



COUNTY OF SANTA BARBARA

MONTECITO PLANNING COMMISSION MARKED AGENDA

Hearing of June 15, 2005
9:00 a.m.

BOB BIERIG, Vice Chair
CLAIRE GOTTSANKER
ROBERT MEGHREBLIAN, Chair
MICHAEL PHILLIPS
RICHARD THIELSCHER, Second Vice Chair

Santa Barbara County
Engineering Building, Room 17
123 East Anapamu Street
Santa Barbara, CA 93101
(805) 568-2000 (Planning & Development)

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

ADMINISTRATIVE AGENDA:

- I. **HEARING CALLED TO ORDER:** by Bob Bierig, Vice Chair.
- II. **PLEDGE OF ALLEGIANCE**
- III. **TV COVERAGE ANNOUNCEMENT:** by Terry Contreras.
- IV. **ROLL CALL:** Commissioner Meghreblian was absent.
- V. **AGENDA STATUS REPORT:** Presented by Cintia Mendoza.
- VI. **PROJECTION REPORT:** Presented by Cintia Mendoza.
- VII. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** Presented by Dianne Meester, Assistant Director, Planning and Development.
- VIII. **PUBLIC COMMENT:** None.
- IX. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** Commissioner Thielscher reported that he attended the Montecito Association Land Use Committee meeting two weeks ago and encouraged the Commission to attend.

Commissioner Bierig reported that he attended a meeting with Ron Cortez of the County Executive Office relating to having MPC and ARC members get together and talk about process improvement. Commissioner Bierig sees this as a good opportunity to help coordinate them selves with the MBAR. The CEO is looking into having bi-monthly meetings.
- X. **PLANNING & DEVELOPMENT DIVISIONAL BRIEFINGS:** Steve Chase requested that the Commission consider making use of the consent agenda and accurately designate a category of projects for the consent agenda. Mr. Chase announced the Planning Commission Retreat which will be held on July 16, 2005.
- XI. **MINUTES:** The Minutes of May 5, 2005 were considered as follows:

ACTION: Commissioner Phillips moved, seconded by Commissioner Gottsdanker and carried by a vote of 3-0-1 (Thielscher abstained/Meghreblian absent) to approve the Minutes of May 5, 2005.

XII. **STANDARD AGENDA:**

1. **EIR Consultant Hiring Process Review Project** **Countywide**
John McInnes, Innovative Programs Manager (805) 568-3552

The Montecito Planning Commission will receive a report and make recommendations to the Board of Supervisors on preferred EIR contracting procedures. (Continued from 5/18/05).

ACTION: Recommended to the Board of Supervisors that EIR Development Procedures for *private projects* be modified to:

1. Reflect the processes described as Option No. 4 entitled "Lead Agency Contracted or In-House Procedures"; **and**
2. All communications between the consultant and either the applicant or county staff shall be with the applicant and county staff both participating, and that any communications between the consultant, either county staff or the applicant that results in a change in the administrative draft, shall be memorialized in writing and be made part of the public record.

ACTION: Recommended to the Board of Supervisors that EIR Development Procedures for *public projects* be modified to:

3. Include a mandatory policy specifying that the development of all EIRs for programs or plans (not physical developments) be performed and/or directed by a department different from that which developed the program or plan; **and**
4. **The CEO shall appoint an Environmental Coordinator responsible for:**
 - a) **ensuring that the preparation of the public plan or program EIR by the department that has the principle authority for the project complies with the requirements of CEQA and the County's CEQA Guidelines; and**
 - b) **fulfilling the duties of the hearing officer for the respective project.**

The Environmental Coordinator shall not be an employee or officer of the department that is charged with the preparation of the public plan or program EIR;

5. Requested to the Board of Supervisors that EIR procedures be reviewed regularly by the Board of Supervisors, the first review occurring not later than two years from the date in which they are implemented to determine their effectiveness; and
6. Requested that the Board of Supervisors refer to the Montecito and County Planning Commission draft CEQA Guideline amendments to implement their policy direction prior to final resolution adoption by the Board of Supervisors.

Gottsdanker/Thielscher

Vote of 4-0 (Meghreblian absent)

The Montecito Planning Commission's recommendations will automatically be forwarded to the Board of Supervisors for final action; therefore, the appeal process is not applicable.

2. **04COC-00000-00007** **Maxwell Conditional Certificate**
04CDP-00000-00090 **of Compliance and Coastal Development Permit** **High Road**
Exempt CEQA Section 15061(b)(3) Julie Harris, Planner (805) 568-3518

Hearing on the request of Jack Maxwell, agent to the owner, Pauline Maxwell, to consider the following [application filed on March 29, 2004]:

a) **04COC-00000-00007** for a Conditional Certificate of Compliance to recognize the creation of one 8,791 square foot parcel and one 14,872 square foot parcel to be merged into one lot upon recordation, in the 2-E-1 Zone District under Article II;

b) **04CDP-00000-00090** for a Coastal Development Permit under Section 35-169 in the 2-E-1 Zone District of Article II to allow recordation of Certificate of Compliance No. 04COC-00000-00007;

and to accept the Exemption pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The property is identified as AP Nos. 009-162-010 and 009-162-022, located at High Road in the Montecito area, First Supervisorial District. (Continued from 10/20/04, 11/17/04, 1/19/05, 2/16/05 and 3/16/05)

3. **04COC-00000-00008** **Maxwell Conditional Certificate**
04CDP-00000-00091 **of Compliance and Coastal Development Permit** **High Road**
Exempt CEQA Section 15061(b)(3) Julie Harris, Planner (805) 568-3518

Hearing on the request of Jack Maxwell, agent to the owner, Kari Campano, to consider the following [application filed on March 29, 2004]:

a) **04COC-00000-00008** for a Conditional Certificate of Compliance to recognize the creation of one 8,984 square foot parcel and one 8,795 square foot parcel to be merged into one lot upon recordation in the 2-E-1 Zone District under Article II;

b) **04CDP-00000-00091** for a Coastal Development Permit under Section 35-169 in the 2-E-1 Zone District of Article II to allow recordation of Certificate of Compliance No. 04COC-00000-00008;

and to accept the Exemption pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The property is identified as AP Nos. 009-162-032 and 009-162-033, located at High Road in the Montecito area, First Supervisorial District. (Continued from 10/20/04, 11/17/04, 1/19/05, 2/16/05 and 3/16/05)

4. **04COC-00000-00010** **Maxwell Conditional Certificate**
04CDP-00000-00092 **of Compliance and Coastal Development Permit** **Summit Road**
Exempt CEQA Section 15061 (b)(3) Julie Harris, Planner (805) 568-3518

Hearing on the request of Jack Maxwell, owner, to consider the following [application filed on April 27, 2004]:

a) **04COC-00000-00010** for a Conditional Certificate of Compliance to recognize the creation of one 9,822 square foot parcel and one 9,713 square foot parcel. Upon

recording of the conditional certificates, the two lots will be merged with AP No. 009-162-021, a legal lot to form one larger lot of 39,448 square feet in the 2-E-1 Zone District under Article II;

- b) **04CDP-00000-00092** for a Coastal Development Permit under Section 35-169 in the 2-E-1 Zone District of Article II to allow recording of Certificate of Compliance No. 04COC-00000-00010;

and to accept the Exemption pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The property is identified as AP Nos. 009-162-011 and 009-162-028, located at Summit Road in the Montecito area, First Supervisorial District. (Continued from 10/20/04, 11/17/04 1/19/05, 2/16/05 and 3/16/05) (Estimated time for Items 1-3: 30 mins.)

Staff will be requesting a continuance for items 1, 2 and 3.

5. **05MOD-00000-00004 Warren Single Family Addition 1331 Danielson Rd.**
Exempt, CEQA Sections 15305(a) and 15301(e) Alice Daly, Planner (805) 568-2059

Hearing on the request of Tom Moore, agent for the owner, Meg Warren, to consider Case No. 05MOD-00000-00004 [application filed on March 30, 2005] to modify the front yard setback for Case No. 04CDP-00000-00025 to allow a first floor addition of 405 square feet to an existing 2,227 square foot two family duplex; and to accept the Exemption pursuant to Sections 15305(a) and 15301(e) of the State Guidelines for Implementation of the California Environmental Quality Act. The property is identified as AP No. 009-313-013, located at 1331 Danielson Road in the Montecito area, First Supervisorial District. (Estimated time: 30 mins.)

6. **05TPM-00000-00006 Murphy Condominium Conversion 528 A and B San Ysidro Rd.**
Exempt, CEQA Section 15301(k) Alex Tuttle, Planner (805) 884-6844

Hearing on the request of Steve Welton, agent for the owners, John and Suzanne Murphy to consider Case No. 05TPM-00000-00006 [application filed on March 30, 2005] for approval under County Code Chapter 21 to divide a .27 acre parcel into an airspace condominium subdivision with two units in the 7-R-2 Zone District under Article IV; and to accept the Exemption pursuant to Section 15301(k) of the State Guidelines for Implementation of the California Environmental Quality Act. The property is identified as AP No. 011-200-056, located at 528 A and B San Ysidro Road in the Montecito area, First Supervisorial District.

ACTION: Approved the project.

Gottsdanker/Phillips

**Vote: 4-0 (Meghreblian absent)
10 day appeal period; fee required.**

7. **05LLA-00000-00008 Coleman Lot Line Adjustment 881 and 869 San Ysidro Ln.**
Exempt, CEQA Section 15305(a) Alex Tuttle, Planner (805) 884-6844

Hearing on the request of Syndi Souter, agent for the owner, Tom Coleman, to consider Case No. 05LLA-00000-00008 [application filed on March 25, 2005] for approval of a Lot Line Adjustment under the provisions of County Code Chapter 21, to adjust lines between two parcels of 2.49 and 2.14 acres to create two parcels of 2.63 and 2.00 acres in the 2-E-1 Zone District under Article IV; and to accept the Exemption pursuant to Section 15305(a) of the State Guidelines for Implementation of the California Environmental Quality Act. The property is identified as AP Nos. 011-110-005 and 011-110-009, located at 881 and 869 San Ysidro Lane in the Montecito area, First Supervisorial District. (Estimated time: 30 mins.)

2. **Find that this amendment is statutorily exempt from the California Environmental Quality Act pursuant to Sections 15265 of the Guidelines for Implementation of CEQA; and**
3. **Adopt 05ORD-00000-00004, an amendment to Article II specified in Attachment C of the staff report dated June 3, 2005, as revised at the hearing of June 15, 2005.**

That the Montecito Planning Commission recommend that the Board of Supervisors:

1. **Adopt the findings for approval of the proposed amendments included in Attachment A of the staff report dated June 3, 2005;**
2. **Find that these amendments are categorically exempt from the California Environmental Quality Act pursuant to Sections 15061(b)(3) of the Guidelines for Implementation of CEQA;**
3. **Adopt 05ORD-00000-00006, an amendment to Article IV specified in Attachment D of the staff report dated June 3, 2005, as revised at the hearing of June 15, 2005; and**
4. **Shift jurisdiction of facilities involving freestanding antennas located within the Recreational Zone District under Articles II and IV from the Director to the Montecito Planning Commission.**

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

Steve Chase
Secretary to the Montecito Planning Commission