



COUNTY OF SANTA BARBARA

PLANNING COMMISSION MARKED AGENDA

Hearing of May 1, 2013
9:00 a.m.

C. MICHAEL COONEY	1st District	Santa Barbara County
CECILIA BROWN	2nd District	Engineering Building, Room 17
JOAN HARTMANN	3rd District, Chair	123 East Anapamu Street
LARRY FERINI	4th District	Santa Barbara, CA 93101
DANIEL BLOUGH	5th District, Vice-Chair	(805) 568-2000 (Planning & Development)

TV COVERAGE ANNOUNCEMENT: *Planning Commission Hearings are televised live on County Santa Barbara Television (CSBTV) Channel 20 at 9:00 A.M. in the South Coast, Lompoc, Santa Ynez Valley, Santa Maria and Orcutt areas. Rebroadcast of Planning Commission Hearings are on Fridays at 5:00 P.M. on CSBTV Channel 20.*

ADMINISTRATIVE AGENDA:

- I. **PLEDGE OF ALLEGIANCE**
- II. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- III. **ROLL CALL:** All Commissioners were present.
- IV. **AGENDA STATUS REPORT:** by Alice McCurdy.
- V. **PROJECTION REPORT:** by Alice McCurdy.
- VI. **PUBLIC COMMENT:** None.
- VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** Commissioner Brown received from Ron Caird, a member of the Ag Advisory Commission, notification that the California Coastal Commission will be reviewing a session on "Ag in the Coastal Zone" at their May 8 hearing in Marin County. The sessions will be streamed live from the Coastal Commission's website, as well as archived online.
- VIII. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** None.
- IX. **STANDARD AGENDA:**
 - 06CDH-00000-00038
 - 06CDH-00000-00039
 - 07CUP-00000-00065
 - 09CDP-00000-00045
 - 10CUP-00000-00039
 - 1. 10CDP-00000-00094 **Paradiso del Mare Ocean and Inland Estates** **Gaviota**
 - 09EIR-00000-00003 Anne Almy, Supervising Planner (805) 568-2053
Nicole Lieu, Planner (805) 884-8068

Hearing on the request of Brooks Street to consider the following:

- a) **06CDH-00000-00038**, [application filed on July 27, 2006; REVISED September 19, 2011] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100 (APN: 079-200-004, known as the ocean lot) to allow construction of a 5,806 square foot residence with an attached 1,421 square foot garage/mechanical space, a detached 800 square foot guesthouse, 651 square foot guesthouse garage and pool;
- b) **06CDH-00000-00039**, [application filed on July 28, 2006; REVISED September 19, 2011] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100 (APN: 079-200-008, known as the inland lot) to allow construction of a residence 7,326 (gross) square feet in size with an attached 1,837 square foot basement and garage/mechanical space, a detached 800 square foot guesthouse and pool;
- c) **07CUP-00000-00065**, [application filed on August 9, 2007] for a Minor Conditional Use Permit in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; to allow construction of two water lines, an 8-10 inch potable line and a 4 inch reclaimed line, that would extend west from an existing Goleta Water District water line located near the Bacara Resort, to APN 079-200-004 (the Ocean Estate) and APN 079-200-008 (the Inland Estate). The water line would cross the adjacent parcel, APN 079-200-005, situated between the Bacara Resort and the project site, through a proposed utility corridor that would be 20 feet in width. The water line would be privately owned and sized to only accommodate the proposed residential and agricultural development on the Ocean and Inland Estates. The extended water line to serve the Ocean and Inland Estates would measure approximately 7,500 feet in length;
- d) **09CDP-00000-00045**, [application filed on July 21, 2009] for a Coastal Development Permit in compliance with to 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; allow construction of two water lines, an 8-10 inch potable line and a 4 inch reclaimed line, that would extend west from an existing Goleta Water District water line located near the Bacara Resort, to APN 079-200-004 (the Ocean Estate) and APN 079-200-008 (the Inland Estate). The water line would cross the adjacent parcel, APN 079-200-005, situated between the Bacara Resort and the project site, through a proposed utility corridor that would be 20 feet in width. The water line would be privately owned and sized to accommodate the proposed residential and agricultural development on the Ocean and Inland Estates. The extended water line to serve the Ocean and Inland Estates would measure approximately 7,500 feet in length;
- e) **10CUP-00000-00039**, [application filed on November 12, 2010] for a Major Conditional Use Permit in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; to allow construction of a portion of the Coastal Trail across APN 079-200-004 (the Ocean Estate). The constructed portion of the Coastal Trail would measure approximately 1,600 feet in length;
- f) **10CDP-00000-00094**, [application filed on November 12, 2010] for a Coastal Development Permit in compliance with to 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; allow construction of a portion of the Coastal Trail across APN 079-200-004 (the Ocean Estate). The constructed portion of the Coastal Trail would measure approximately 1,600 feet in length;

and to certify the Environmental Impact Report (09EIR-00000-00003, Revised February 2013) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. The proposed project includes public access and open space dedications. A complete project description is provided in Section 5.3 of this report. As a result of this project, significant unavoidable effects on the environment are anticipated in the following categories: Aesthetics (cumulative) and Cultural Resources (direct and cumulative). The EIR and all

documents referenced therein may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara and on the County of Santa Barbara Planning and Development website at <http://www.sbcountyplanning.org>. The applications involve AP No's. 079-200-004, 079-200-005, and 079-200-008, located south of Highway 101 approximately one mile west of the City of Goleta in the Gaviota area, Third Supervisorial District. (Continued from 3/20/13)

ACTION: Dropped the item from the Standard Agenda, at the request of the applicant.

**Cooney/Brown Vote: 5-0
Appeal process not applicable.**

TM 14,739

07TRM-00000-00006

05GPA-00000-00006

07DVP-00000-00032

05RZN-00000-00010

2. **10DVP-00000-00002 Orcutt Community Plan Key Site 30 (Bradley Village) Orcutt**
12EIR-00000-00005 John Karamitsos, Supervising Planner (805) 934-6255
Dana Carmichael, Planner (805) 934-6266

Hearing on the request of David Swenk, agent for Lawnae Hunter, owner, to consider the following:

- a) **05GPA-00000-00006** [application filed on November 1, 2005] proposing to: 1) Amend the Land Use Designation on the subject parcel from Agricultural (A-I-40) to Residential (RES-3.3, RES-4.6, Res-8.0) on approximately 21.2-acres, and Recreation (REC) on approximately 47.8-acres; 2) Amend Orcutt Community Plan Development Standard KS30-2 to allow storm water detention basins to be located within the open space area; and 3) Re-alignment of the public multi-use trail identified in the Orcutt Community Plan Parks Recreation, and Trails map as B-1, Bradley Connector;
- b) **05RZN-00000-00010** [application filed on November 1, 2005] proposing to rezone approximately 69-acres from Agriculture (AG-I-40) to Single Family Residential (8-R-1, 10-R-1), Small Lot Planned Development (SLP), and Recreation (REC) in compliance with Chapter 35.14 of the County Land Use and Development Code;
- c) **07TRM-00000-00006/TM 14,739** [application filed November 7, 2008] for approval of a Vesting Tentative Tract Map in compliance with County Code Chapter 21 to subdivide approximately 79.6-acres (gross) into: 1) 69 single family residential lots ranging in size from 5,415 square feet to 22,640 square feet; 2) One (1) lot for a private passive park of 177,364 square feet; 3) One (1) private open space lot of 1,929,393 square feet; and, 5) Six (6) lots for future development on property zoned MR-O;
- d) **07DVP-00000-00032** [application filed on November 7, 2008] for approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code to develop 18 single family units within the SLP zone district;
- e) **10DVP-00000-00002** [application filed on February 16, 2010] for approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code to construct a 3.5-acre private passive park; and to

certify the Subsequent Environmental Impact Report (12EIR-00000-00005) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant effects on the environment are anticipated in the following categories:

Aesthetic and Visual Resources (cumulative), Biological Resources (cumulative), and Public Facilities (cumulative). The Subsequent Final EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara or 624 West Foster Road, Suite C, Santa Maria. The EIR is also available for review online at the Planning and Development website at www.sbcountyplanning.org/projects/05GPA-00006/FSEIR.cfm and at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara. The application involves AP No. 107-250-008, located on the west side of Bradley Road between Union Valley Parkway and Patterson Road, approximately 2 miles northwest of the Clark Avenue/US Hwy 101 intersection, in the Orcutt Community Planning area, Fourth Supervisorial District. (Continued from 4/24/13)

ACTION: Recommended that the Board of Supervisors make the required findings for approval, including CEQA findings, certify the Final Subsequent Environmental Quality Act (12EIR-00000-00005) and adopt the mitigation monitoring program, and approve Case Nos. 05GPA-00000-00006, 05RZN-00000-00003, 07TRM-00000-00006/TM 147,739, 07DVP-00000-00032, and 10DVP-00000-00002 with revisions to the staff report and Conditions of Approval.

**Ferini/Blough Vote: 5-0
Appeal process not applicable.**

3.	<p>09PPP-00000-00002 Santa Maria Energy Oil Drilling and 12DVP-00000-00008 Production Project and Laguna Sanitation 13LUP-00000-00102 District Phase 3 Recycled Water Pipeline</p> <hr/> <p>12EIR-00000-00003</p>	<p>Orcutt</p> <p>Kevin Drude, Energy Specialist (805) 568-2519 Nancy Minick, Planner (805) 884-8050</p>
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Hearing on the request of Santa Maria Energy LLC to consider approval of the following permits:

- a) **09PPP-00000-00002** [application filed on November 12, 2009] Oil Drilling and Production Plan (ODPP) in order to produce oil using a cyclic steaming process from the Diatomite formation within the Careaga Lease in compliance with Section 35.53.040 of the County Land Use and Development Code (LUDC) on property zoned AG-II-100;
- b) **12DVP-00000-00008** [application filed on August 2, 2012] Development Plan to install a crude oil transmission pipeline from the Careaga Lease in compliance with Section 35.82.080 of the LUDC, on property zoned AG-II-100. (The pipeline would be operated by the Laguna County Sanitation District upon the District's acceptance of the pipeline as constructed by Santa Maria Energy.);
- c) **13LUP-00000-00102** [application filed on March 25, 2013] Land Use Permit to install the LCSD Phase 3 Recycled Water Pipeline and pump station from the terminus of the District's existing recycled water distribution pipeline to the Careaga Lease on various parcels and within public road rights-of-way in compliance with Allowable Uses as described in LUDC Sections 35.21 through 35.25, primarily on property zoned AG-II-100;

and to certify the Environmental Impact Report (12EIR-00000-00003; SCH #2011091085) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of the SME project, Class I significant environmental effects are anticipated in the following categories: Water Resources and Biological Resources. Class II significant but mitigable environmental effects are anticipated in the following categories: Air Quality, Aesthetic, Biological, Cultural and Water Resources, and Transportation. The EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara or 624 West Foster Road, Santa Maria. The EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street,

Santa Barbara, the Orcutt Branch Library, 1157 East Clark Avenue, Orcutt, the Santa Maria Public Library, 421 South McClelland Street, Santa Maria, and the UCSB Reference Library. The Final EIR and appendices are also posted on the P&D website, <http://www.sbcountyplanning.org>. The application involves APNs 101-020-074, 101-080-089, 101-020-070, 101-080-089, 105-060-022, 105-140-087, 111-231-007, -008, -010, -011, and -017 located south of the Orcutt area, in the Fourth and Fifth Supervisorial Districts. (Continued from 4/24/13)

ACTION: Motion to adopt staff recommendations with revisions to the Environmental Impact Report, Staff Report, and Findings.

Ferini/Blough Vote: 2-3* (Cooney, Brown, and Hartmann no)
***Motion Fails**
Appeal process not applicable.

ACTION: Adopted the 50% reduction from BAU as a standard, subject to recirculation, adopting staff's recommendations with the modifications made at the August 24 and May 1 hearings.

Cooney/Brown Vote: 3-2 (Ferini and Blough no)
Appeal process not applicable.

**Laguna County Sanitation District
Permanent Easement Acceptance and Parcel Fee**

4. 13GOV-00000-00006 Ownership Government Code Conformity Santa Maria

Kevin Drude, Energy Specialist (805) 568-2519
Nancy Minick, Planner (805) 884-8050

Hearing on the request of Jeff Havlik, Santa Barbara County Public Works Department, to consider Case No. 13GOV-00000-00006, [application filed on March 20, 2013], for a determination that the Laguna Sanitation District's proposed acceptance of a permanent easement and fee ownership of a portion of a privately owned parcel in the Santa Maria Valley conforms with the Comprehensive Plan of the County of Santa Barbara pursuant to California Government Code Section 65402(c). The site for the easement is identified as AP No. 105-140-087 and the site for the fee is located on AP No. 101-020-070, in the Fourth Supervisorial District.

ACTION: Accepted the withdrawal of the request.

Blough/Cooney Vote: 5-0
Appeal process not applicable.

The Planning Commission Agenda, Marked Agenda and Staff Reports are available on the
Planning and Development Web Site at
www.sbcountyplanning.org

Dianne M. Black
Secretary to the Planning Commission