

# ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

## ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000  
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660  
FAX: (650) 589-5062  
agraf@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350  
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201  
FAX: (916) 444-6209

DANIEL L. CARDOZO  
CHRISTINA M. CARO  
DANIKA L. DESAI  
SARA F. DUDLEY  
THOMAS A. ENSLOW  
ANDREW J. GRAF  
TANYA A. GULESSERIAN  
KENDRA D. HARTMANN\*  
KYLE C. JONES  
RACHAEL E. KOSS  
NIRIT LOTAN  
AARON M. MESSING  
WILLIAM C. MUMBY  
CAMILLE G. STOUGH

MARC D. JOSEPH  
*Of Counsel*

\*Admitted in Colorado

December 23, 2019

### **Via Hand Delivery and E-Mail**

Chairman John Parke and  
Planning Commissioners  
Planning Commission  
County of Santa Barbara  
123 East Anapamu Street  
Santa Barbara, CA 93101  
[jparke@aklaw.net](mailto:jparke@aklaw.net)  
[Lbridley2ndDistPC@gmail.com](mailto:Lbridley2ndDistPC@gmail.com)

Lisa Plowman  
Director  
Planning & Development Department  
County of Santa Barbara  
123 East Anapamu Street  
Santa Barbara, CA 93101  
[lplowman@countyofsb.org](mailto:lplowman@countyofsb.org)

### **Via E-Mail Only**

David Villalobos  
Board Assistant Supervisor  
[dvillalo@co.santa-barabara.ca.us](mailto:dvillalo@co.santa-barabara.ca.us)

Re: **Appeal to the County of Santa Barbara Planning Commission of the Central Board of Architectural Review's Decisions to Grant Preliminary Approval and Adopt the Findings Required for Approval and Conditions of Approval for the Strauss Wind Energy Project (18BAR-00000-00113, 18CUP-00000-0031, 18VAR-00000-00002)**

Dear Chairman Parke, Commissioners, Ms. Plowman, and Mr. Villalobos:

We write on behalf of **Citizens for Responsible Wind Energy** ("Citizens") to appeal the December 13, 2019 decision of the County of Santa Barbara ("County") Central Board of Architectural Review ("CBAR") to grant preliminary approval for the Strauss Wind Energy Project ("Project") proposed by Strauss Wind, LLC, an affiliate of BayWa re: Wind, LLC ("Applicant").

The CBAR committed a prejudicial abuse of discretion when it issued an oral decision without making any factual determinations. Even if the CBAR made the required findings, the decision to grant preliminary approval is not in accordance

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with the law and is not supported by substantial evidence. The CBAR inappropriately deviated from the express language of the ordinance to create an inapplicable exception and lacked substantial evidence to make the findings necessary for approval. For these reasons, we respectfully request that the Planning Commission uphold this appeal and reverse the CBAR's decision to grant preliminary approval for the Project.

Through this appeal, Citizens adopts and incorporates all objections to the Project that were previously raised by it and any other individual(s), organization or entity during the CBAR's review.

## I. BACKGROUND

The proposed Project is a utility-scale windfarm comprised of the following components: 29 wind turbine generators (standing between 427 feet and 492 feet tall), new access roads and improvements to existing roads, a communication system, one meteorological tower, two sonic detection and ranging devices, on-site electrical collection lines, an on-site substation and control building, and an on-site operations and maintenance facility, a new 115-kilovolt electrical transmission line to interconnect with Pacific Gas and Electric ("PG&E") Company's electric grid via a new switching station, a new switchyard, and upgrades to existing PG&E facilities.<sup>1</sup> The Project is located on 22 parcels in the Third and Fourth Supervisorial Districts:

- The wind turbine site is located within 11 parcels and is near the intersection of San Miguelito Road and Sudden Road, southwest of the City of Lompoc: Assessor Parcel Numbers (APNs) 083-100-008, 083-250-011, 083-250-016, 083-250-019, 083-090-001, 083-090-002, 083-090-003, 083-080-004, 083-100-007, 083-100-004, and 083-090-004.
- The transmission line runs from the wind turbine site in a northeast direction into the City of Lompoc and traverses 11 parcels: APNs 093-140-016, 083-060-013, 083-030-031, 083-030-005, 083-030-006, 083-110-012, 083-110-007, 083-110-008, 083-060-017, and 083-110-002, 099-141-034.<sup>2</sup>

<sup>1</sup> Santa Barbara County Planning Commission, Staff Report for Strauss Wind Energy Project (Nov. 12, 2019) p. 3 (*hereinafter* Planning Commission Staff Report).

<sup>2</sup> *Id.* at p. 2.  
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On December 21, 2016, the Applicant submitted a Conditional Use Permit (CUP16-00000-00031) and Variance (18VAR-00000-00002) applications for the Project.<sup>3</sup> The Applicant also submitted a Coastal Development Permit application for the Project, but that permit was abandoned in favor of a modified project layout that eliminated development in the coastal zone.<sup>4</sup> Because the Project required a conditional use permit, it is also subject to design review before the CBAR in compliance with County's Land Use and Development Code ("LUDC") section 35.82.070.<sup>5</sup>

The CBAR agendized the Project for preliminary review on September 13, 2019.<sup>6</sup> At that hearing, the CBAR considered the matter, but it did not grant preliminary approval because it required further clarification regarding its review authority.<sup>7</sup> The CBAR agendized the Project again for preliminary review at the next regularly scheduled meeting, but at that hearing it accepted the Planning Department's recommendation to remove the Project from consideration because "it would be procedurally premature to seek preliminary approval from the CBAR" as the Project had not yet received approval from the Planning Commission.<sup>8</sup>

On November 20, 2019, the Planning Commission approved the conditional use permit and variances and certified the final supplemental environmental impact report.<sup>9</sup> Three aggrieved parties appealed the Planning Commission's decision to the Board of Supervisors.<sup>10</sup>

After the Planning Commission's approval, the CBAR agendized the Project for both preliminary and final approval on December 13, 2019.<sup>11</sup> Prior to the hearing, Planning Department staff submitted a memo to the CBAR recommending that the CBAR proceed with preliminary approval only.<sup>12</sup> The Planning

<sup>3</sup> *Id.* at p. 1.

<sup>4</sup> *Id.* at p. 8.

<sup>5</sup> Land Use and Development Code ("LUDC") § 35.82.060.D.4.a.

<sup>6</sup> County of Santa Barbara, Central Board of Architectural Review Agenda (Sept. 13, 2019).

<sup>7</sup> County of Santa Barbara, Central Board of Architectural Review Unapproved Minutes (Sept. 13, 2019).

<sup>8</sup> Memorandum to Central Board of Architectural Review from Erin Briggs re: Strauss Wind Energy Project (Oct. 9, 2019).

<sup>9</sup> County of Santa Barbara, Planning Commission Unapproved Minutes (Nov. 20, 2019).

<sup>10</sup> Memorandum from Kathy McNeal Pfeifer to Central Board for Architectural Review re: Strauss Wind Energy Project (Dec. 11, 2019) (*hereinafter* "Pfeifer Memo").

<sup>11</sup> County of Santa Barbara, Central Board of Architectural Review Agenda (Dec. 13, 2019).

<sup>12</sup> Pfeifer Memo at p. 1.

Department also recommended that the CBAR consider the entire project and not restrict its review to certain elements of the Project, while recognizing that some project design elements, such as the wind turbines, have technical constraints limiting, or rendering impracticable or impossible, modifications.<sup>13</sup> In response to the CBAR's request for clarification as to the scope of its authority, the Planning Department cited to several LUDC provisions and a visual resources policy in the Land Use Element of the County's Comprehensive Plan in support of the Department's legal conclusion that the CBAR could make the necessary design review findings for the Project in light of the Project's technical design constraints.<sup>14</sup>

At the hearing, the CBAR board members stated numerous times that they **could not** make the applicable findings with respect to the Project's turbines.<sup>15</sup> Despite these concerns, the CBAR ultimately granted preliminary approval of the whole Project by oral motion.<sup>16</sup> The CBAR's decision constitutes a prejudicial abuse of discretion because it fails to comply with the law and is not supported by substantial evidence.

## II. STATEMENT OF INTEREST

Citizens is an unincorporated association of individuals and labor organizations with members who may be adversely affected by the potential public and worker health and safety hazards and environmental and public service impacts of the Project. The association includes County residents and California Unions for Reliable Energy and its members and families and other individuals that live, recreate and work in the County.

The individual members of Citizens and the members of the affiliated labor organizations would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work constructing the Project itself. They would be the first in line to be exposed to any health and safety hazards which may be present on the Project site. They each have a personal interest in

<sup>13</sup> *Ibid.*

<sup>14</sup> *Id.* at pp. 3-4.

<sup>15</sup> Central Architectural Review Board, Audio File of December 13, 2019 CBAR Hearing (Dec. 13, 2019) (hereinafter "CBAR Hearing Audio File") (the CBAR's discussion review of this Project occurs on the CBAR audio file "CBAR 12-13-19 b" from approximately 01:20:00 to 02:02:18 and 02:28:30 to 03:16:00).

<sup>16</sup> *Ibid.*

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protecting the Project area from unnecessary, adverse environmental and public health impacts.

The organizational members of Citizens and their members have an interest in enforcing local ordinances that encourage sustainable development and ensure the desirability of the immediate area and neighboring areas are not adversely affected. Inappropriately designed projects can jeopardize future jobs by making it more difficult and more expensive for industry to expand in the County, and by making it less desirable for businesses to locate and people to live and recreate in the County, including the Project vicinity. Continued degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduces future employment opportunities.

### **III. APPELLANT IS AN AGGRIEVED PARTY**

Under LUDC section 35.102.020.A., an appeal may be filed by “any aggrieved person.”<sup>17</sup> An aggrieved person is defined as “any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing or decision, informed the review authority of the nature of their concerns or who for good cause was unable to do either.”<sup>18</sup>

Citizens qualifies as an aggrieved person because its members, through counsel, submitted written comments to the CBAR prior to the December 13, 2019 hearing objecting to the Project’s preliminary approval.<sup>19</sup>

### **IV. DECISIONS BEING APPEALED**

Any and all CBAR decisions related to the Strauss Wind Energy Project, including, but not limited to:

“Preliminary approval of [18BAR-00000-00113] Strauss Wind Energy Project making of the findings of LUDC section 35.82.070.F.1. for the Project as a whole, while acknowledging, as stated in the Comprehensive Plan, the Land

<sup>17</sup> LUDC § 35.102.020.A.

<sup>18</sup> *Ibid.*

<sup>19</sup> Letter to Chair Bethany Clough and Board Members, Central Board of Architectural Review from Andrew J. Graf, Adams Broadwell Joseph & Cardozo re: Agenda Item No. 7: Strauss Wind Energy Project (SWEF) (18BAR-00000-00113) (Dec. 12, 2019).

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Use Element Visual Resource Policy 2, that in areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise, and therefore we are applying this to the turbines with regards to the findings based on the information provided by the applicant and the planner that have verified that technical requirements do dictate otherwise with regard to the turbines.”<sup>20</sup>

## V. BASIS FOR APPEAL

The CBAR committed prejudicial abuse of discretion when it granted preliminary approval of the Project. Abuse of discretion can be established if (1) the agency failed to proceed in the manner required by law, (2) the decision is not supported by the findings, or (3) the findings are not supported by the evidence. Here, the CBAR’s decision to grant preliminary approval failed to proceed in the manner required by law by allowing an exception to the required findings and its decision is not supported by findings for the Project.<sup>21</sup> Even if the CBAR’s decision was made with findings, the findings were not supported by substantial evidence because the CBAR lacks evidence to support the decision regarding consistency with the findings required by LUDC section 35.82.070 F.1.

### A. The CBAR’s decision to grant preliminary approval is not supported by findings because its oral motion simply mentioned the relevant statutory language without reference to any evidence.

The CBAR’s design review decision must be supported by findings.<sup>22</sup> Findings are “legally relevant subconclusions” that support an agency’s conclusion and are the application of relevant evidence to applicable legal standards.<sup>23</sup> The purpose of findings is to “bridge the analytical gap between raw evidence” and an agency’s ultimate decision.<sup>24</sup> Findings that recite statutory language without applying facts regarding the application to the applicable law are insufficient as a matter of law.<sup>25</sup>

<sup>20</sup> See CBAR Hearing Audio File.

<sup>21</sup> Code of Civ. Proc. § 1094.5.

<sup>22</sup> LUDC § 35.82.070.F.1.

<sup>23</sup> *Topanga Ass’n for a Scientific Community v. County of Los Angeles* [“Topanga”] (1974) 11 Cal.3d 506, 516.

<sup>24</sup> *Id.* at 515.

<sup>25</sup> *City of Carmel-by-the Sea v. Board of Supervisors* (1977) 71 Cal.3d 84, 92, citing *Topanga*, 11 Cal.3d at 517, fn. 16.

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The CBAR's oral motion granting preliminary approval included only boilerplate, conclusory findings without bridging the analytical gap between the evidence and each finding required under the design review ordinance. In order to grant preliminary approval, LUDC section 35.83.070.F.1. of the LUDC mandates that the CBAR make nine findings:

- a. Overall structure shapes, as well as parts of any structure (buildings, fences, screens, signs, towers, or walls) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the subject property.
- b. Electrical and mechanical equipment will be well integrated into the total design concept.
- c. There will be harmony of color, composition, and material on all sides of a structure.
- d. There will be a limited number of materials on the exterior face of the structure.
- e. There will be a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted.
- f. Site layout, orientation, and location of structures and signs will be in an appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the site.
- g. Adequate landscaping will be provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of plantings that are appropriate to the project, and that adequate provisions have been made for maintenance of all landscaping.
- h. Signs, including associated lighting, are well designed and will be appropriate in size and location.
- i. The proposed development is consistent with any additional design standards as expressly adopted by the Board for a specific local area, community, or zone in compliance with Subsection G. (Local design standards) below.<sup>26</sup>

Here, the CBAR's motion lacked any explanation of how the whole Project met each required finding. It did not explain (1) how the Project's structures are in proportion to and scale with other existing structures in the surrounding area, (2) how the Project's electrical and mechanical equipment are well integrated into the total design, (3) how the Project's structures exhibit a harmonious color, composition and material, (4) how the Project's exterior structures use a limited number of materials, (5) how the Project exhibits a harmonious relationship with the existing and proposed adjoining developments or why a similarity of style is warranted in this instance, (6) how the site layout, orientation, and location of

<sup>26</sup> LUDC § 35.82.070.F.1.  
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Project's structures and signs are in an appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the site, (7) how adequate landscaping is provided for the Project site, (8) how the signs and associated lighting are in the appropriate size and location, or (9) whether other additional design standards applied, and whether the Project met those standards. Without any specific factual determinations showing how the Project meets the necessary findings, the CBAR failed to bridge the analytical gap between the evidence and its ultimate decision.

The CBAR's cursory reference to "information provided by the applicant and the planner" in its motion does not cure the deficiency. Although an agency may adopt findings by reference to a staff report,<sup>27</sup> the CBAR did not identify any specific staff report that bridges the analytical gap between the evidence and its ultimate decision. Moreover, reliance on the Planning Department's memo submitted in advance of the December 13, 2019 hearing is meaningless because the memo does include any express findings. To the contrary, staff expressly left the fact finding duty to the CBAR by stating: "the CBAR should review and consider making the necessary findings for the entire Project."<sup>28</sup>

Citizens were severely prejudiced by the lack of a written findings because the CBAR's members repeated concerns that they **could not** make the necessary findings pursuant to LUDC section 35.83.070.F.1. with respect to the turbines contradicted the ultimate decision in this case. Moreover, the CBAR's motion granting preliminary approval obscured the fact that all the CBAR members agreed the turbines do not meet the required findings and that they struggled with crafting precise language to the contrary.<sup>29</sup> Because the CBAR's decision to grant preliminary approval of the Project failed to include support for its findings, the CBAR prejudicially abuse its discretion.

<sup>27</sup> *Dore v. County of Ventura* (1994) 23 Cal.4th 320.

<sup>28</sup> Pfeifer Memo at p. 4.

<sup>29</sup> CBAR Hearing Audio File.

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**B. The CBAR's decision failed to proceed in the manner required by law because the CBAR arbitrarily relied on language outside the applicable ordinance provisions.**

For all projects subject to design review, the CBAR must make nine specifically enumerated findings before it can grant approval.<sup>30</sup> Despite repeated assertions from CBAR board members throughout the hearing that they **could not** make the required findings for the Project's wind turbines, the CBAR granted preliminary approval for the whole Project.<sup>31</sup> The CBAR summarized its decision in the following oral motion:

This is a motion for preliminary approval of 18 BAR 113 Strauss Wind Energy Project, making of the findings of LUDC section 35.82.070.F.1. for the project as a whole, while acknowledging, as stated in the Comprehensive Plan, the Land Use Element Visual Resource Policy 2, that in areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise, and therefore we are applying this to the turbines with regards to the findings based on the information provided by the applicant and the planner that have verified that technical requirements do dictate otherwise with regard to the turbines.<sup>32</sup>

The CBAR claimed to make the design review findings required by LUDC section 35.82.070.F.1. by referring to an exception in a policy in the Comprehensive Plan. But the CBAR wholly ignores the fact that the LUDC expressly states the claimed policy is applicable only to design review applications with development in coastal zone areas. Since the Project is not sited in the coastal zone, the CBAR's reliance on the Comprehensive Plan policy is clearly erroneous.

The CBAR relied on the applicant and staff's legal argument that it could wholesale apply the exception to each of the required findings with respect to the turbines because "technical requirements dictate otherwise." As the motion acknowledges, this language is lifted from Visual Resources Policy 2 in the Land Use Element of the County's Comprehensive Plan, which states:

<sup>30</sup> LUDC § 35.82.070.F.1.

<sup>31</sup> CBAR Hearing Audio File.

<sup>32</sup> *Ibid.*

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In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.<sup>33</sup>

The CBAR's reliance on this exception to make the more specific required findings in LUDC section 35.82.070.F.1. is an error of law. Although an agency's view of the meaning and scope of its own ordinance is entitled to deference, if an agency's interpretation of the ordinance is clearly erroneous or unauthorized it must be rejected.<sup>34</sup> The CBAR's expansion of its design review ordinance to permit an exception from the required findings is not consistent with the express terms of the ordinance.

None of the required findings for approval allow a deviation "where technical requirements dictate otherwise."<sup>35</sup> In fact, this specific language does not appear in LUDC section 35.82.070.F.1. However, this language does appear elsewhere in the LUDC's design review ordinance. When the CBAR considers design review applications for development within the coastal zone, it must make the following additional finding under section 35.82.070.F.2.a.:

Within Rural areas as designated on the Comprehensive Plan maps, the design, height, and scale of structures will be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures are subordinate in appearance to natural landforms; are designed to follow the natural contours of the landscape; and are sited so as not to intrude into the skyline as seen from public viewing places.<sup>36</sup>

This provision fundamentally mirrors Visual Resources Policy 2.<sup>37</sup>

Because the County incorporated the language of the visual resources policies into the design review, it intended that the policy only be considered when the coastal zone is implicated. If the County intended the "technical requirements"

<sup>33</sup> County of Santa Barbara, Land Use Element (Dec. 2016) p. 81.

<sup>34</sup> *Friends of Davis v. City of Davis* (2000) 83 Cal. App.4th 1004, 1015.

<sup>35</sup> See generally LUDC § 35.82.070.F.1.

<sup>36</sup> *Id.* § 35.82.070.F.2.a.

<sup>37</sup> Land Use Element at p. 81.

exception to apply to all projects subject to design review, it would have included that express language in LUDC section 35.82.070.F.1., just as it did when it drafted section 35.82.070.F.2.a. But the County did not include that exception in subsection F.1. Instead, the County permits deviations due to technical constraints only when the development occurs in the coastal zone. Because no portion of this Project is in the coastal zone, the claimed exception does not apply.<sup>38</sup>

Moreover, the County's incorporation of visual resource policies into the design review ordinance was not just a one-off instance. The other required finding for design review applications with development in the coastal zone also fundamentally mirrors another visual resources policy. Section 35.82.070.F.2.b. of the LUDC states:

Within Urban and Rural Neighborhood areas as designated on the Comprehensive Plan maps, new structures will be compatible with the character and scale of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.<sup>39</sup>

As with the other required coastal zone design review finding, this language was taken directly from a separate visual resources policy in the Land Use Element. Specifically, Visual Resources Policy 3, which states:

In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.<sup>40</sup>

The County's intent regarding the application of the design review ordinance could not be clearer. For all design review applications, the CBAR must make each of the necessary findings under the LUDC section 35.82.070.F.1. Only when a development project that requires design review is within the coastal can the CBAR make exceptions to a required finding based on technical constraints. Because the CBAR went beyond the plain language of the ordinance to make the necessary findings, the CBAR's interpretation is clearly erroneous. Therefore, the CBAR committed a prejudicial abuse of discretion by failing to proceed in a manner required by law.

<sup>38</sup> Planning Commission Staff Report at p. 8.

<sup>39</sup> LUDC § 35.82.070.F.2.b.

<sup>40</sup> Land Use Element at p. 81.

**C. The CBAR's decision is not supported by substantial evidence because the CBAR had no evidence to support the findings required by LUDC section 35.82.070 F.1.**

Absent the purported exception, the CBAR cannot make the required findings for the Project, as the CBAR made very clear during the hearing, because the CBAR's decision is not supported by substantial evidence. The CBAR board members repeatedly emphasized throughout the hearing that they could not make the required findings for the Project's turbines. For example, the CBAR board members made the following statements:

- "I have no trouble making the findings on the specific structures with the exception of the wind turbines. It is impossible to take these findings at literal face value, personally, and make those findings."
- "The current situation for this board, as I understand it, is no one on the board is comfortable making any or all of the findings."
- "Basically, what has happened is as far as we can determine, no one on the CBAR feels comfortable making the nine basic findings that the CBAR has to make for all the projects before us."
- "literally, there is nothing we can support about the turbines in the project with the regular land use findings."
- "If we are to simply apply the findings straight up without taking into effect any technological restrictions or anything like that, [the turbines] don't meet the findings; we can't make the findings baldly that way."
- "CBAR can provide preliminary approval for the maintenance generation building only. The turbines and other power-generating components, due to the technical requirements of their design, cannot meet the findings."

It is clear from the record that the CBAR members concerns were justified. The CBAR cannot make the necessary findings with respect to the turbines because the Project, as currently designed, will degrade the environment's visual quality and negatively impact the surrounding property values.<sup>41</sup> Standing at nearly 500 feet, the turbines would dwarf every single structure in the County, let alone the Project site or surrounding neighborhood. They would dominate the surrounding viewshed, adversely affecting the natural, rural character of the landscape. They

<sup>41</sup> Planning Commission Staff Report, attach. A (Findings of Approval) at p. A-2.  
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would create a sense of visual disconnect with the natural and historic character of the area. They would impair nighttime viewing.<sup>42</sup>

Given the numerous aesthetically harmful features that would disturb the scenic views on nearby properties and throughout the surrounding area from public viewpoints, the CBAR lacks substantial evidence to find, at a minimum, that the (1) the turbines are in proportion to and in scale with other existing or permitted structures on the same site and in the vicinity surrounding the property, (2) the project demonstrates a harmonious relationship with existing and proposed adjoining developments, and (3) the turbines locations are in appropriate and well designed relationship to one another, and to the environmental qualities, open spaces and the topography of the property. Therefore, the CBAR's findings are unsupported by substantial evidence in the record.

## VI. CONCLUSION

The CBAR was required to make and explain specifically enumerated findings, based on the evidence in the record, before it approved the Project. When the CBAR issued the oral motion, it failed to link the evidence in the record to the required findings and cannot rely on any staff reports to cure its deficiency. The CBAR then erroneously granted preliminary approval of the Project by applying an exception that is not applicable under the plain language of the design review ordinance ordinance. Finally, the numerous assertions by the CBAR board members that they could not make the necessary findings for the Project's turbines and the total lack of evidence in the record show that the CBAR's decision is not supported by substantial evidence.

Because the CBAR committed prejudicial abuse of discretion, we respectfully request that the Planning Commission grant this appeal, reversing the CBAR's decision to grant preliminary approval for the Project.

<sup>42</sup> *Id.* at p. A-3 (“visibility of numerous synchronized flashing red hazard lights along the ridgelines in the context of the dark nighttime coastal landscape will result in significant and unavoidable impact at Jalama Beach County Park and from other locations in the northern Lompoc Valley, including portions of Harris Grade Road, Highway 1, Mission Hills, and Vandenberg Village.”).  
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Thank you for your consideration of this appeal.

Sincerely,

*Signature on submitted original*

Andrew J. Graf

Attachment

AJG:acp

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