <p>ARCHITECT</p> <p>779 CALABRIA DRIVE SANTA BARBARA, CA 93105 (805) 570-7382</p> <p>1660 COPENHAGEN DRIVE SOLVANG, CA 93464</p> <p>PAUL R. ZINK, A.I.A.</p>	<p>PROPOSED BUILDING</p> <p>DATE: 31, 2015</p> <p>BY: ZINK</p> <p>MANUSCRIPT</p> <p>A2</p>
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