



COUNTY OF SANTA BARBARA

PLANNING COMMISSION MARKED AGENDA

Hearing of October 21, 2009
9:00 a.m.

C. MICHAEL COONEY	1st District	County of Santa Barbara
CECILIA BROWN	2nd District, Vice Chair	Betteravia Government Center
MARELL BROOKS	3rd District	511 East Lakeside Parkway
JOE H. VALENCIA	4th District	Santa Maria, CA 93455
DANIEL BLOUGH	5th District, 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:** by David Villalobos.
- IV. **AGENDA STATUS REPORT:** by Dianne M. Black.
- V. **PROJECTION REPORT:** by Dianne M. Black.
- VI. **PUBLIC COMMENT:** John Thorndike spoke to the topics of the county's well water control and zoning.
- VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** None.
- VIII. **PLANNING & DEVELOPMENT DIVISIONAL BRIEFINGS:** Dianne M. Black distributed the updated Planning and Development department organizational chart to the Commission.
- IX. **MINUTES:** The Minutes of September 9, 2009 and September 16, 2009 were considered as follows:

ACTION: Approved the Minutes of September 9, 2009.

Cooney/Brown Vote: 5-0

ACTION: Approved the Minutes of September 16, 2009, as revised.

Brown/Valencia Vote: 5-0
- X. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** by Glenn Russell, Director, and Dianne M. Black.
- XI. **CONSENT AGENDA ITEMS AND PROCEDURE:**

- C-1. 09AGP-00000-00016 Sacred Arrow Society Church, Inc.**
09RZN-00000-00008 Agricultural Preserve Contract and Rezone Lompoc
Exempt, CEQA Sections 15317 & 15061(b)(3) Michael Hays, Supervising Planner (805) 934-6923
Stephanie Stark, Planner (805) 681-5604

Hearing on the request of Shelly Ingram, MNS Engineers, agent for Sacred Arrow Society Church Inc. (Sacred Arrow), to consider the following:

- a) **09AGP-00000-00016** [application filed on July 24, 2009] for creation of an Agricultural Preserve and entering into an Agricultural Preserve Contract with Santa Barbara County pursuant to the Williamson Act, Government Code Section 51200 et. seq. and the Santa Barbara County Uniform Rules;
- b) **09RZN-00000-00008** [application filed on July 24, 2009] proposing to rezone 165.05 acres from 100-AG (Ordinance 661) to AG-II-100 in compliance with Section 35.104 of the County Land Use and Development Code;

and to accept the exemptions pursuant to Sections 15317 and 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The site is identified as AP Nos. 099-210-002, -004, -005 and 099-200-010 located southwest of the intersection of Highway 246 and Mail Road, in the Lompoc area, Fourth Supervisorial District.

ACTION: Accepted staff's recommendations, with revisions to the Findings.

Valencia/Brown

Vote: 5-0

Appeal process not applicable.

XII. STANDARD AGENDA:

- 1. 09APL-00000-00024 American Legion Appeal of Wellness Center Change of Use Orcutt**
Exempt, CEQA Section 15303(c) Zoraida Abresch, Supervising Planner (805) 934-6585
Joyce Gerber, Planner (805) 934-6265

Hearing on the request of the Orcutt American Legion to consider the Appeal Case No. 09APL-00000-00024 [appeal filed on July 27, 2009], of the Director's decision to approve Land Use Permit Case No. 09LUP-00000-00276, for a change of use in a commercial building to allow the sale of nutritional supplements and herbal medicine, including medically prescribed marijuana, in compliance with Chapter 35.102 of the County Land Use and Development Code on property located in the OT-R-14/GC Zone; and to accept the Exemption pursuant to Section 15303(c) of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 105-071-014, located at 125 W. Clark Avenue (primary address, also known as 127 and 135 W. Clark Avenue), in the Orcutt area, Fourth Supervisorial District. (Continued from 09/09/09)

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

Valencia/Blough

Vote: 5-0

Appeal process not applicable.

- 2. 09APL-00000-00018 Appeal of Weider Change of Use Los Olivos**
Exempt, CEQA Section 15303(c) Zoraida Abresch, Supervising Planner (805) 934-6585
Joyce Gerber, Planner (805) 934-6265

Hearing on the request of Shelley and Steve Lane to consider the Appeal Case No. 09APL-00000-00018 [appeal filed on June 22, 2009], of the Director's decision to approve Land

Use Permit Case No. 09LUP-00000-00154, for a commercial change of use for 1,511 square foot first floor retail space to a gift shop and wine tasting room, in compliance with Chapter 35.102 of the County Land Use and Development Code on property located in the C-2 zone; and to accept the Exemption pursuant to Section 15303(c) of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP Nos. 135-091-006, 135-091-007 and 135-091-008, located at 2901 Grand Avenue Suites B and C, in the Los Olivos area, Third Supervisorial District.

ACTION: Adopted the required findings for approval, with revisions, accepted the notice of exemption and denied the appeal Case No. 09APL-00000-00018, thereby upholding the Planning and Development Department's approval and granting *de novo* approval of Land Use Permit Case No. 09LUP-00000-00154, with revisions to the Staff Report.

Brooks/Brown

Vote: 5-0

10 day appeal period; fee required.

3. **TPM 14,754**
08TPM-00000-00013 Hawkins Tentative Parcel Map Orcutt
09NGD-00000-00013 John Karamitsos, Supervising Planner (805) 934-6255
Dana Carmichael, Planner (805) 934-6266

Hearing on the request of Roger Hawkins, landowner, to consider Case No. 08TPM-00000-00013, [application filed on October 16, 2008] for approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide approximately 10.30 acres into two parcels of 5.30 acres and 5.00 acres, on property zoned RR-5 under Section 35.23 of the Santa Barbara County Land Use and Development Code; and to approve the Negative Declaration (09NGD-00000-00013) 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, Biological Resources, Cultural Resources, Fire Protection, Geologic Processes, Land Use, Noise, and Water Resources / Flooding. The Negative Declaration and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara or 624 W. Foster Rd., Santa Maria. The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara. The application involves AP No. 129-151-016, 5552 Stillwell Road, in the Orcutt area, Fourth Supervisorial District.

ACTION: Approved the project with revisions to the Staff Report, Findings, and Conditions of Approval.

Valencia/Brown

Vote: 5-0

10 day appeal period; fee required.

4. **08DVP-00000-00033**
08CUP-00000-00077
09CUP-00000-00012 Jett Development Plan Santa Ynez
Exempt, CEQA Section 15301 John Karamitsos, Supervising Planner (805) 934-6255
Tammy Weber, Planner (805) 934-6254

Hearing on the request of Jennifer Welch, agent for T. Lawrence and Ann Jett, owners, to consider the following:

- a) **08DVP-00000-00033**, [application filed on November 17, 2008] for approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and

Development Code, to validate approximately 28,631 ft² gross floor area of existing and currently under construction structural development on a property zoned AG-I-20;

- b) **08CUP-00000-00077**, [application filed on November 17, 2008] for a Conditional Use Permit allowing for the designation of an existing 3,290 ft² dwelling as a Farm Employee Dwelling in compliance with Sections 35.82.60 and 35.42.030 of the County Land Use and Development Code, on property zoned AG-I-20;
- c) **09CUP-00000-00012**, [application filed on February 23, 2009] for a Conditional Use Permit allowing for the designation of an existing 720 ft² dwelling as a detached residential second unit in compliance with Sections 35.82.060 and 35.42.230 of the County Land Use and Development Code, on property zoned AG-I-20;

and to accept the Exemption pursuant to Section 15301 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 141-080-017, located at 1862 Mora Ave., in the Santa Ynez area, Third Supervisorial District.

ACTION: Approved the project with revisions to the Staff Report, Findings, and Conditions of Approval.

Brooks/Valencia

Vote: 5-0

10 day appeal period; fee required.

5. **08TPM-00000-00010** **Sierra Grande Development Company**
08CUP-00000-00028 **Tentative Parcel Map and Conditional Use Permit** **Solvang**
09NGD-00000-00011 John Karamitsos, Supervising Planner (805) 934-6255
Florence Trotter-Cadena, Planner (805) 934-6253

Hearing on the request of Mr. Sid Goldstien, agent for Stu Gildred, Sierra Grande Development Company, landowner, to consider the following:

- a) **08TPM-00000-00010/TPM 14,748** [application filed on May 12, 2008] for approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide 205.3 acres into two lots of 102.7 acres (Parcel 1) and 102.6 acres (Parcel 2) respectively;
- b) **08CUP-00000-00028** [application filed on May 12, 2008] for a Conditional Use Permit allowing the legalization of an existing 1,288 square foot mobile home originally approved under 71-CP-99 to be used as a full-time farm employee dwelling in compliance with Sections 35.82.060 and 35.42.030 of the County Land Use and Development Code, on property zoned AG-II-100;

and to approve the Negative Declaration (09NGD-00000-00011) 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: Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geology, Noise, Transportation, and Water Resources/Flooding. The ND and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara or 624 W. Foster Rd., Santa Maria. The ND is also available for review at the Solvang Public Library, 1745 Mission Drive, Solvang. The project site is AP No. 137-270-030, located approximately one half mile east of Highway 101 and approximately 1000 feet southwest of the City of Solvang, the Third Supervisorial District.

ACTION: Approved the project with revisions to the Conditions of Approval.

Brooks/Valencia

Vote: 5-0

10 day appeal period; fee required.

6. **07DVP-00000-00035** **Chisan Nursery** **Los Alamos**
09NGD-00000-00012 John Karamitsos, Supervising Planner (805) 934-6255
Florence Trotter-Cadena, Planner (805) 934-6253

Hearing on the request of Ray Severn, Penfield and Smith, agent for Joe Kim, Chisan Nursery to consider Case No. 07DVP-00000-00035, [application filed on December 20, 2007] for approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code, on property zoned AG-II-100, to develop 1.4 million square feet of greenhouses and associated development; and to approve the Negative Declaration (09NGD-00000-00012) 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, Biological Resources, Cultural Resources, Fire, Geologic Processes, Hazardous Materials / Risk of Upset, Land Use, Noise, and Water Resources/Flooding. The ND and all documents 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 ND is also available for review at the Santa Maria public Library, Cook Street, Santa Maria. The application involves AP No. 133-130-009, located at 9676 Harvest Road, in the Los Alamos area, Third Supervisorial District.

ACTION: Continued the item to the special hearing of October 26, 2009, at the request of the Commission.

Brooks/Blough **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