



# COUNTY OF SANTA BARBARA

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## PLANNING COMMISSION MARKED AGENDA

Hearing of May 28, 2008  
9:00 a.m.

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C. MICHAEL COONEY	1st District	Santa Barbara County
CECILIA BROWN	2nd District	Engineering Building, Room 17
C.J. JACKSON	3rd District, Chair	123 East Anapamu Street
JOE H. VALENCIA	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 Jessica Opland.
- III. **ROLL CALL:** All Commissioners were present.
- IV. **AGENDA STATUS REPORT:** by Dianne M. Black.
- V. **PROJECTION REPORT:** by Dianne M. Black.
- VI. **PUBLIC COMMENT:** John Thorndike updated the Commission on his legal battles.
- VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** None.
- VIII. **PLANNING & DEVELOPMENT DIVISIONAL BRIEFINGS:** None.
- IX. **MINUTES:** The Minutes of May 5, 2008, May 7, 2008 and May 14, 2008 were considered as follows:  
  
**ACTION: Approved the Minutes of May 5, 2008.**  
  
Cooney/Brown                      **Vote: 5-0**  
  
**ACTION: Approved the Minutes of May 7, 2008.**  
  
Jackson/Blough                      **Vote: 5-0**  
  
**ACTION: Approved the Minutes of May 14, 2008.**  
  
Valencia/Cooney                      **Vote: 4-0-1 (Brown Abstained)**
- X. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** by John Baker, Director.

**XI. STANDARD AGENDA:**

**07DVP-00000-00015**

**08CDP-00000-00048**

**1. 07TRM-00000-00002 Claus Properties Mixed Use Development Carpinteria**

**08NGD-00000-00008**

June Pujo, Supervising Planner (805) 568-2056

Nicole Mashore, Planner (805) 884-8068

Hearing on the request of Steve Welton, agent for the owner, Claus Properties to consider the following:

a) **07DVP-00000-00015, 08CDP-00000-00048** [applications filed on May 28, 2007 and April 21, 2008], for approval of a Final Development Plan and Coastal Development Permit in compliance with Sections 35-174 and 35-169 of the Article II Coastal Zoning Ordinance, on property zoned C-1, for demolition of 2,042 square feet of commercial structures, construction of three mixed-use commercial and residential buildings totaling 4,589 square feet including four commercial units and three residential units, setback modifications to allow encroachment into the front and side yard setbacks, grading of approximately five cubic yards of cut and 1,200 cubic yards of fill, and new landscaping;

b) **07TRM-00000-00002** [application filed on May 28, 2007] for approval of a Voluntary Lot Merger of three existing parcels, and completion of a Tract Map in compliance with County Code Chapter 21 to create seven condominium lots including four commercial lots and three residential lots on property zoned C-1; and

to approve the Negative Declaration (08NGD-00000-00008) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Air Quality, Cultural Resources, Fire Protection, Geologic Processes, Noise, Transportation/Circulation, and Water Resources/Flooding. The ND and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The ND is also available for review at the Carpinteria Public Library, 5141 Carpinteria Ave, Carpinteria CA 93013. The application involves AP No.'s 005-450-001, 005-450-002 and 005-450-003, located at 3717 Santa Claus Lane, in the Carpinteria Area, First Supervisorial District.

**ACTION: Approved the project.**

**Cooney/Valencia**

**Vote: 5-0**

**10 day appeal period; no fee required.  
(Coastal Zone)**

**Overall Sign Plans, Ridgeline/Hillside Development Standards,  
Small Additions, Special Care Homes and Temporary**

**2. 08ORD-00000-00006 Subdivision Sales Offices Ordinance Amendment Countywide**

**Exempt, CEQA Section 15061(b)(3)**

Noel Langle, Planner (805) 568-2067

Pat Saley, Planner (805) 568-2000

Hearing on the request of the Planning and Development Department that the County Planning Commission consider and adopt a recommendation to the Board of Supervisors that they adopt an ordinance (Case No. 08ORD-00000-00006) amending Article 35.2 - Zones and Allowable Uses, Article 35.3 - Site Planning and Other Project Standards, Article 35.4 - Standards for Specific Land Uses, Section 35.6 - Resource Management, and Section 35.8 - Planning Permit Procedures, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code that would revise (1) the existing procedures for

permitting Special Care Homes, small additions to existing dwellings and temporary sales offices for new subdivisions, (2) the processing of Overall Sign Plans, and (3) the applicability of the Ridgeline and Hillside Development Standards.

**ACTION: Accepted staff's recommendation, as revised to delete the small addition exemption to the Ridgeline/Hillside component.**

**Blough/Valencia**

**Vote: 5-0**

**Appeal process not applicable.**

**3.**

**Response to Brown Act Violation Claim**

**06RVP-00000-00001**

Doug Anthony, Deputy Director Energy Division (805) 568-2046  
Kevin Drude, Supervising Planner (805) 568-2519

Hearing on request of County staff to review and give direction on a response to a claim of Brown Act violation by the Planning Commission in Case No. 06RVP-00000-00001, the PXP Tranquillon Ridge project. The claim was filed on April 30, 2008 by letter to the Planning Commission from Kathleen O'Prey Truman of Truman & Elliott LLP, on behalf of Sunset Exploration, Inc. and pursuant to Government Code Section 54960.1(b). The claim alleges that the Commission relied on the terms of a confidential, third-party agreement in its decision-making process for the PXP Tranquillon Ridge project, that the Commission improperly discussed that agreement at its April 21, 2008 hearing, that it relied on that agreement in approving the PXP Tranquillon Ridge project, and, therefore, the agenda for the Commission's meeting violated the Brown Act because it did not state the Commission would consider the confidential agreement at that hearing. Sunset requests that the approval should be set aside. The claim demands that the Commission cure or correct the alleged violation pursuant to Government Code Section 54960.1. The claim and a draft response to it will be provided by County staff in a memorandum to the Commission prior to the hearing.

**ACTION: Accepted Staff's recommendations.**

**Valencia/Jackson**

**Vote: 4-0-1 (Blough Abstained)**

**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](http://www.sbcountyplanning.org)

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Dianne M. Black  
Secretary to the Planning Commission