



COUNTY OF SANTA BARBARA

PLANNING COMMISSION MARKED AGENDA

Hearing of December 9, 2015
9:00 a.m.

C. MICHAEL COONEY	1st District	Santa Barbara County
CECILIA BROWN	2nd District, Chair	Engineering Building, Room 17
JOAN HARTMANN	3rd District	123 East Anapamu Street
LARRY FERINI	4th District, Vice-Chair	Santa Barbara, CA 93101
DANIEL BLOUGH	5th District	(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. This hearing will also be streamed live on CSBTv's website at <https://www.countyofsb.org/ceo/csbtv/livestream.sbc> and digitally archived at <http://www.countyofsb.org/ceo/csbtv/archives.sbc>*

ADMINISTRATIVE AGENDA:

- I. **PLEDGE OF ALLEGIANCE**
- II. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- III. **ROLL CALL:** All Commissioners were present (Ferini and Blough remote)
- IV. **AGENDA STATUS REPORT:** by Dianne M. Black.
- V. **PROJECTION REPORT:** by Dianne M. Black.
- VI. **PUBLIC COMMENT:** None.
- VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** Commissioner Cooney reported on a recent decision by the California Supreme Court on a case regarding global warming and the analysis of that issue in the context of CEQA. He would like to review the case further and discuss it with the Commission in the new year. Chair Brown noted that comment letters received late the evening before the hearing make it difficult for the Commissioners to read all that is submitted. She indicated that if members of the public could send in their comments by Tuesday at noon, that it would be very helpful to them.
- VIII. **MINUTES:** The Minutes of October 28, 2015 November 4, 2015 and November 19, 2015 were considered as follows:
 - ACTION:** **Approved the Minutes of October 28, 2015.**
Hartmann/Brown Vote: 5-0
 - ACTION:** **Approved the Minutes of November 4, 2015.**
Cooney/Hartmann Vote: 4-0-1 (Ferini abstained)
 - ACTION:** **Approved the Minutes of November 19, 2015.**
Cooney/Brown Vote: 5-0

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

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

C-1. **15TEX-00000-00012** **Legacy Estates Time Extension** **Los Alamos**
05EIR-00000-00005 Zoraida Abresch, Supervising Planner (805) 934-6585
Florence Trotter-Cadena, Planner (805) 934-6253

Hearing on the request of Ginger Anderson, Stantec, agent for Henry Blanco, owner to consider Case No. 15TEX-00000-00012 [application filed on June 10, 2015] for a six year time extension from the date of project approval to September 7, 2021 for Case No. 02TRM-00000-00007 in compliance with Section 21-10 of County Code Chapter 21, on property zoned 7-R-1; and to accept the Environmental Impact Report (05EIR-00000-00005) as adequate environmental review 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 time extension request. The original EIR identified significant effects on the environment in the following categories: Aesthetics, Agricultural Resources, Biological Resources, Cultural Resources, Flooding, Land Use, Public Facilities and Water Resources. Those project impacts were identified by the Los Alamos Community Plan EIR as impacts associated with the buildout of the Community Plan, and the Board of Supervisors adopted a Statement of Overriding Considerations for the Plan's cumulative impacts. The EIR 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 EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara, and online at <http://sbcountyplanning.org/projects/15TEX-00012LegacyEstates/index.cfm>. The application involves AP Nos. 101-201-001, 101-202-001, 101-231-001, 101-232-001, 101-233-001, 101-234-001 and 101-242-001, located in the southwest corner of Los Alamos, west of Den Street, south of Main Street, in the Los Alamos Community Plan area, Third Supervisorial District.

ACTION: Approved the time extension.

Hartmann/Cooney Vote: 5-0
10 day appeal period; fee required

XI. **STANDARD AGENDA:**

1. **Short-term Rental Ordinance Briefing** **Countywide**
Exempt, CEQA Guidelines Section 15378(b)(5) Matt Schneider, Deputy Director (805) 568-2072
Jessica Metzger, Planner (805) 568-3532

Hearing on the request of the Planning and Development Department that the County Planning Commission receive a staff briefing regarding the use of Short-term Rentals (STRs) within the unincorporated County, and provide direction to staff to develop specific zoning ordinance amendments to the County Land Use and Development Code (LUDC) and Coastal Zoning Ordinance (Article II) for the use or prohibition of STRs within the unincorporated County.
(Continued from 11/04/15)

ACTION: Continued the item to the hearing of February 24, 2016, at the request of the Commission, and asked staff to return with a regulatory approach for short-term rentals on agricultural zoned parcels and further research on other jurisdiction ordinances that address short term rents on agricultural land.

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

ACTION: Directed staff to prepare draft ordinance language which would prohibit short-term rentals and homestays in residential zone districts.

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

2. **14CUP-00000-00014** **Koch Seawall** **Gaviota**
15CDP-00000-00008
Exempt, CEQA Guidelines Section 15301 & 15302 Alex Tuttle, Supervising Planner (805) 884-6844
Sean Herron, Planner (805) 568-3510

Hearing on the request of owner Klaus Koch to consider Case Nos. 14CUP-00000-00014 and 15CDP-00000-00008 (applications filed on June 3, 2014 and January 23, 2015) for a Major Conditional Use Permit (CUP) under Section 35-172 of Article II and an accompanying Coastal Development Permit (CDP) under Section 35-169 of Article II, on a property zoned RR-40, to authorize an existing unpermitted seawall fronting an existing single family dwelling, and to determine the project is exempt from CEQA pursuant to Sections 15301 and 15302 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 081-190-015, located at 25 Arroyo Quemada Lane in the Gaviota Coast Area, Third Supervisorial District. (Continued from 9/30/15)

ACTION: Approved the project.

Hartmann/Cooney **Vote: 5-0**
10 day appeal period; no fee required (Coastal Zone).

3. **14CUP-00000-00011** **Verizon at Kenneth Avenue** **Santa Maria**
Exempt, CEQA Guidelines Sections Zoraida Abresch, Supervising Planner (805) 934-6585
15303 & 15304 Florence Trotter-Cadena, Planner (805) 934-6253

Hearing on the request of Jay Higgins, agent for the applicant, Verizon Wireless, to consider Case No. 14CUP-00000-00011 [application filed on April 17, 2014] to allow for the construction and operation of an unstaffed telecommunications facility with an 80-foot tall antenna support structure designed as a faux eucalyptus tree, in compliance with Sections 35.82.060 (Conditional Use Permits) and 35.44.010 (Telecommunications Facilities) of the County Land Use and Development Code, on property zoned REC; and to determine the project is exempt from CEQA pursuant to Sections 15303 and 15304 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 107-690-001, located southwest of the intersection of Via Santa Maria and Kenneth Avenue, known as 4599 Kenneth Avenue, Orcutt area, Fourth Supervisorial District. (Continued from 3/11/15, 3/25/15, 6/11/15, 6/24/15, 7/01/15, 7/08/15, and 9/30/15)

ACTION: Made the required findings for denial of the project, including CEQA findings, determined the project denial to be exempt from CEQA, and denied the project, Case No. 14CUP-00000-00011.

Ferini/Blough **Vote: 5-0**
10 day appeal period; fee required.

4. 10RVP-00000-00107 Gibraltar Peak Revision Santa Barbara
Addendum to 91-EIR-12 Alex Tuttle, Supervising Planner (805) 884-6844
J. Ritterbeck, Planner (805) 568-3509

Hearing on the request of Steve Welton, agent for the property owner, Community Radio, Inc., to consider Case No. 10RVP-00000-00107 [application filed on November 23, 2010], for approval of a Revision to 91-CP-014 that would modify existing conditions of approval, in compliance with Section 35.84.040 of the County Land Use & Development Code, on property zoned 40-E-1; and to accept the Addendum to the Environmental Impact Report (91-EIR-12) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. The original EIR identified potentially significant effects on the environment in the following categories: Land Use and Neighborhood Compatibility, Public Health and Safety, Aesthetics, and Noise. There are no new significant environmental impacts as a result of the requested Revision. The Addendum to the EIR and all documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara, and online at <http://sbcountyplanning.org/boards/pc/cpc.cfm>. The application involves AP No. 153-280-021, located at 3035 Gibraltar Road, in the inland area of the County, First Supervisorial District.

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

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

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