



COUNTY OF SANTA BARBARA

PLANNING COMMISSION MARKED AGENDA

Hearing of December 4, 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 (CSBT) 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 CSBT 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 Dianne M. Black.
- V. **PROJECTION REPORT:** by Dianne M. Black.
- VI. **PUBLIC COMMENT:** Brian Trautwein, Environmental Defense Center, discussed perceived issues with code enforcement, and asked that the Planning Commission become more involved in the process. He suggested that the Commission hold a workshop on the issue, and ask county staff to make quarterly reports to the Commission. Steve Ferry and Ed Harris echoed the concerns of the Environmental Defense Center regarding code enforcement.
- VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** None.
- VIII. **MINUTES:** The Minutes of November 6, 2013, November 13, 2013, November 20, 2013, and November 21, 2013 were considered as follows:

ACTION: **Approved the Minutes of November 6, 2013.**

Blough/Brown **Vote: 5-0**

ACTION: **Approved the Minutes of November 13, 2013, as revised.**

Cooney/Ferini **Vote: 3-0-1 (Blough absent; Brown abstained)**

ACTION: **Approved the Minutes of November 20, 2013.**

Cooney/Blough **Vote: 4-0-1 (Brown abstained)**

ACTION: Review of the Minutes of November 21, 2013 was tabled to allow inclusion/attachment of the meeting minutes for the City of Santa Barbara Planning Commission. No action was taken.

IX. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** by Glenn Russell, Director.

X. **CONSENT AGENDA ITEMS AND PROCEDURE:**

Public Works Road Right-of-Way Vacation:
C-1. **13GOV-00000-00012** Alley Between Grand Avenue and San Marcos **Los Olivos**
Zoraida Abresch, Supervising Planner (805) 934-6585
John Zorovich, Planner (805) 934-6297

Hearing on the request of Jeff Havlik, Real Property Agent, Public Works Department, Surveyors, to consider case number 13GOV-00000-000012, [application filed on November 4, 2013], for a determination that the vacation of County undeveloped road right-of-way conforms with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code Section 65402(a). The unused ROW is located within AP Nos. 135-210-004; -005; -006; -008; -009; -011; -014; and, -016, in Los Olivos, Third Supervisorial District.

ACTION: Determined the project to be in conformity with the Comprehensive Plan, pursuant to Government Code Section 65402(a).

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

XI. **STANDARD AGENDA:**

12RZN-00000-00003
1. **11CUP-00000-00032** Mosby Sport and Outdoor Recreation Facility **Lompoc**
12NGD-00000-00024 John Karamitsos, Supervising Planner (805) 934-6255
Dana Eady, Planner (805) 934-6266

Hearing on the request of Mr. James Mosby, owner, to consider Case Nos. 12RZN-00000-00003, & 11CUP-00000-00032 [applications filed on December 2, 2011 and June 21, 2012] proposing to rezone 2 lots (9.99 and 9.50 gross acres) from 40-AG to AG-II-40 in compliance with Chapter 35.104 of the County Land Use and Development Code; and approval of a Conditional Use Permit in compliance with Section 35.82.060 of the County Land Use and Development Code to permit an approximately 7.6-acre sports and outdoor recreation facility comprised of athletic fields, a paint ball field, and a remote control car track; and to adopt the Negative Declaration (12NGD-00000-00024) 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, and Transportation/Circulation. The ND and all documents may be reviewed at the Planning and Development Department at 624 West Foster Road, Suite C, Santa Maria. The ND is also available for review at the Lompoc Public Library located at 501 East North Ave and 3755 Constellation Road, Lompoc, CA 93436. The application involves AP Nos. 099-141-016 and -017 located approximately 0.5 mile east of the City of Lompoc, northwest of the intersection of Hwy 246 and Sweeney Road, commonly known as 625 E. Hwy 246, Lompoc area, Fourth Supervisorial District. (Continued from 9/11/13 and 11/13/13)

ACTION: Recommended that the Board of Supervisors make the required findings to deny the project including CEQA findings, as revised, determine the project denial to be exempt from CEQA, and to deny the project, Case Nos. 12RZN-00000-00003 and 11CUP-00000-00032.

Ferini/Brown

Vote: 4-1 (Blough no)

Appeal process not applicable.

11RZN-00000-00001

10DVP-00000-00010

2.

11CDP-00000-00009

Van Wingerden Greenhouses

Toro Canyon

Addendum to 99-EIR-02 RV 1

Anne Almy, Supervising Planner (805) 568-2053

Julie Harris, Planner (805) 568-3518

Hearing on the request of Bradley R. Miles, agent for the owners Rene and June Van Wingerden, to consider the following:

- a) **11RZN-00000-00001** [application filed on January 19, 2011], for approval of a Zoning Map Amendment to remove a Carpinteria Agricultural Overlay view corridor designation from Assessor's Parcel No. 005-310-024 in compliance with Section 35-180 of the Article II Coastal Zoning Ordinance;
- b) **10DVP-00000-00010** [application filed on June 4, 2010], for approval of a Final Development Plan in compliance with Section 35-174 of the Article II Coastal Zoning Ordinance, on property zoned AG-I-10, to add 264,500 square feet of unpermitted greenhouse development to 122,100 square feet of permitted greenhouses on the property;
- c) **11CDP-00000-00009** [application filed on February 16, 2011], for a Coastal Development Permit in compliance with Section 35-169.4.3 of the Article II Coastal Zoning Ordinance, on property zoned AG-I-10 to add 264,500 square feet of unpermitted greenhouse development to 122,100 square feet of permitted greenhouses on the property; and

to accept the Addendum to the Revised Final Environmental Impact Report (99-EIR-02 RV 1) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. There are no new significant environmental impacts as a result of this request. The Revised Final EIR identified significant effects on the environment in the following categories: Visual Resources, Water Quality and Groundwater, Flooding and Drainage, Land Use and Agriculture, Traffic, Air Quality, Noise, and Biological Resources. The Addendum to the Revised Final EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 E. Anapamu Street, Santa Barbara and on the Planning and Development website, <http://www.sbcountyplanning.org/projects/11RZN-00001Greenhouses/index.cfm>. The application involves AP No. 005-310-024, zoned AG-I-10 with a Carpinteria Agricultural Overlay, located south of Foothill Road in the Toro Canyon area, First Supervisorial District. The site does not have an assigned address number.

ACTION: **Recommended that the Board of Supervisors make the required findings for approval, including CEQA findings, determine that no subsequent Environmental Impact Report shall be prepared for this project, approve the Zoning Map Amendment, Case No. 11RZN-00000-00001 and the project Case Nos. 10DVP-00000-00010 and 11CDP-00000-00009.**

Cooney/Blough

Vote: 5-0

Appeal process not applicable.

06CDH-00000-00038

06CDH-00000-00039

07CUP-00000-00065

09CDP-00000-00045

10CUP-00000-00039

3. 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, Biological Resources Section Revised August 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, 5/01/13, and 11/21/13)

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

**Brown/Blough Vote: 4-1 (Hartmann no)
10 day appeal period; no fee required (Coastal Zone).**

4. **13RMM-00000-00001 Novatt Recorded Map Modification Buellton**
Addendum to 09NGD-00000-00011 John Karamitsos, Supervising Planner (805) 934-6265
Joyce Gerber, Planner (805) 934-6265

Hearing on the request of Gary and Lisa Novatt, owners, to consider Case No. 13RMM-00000-00001 [application filed on April 16, 2013] to: 1) modify the location and size of the recorded 10.01-acre development envelope on Parcel 2 of TPM 14,748; and 2) modify condition #2 of TPM 14,748 to require all non-agricultural development on Parcel 2 to be located within the proposed 2-acre development envelope in compliance with Section 21-15.9 of County Code Chapter 21 on property zoned AG-II-100; and to approve the Addendum to Negative Declaration (09NGD-00000-00011) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. There are no new significant environmental impacts as a result of this modification request. The original ND identified significant but mitigable effects on the environment in the following categories: Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geology, Noise, Transportation, and Water Resources/Flooding. The Addendum to the ND and all documents referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara and 624 West Foster Road, Suite C, Santa Maria. The Addendum to the ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara. The application involves AP No. 137-270-034 located approximately 2 miles southeast of Highway 101, in the Solvang area, Third Supervisorial District.

ACTION: Approved the project.

**Brown/Cooney Vote: 5-0
10 day appeal period; fee required.**

- 12TPM-00000-00006**
11CDH-00000-00006 **Beach Club Lot Split, Gabion Wall and**
5. 11CDH-00000-00054 Grading, and New Single Family Residence Project Carpinteria
13NGD-00000-00012 Anne Almy, Supervising Planner (805) 568-2053
Joyce Gerber, Planner (805) 934-6265

Hearing on the request of Ginger Andersen, agent for the Beach Club Family Trust, owner, to consider the following:

- a) **12TPM-00000-00006**, [application filed on July 19, 2012] for approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide 10.25 acres into two lots of 3.02 and 7.23 acres, on property zoned 3-E-1;
- b) **11CDH-00000-00006** [application filed on February 9, 2011] for a Coastal Development Permit with hearing in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 3-E-1, to allow (1) as-built grading, (2) modifications to the biological resources restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3) removal of the single family dwelling, (4) removal of the accessory structure, (5) removal of a retaining wall, (6) removal of the play structure, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence; and
- c) **11CDH-00000-00054** [application filed on November 30, 2011] for a Coastal Development Permit with hearing in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 3-E-1, to allow construction of a new single family residence and associated fencing and landscaping;

and to adopt the Mitigated Negative Declaration (13NGD-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: Aesthetic/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geologic Resources, Noise and Water Resources. 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 Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara. The application involves AP No. 005-260-018, located at 2825 Padaro Lane in the Summerland area, First Supervisorial District.

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

Cooney/Brown Vote: 4-0 (Blough absent)
10 day appeal period; no fee required (Coastal Zone).

- AT&T Temporary Telecommunications**
6. 13TEX-00000-00036 Facility at Ortega Reservoir Time Extension Summerland
Exempt, CEQA Guidelines Sections 15304(e) Zoraida Abresch, Supervising Planner (805) 934-6585
and 15304(f) Brian Banks, Planner (805) 568-3559

Hearing on the request of Robert McCormick, agent for applicant, AT&T, to consider Case No. 13TEX-00000-00036 [application filed on November 5, 2013] for a one year time extension to December 27, 2014, for Case Nos. 13CUP-00000-00001 and 13CDP-00000-00002 in compliance with Section 35-172.9.3.c and 169.6.2 of the Article II Coastal Zoning Ordinance, on property zoned RR-5; and to determine the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15304(e) and 15304(f). The application involves

AP No. 005-030-002, located at 484 Ortega Ridge Road, in the Summerland area, First Supervisorial District.

ACTION: Approved the project.

Cooney/Brown

Vote: 4-0 (Blough absent)

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

**7. 13ORD-00000-00008
13ORD-00000-00010 2013 General Package Ordinance Amendments Countywide**

Exempt, CEQA Guidelines Sections 153061(b)(3)
and 15265

Dianne Black, Assistant Director (805) 568-2000
Noel Langle, Planner (805) 568-2067

Hearing on the request of the Planning and Development Department that the County Planning Commission:

- a) **13ORD-00000-00008.** Adopt a recommendation to the Board of Supervisors that Board of Supervisors adopt an ordinance (Case No. 13ORD-00000-00008) amending Article 35.2, Zones and Allowable Land Uses, Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, Article 35.8, Planning Permit Procedures, Article 35.10, Land Use and Development Code Administration, and Article 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and
- b) **13ORD-00000-00010.** Adopt a recommendation to the Board of Supervisors that Board of Supervisors adopt an ordinance (Case No. 13ORD-00000-00010) amending Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking, Division 7, General Regulations, Division 10, Nonconforming Structures and Uses, and Division 11, Permit Procedures, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code.

and to determine the project is exempt from CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of the California Environmental Quality Act. The proposed ordinances would implement new regulations and make other minor clarifications, corrections and revisions regarding:

- Agricultural processing (extensive) definition - Deleting examples that are actually common practices. (County LUDC only)
- CN Zone include restaurants as a permitted use. (County LUDC only)
- Commercial zones exterior uses- Correcting process and screening requirements for exterior uses. (County LUDC only)
- Comprehensive Plan, Development Code, and Zoning Map amendment process - Revising existing language and implementing new procedures regarding the processing of amendments to the text and maps of the Comprehensive Plan, and the text and maps of the County Land Use and Development Code. (County LUDC only)
- Exterior material storage screening requirements - Revising the existing language regarding the required screening for the exterior storage of materials in residential zones to specify that the screening must be located in close proximity to the storage area. (County LUDC and Article II)
- Exterior vehicle (trailer) storage requirements and allowed paving materials - Including recreational vehicles in the limits on the number of vehicles that can be stored outside of a garage or similar structure, and allowing the use of permeable materials in the construction of driveways and parking areas. (County LUDC and Article II)

- Grocery and Specialty Food Store definition - Amending the definition to (1) allow areas for the on-premises consumption of packaged food and specially prepared food items, and (2) to including delicatessens within the definition. (County LUDC only)
- Hostels not allowed in AG-I Zones - Deleting as a conditionally permitted use in the AG-I zone. (County LUDC only)
- Impermissible structural alterations to nonconforming structures - Adding language that specifies that nonconforming structure that is structurally altered in violation of the zoning ordinance loses its status as a nonconforming structure and must either be demolished or remodeled as a conforming structure. (County LUDC and Article II)
- Phased Conditional Use Permit and Development Plan maximum build-out periods - Including a maximum period of time in which the permits required to allow the build-out of a project that has a phasing agreement must be issued. (County LUDC and Article II)
- PI Zone meeting facilities (religious) permit requirement - Correcting permit requirement for religious meeting facilities. (County LUDC only)
- PI Zone office floor area limitation- Deleting percentage limitations on office floor area within the overall development. (County LUDC only)
- Pool and pool equipment setbacks for interior lots - Specifying the setbacks for pools and attendant equipment when located on an interior lot. (County LUDC and Article II)
- Setback exemptions in single family residential subdivisions - Including additional situations where historical setback determinations remain in effect. (County LUDC only)
- Special care homes permit requirements in the Special Purpose Zones- Clarifying permit requirements in the special purpose zones. (County LUDC only)
- Special care homes restriction on the number of clients - Reducing the number of clients served in a special care home that qualifies as a permitted use the specific zone from 14 to six. (Article II only)
- Summerland Community Plan area special findings - Correcting the list of findings for approval of Conditional Use Permits, Modifications, Surface Mining and Variances. (County LUDC only)
- Surface mining and reclamation regulations for idle mines - Changing the review authority of applications for interim management plans filed for surface mines that have become idle from the Planning Commission to the Director, and allowing additional extensions of the time limit on interim management plans to be consistent with recent amendments to State law. (County LUDC and Article II)
- Time extensions review authorities and noticing requirements - Clarifying the existing process including appropriate review authority and noticing requirements. (County LUDC only)
(Continued from 10/30/13)

ACTION: **Continued the item to the hearing of February 12, 2014, at the request of staff.**

Cooney/Brown

Vote: 4-0 (Blough absent)

Appeal process not applicable.

Dianne M. Black
Secretary to the Planning Commission

G:\GROUP\PC_STAFF\WP\PC\AGENDAS\PC AGD 2013\12-04-13MKD.DOC