



COUNTY OF SANTA BARBARA

MONTECITO PLANNING COMMISSION MARKED AGENDA

Hearing of December 16, 2015
9:00 a.m.

J' AMY BROWN, CHAIR
JACK OVERALL, 1ST VICE-CHAIR
MICHAEL PHILLIPS, 2ND VICE CHAIR
SUSAN KELLER
JOSEPH COLE

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

TV COVERAGE ANNOUNCEMENT: *Montecito Planning Commission Hearings are televised live on County of 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 Montecito 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. **HEARING CALLED TO ORDER:** by Chair, J' Amy Brown.
- II. **PLEDGE OF ALLEGIANCE**
- III. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- IV. **ROLL CALL:** All Commissioners were present.
- V. **AGENDA STATUS REPORT:** by Dianne M. Black.
- VI. **PROJECTION REPORT:** by Dianne M. Black.
- VII. **PUBLIC COMMENT:** None.
- VIII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** Chair Brown attended the Montecito Board of Architectural Review meeting of December 13, 2015, at which the Miramar project was considered. She also congratulated Commissioner Keller, along with herself, for being re-appointed to the Montecito Planning Commission by the Board of Supervisors.
- IX. **MINUTES:** The Minutes of November 18, 2015 and December 3, 2015 were considered as follows:
ACTION: Approved the Minutes of November 18, 2015.
Phillips/Cole Vote: 4-0 (Overall absent)
ACTION: Approved the Minutes of December 3, 2015.
Keller/Cole Vote: 3-0-1 (Overall absent, Phillips abstained)
- X. **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:**
None.

XI. STANDARD AGENDA:

14RVP-00000-00005		
14CUP-00000-00002	Casa Dorinda Master Plan	
15GOV-00000-00004	Conditional Use Permit Revision	300 Hot Springs Road
15NGD-00000-00003	Alex Tuttle, Supervising Planner (805) 884-6844 Joyce Gerber, Planner (805) 568-3518	

Hearing on the request of Steve Welton, agent for the applicant, to consider the following:

- a) **14RVP-00000-00005** [application filed on January 14, 2014] for a revision to Casa Dorinda’s existing Conditional Use Permit (90-CP-01 as revised by 90-CP-091 RV01 and 07AMD-00000-00002) and update to its Master Plan to allow demolition, remodeling, and new construction to add 31 (net) residential units, a new dining facility (i.e. grill), and underground garage; reconfigure the trash/recycling/green waste area; reconfigure an existing driveway and bridge; reconfigure and enlarge the dedicated open space; and eliminate or modify certain conditions, in compliance with Section 35.472.060 of the Montecito Land Use and Development Code, on property zoned 2-E-1 and 5-E-1;
- b) **14CUP-00000-00002** [application filed on January 14, 2014] for (1) construction of a new entry gate exceeding six feet in height and gateposts exceeding eight feet in height within the front setback, and (2) construction of two new sound attenuation walls exceeding six feet in height within the side setbacks, in compliance with Section 35.472.060 of the Montecito Land Use and Development Code;
- c) Hearing on the request of the County of Santa Barbara General Services Department, Real Estate Division, to consider Case No. **15GOV-00000-00004** to determine that the proposed land exchange and offer-to-dedicate of the Casa Dorinda open space and trails easements are in conformance with the Comprehensive Plan, including the Montecito Community Plan, pursuant to Government Code Section 65402(a);

and to adopt the Negative Declaration (15NGD-00000-00003) 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, Geologic Processes, Historic Resources, Land Use, Noise, Public Facilities, Transportation/Circulation, and Water Resources/Flooding. The ND and all documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara and online at: <http://www.sbcountyplanning.org/projects/14RVP-00005CasaDorinda/index.cfm>. 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 Assessor Parcel Nos. 009-640-001 and 009-070-057, located at 300 and 302 Hot Springs Road, in the Montecito area, First Supervisorial District. (Continued from 10/21/15 and 12/03/15)

ACTION: Accepted late submittals from Pamela Post, Suzanne Elledge Planning and Permitting Services, Inc., Steve Amerikaner, and Kellam de Forest into the record

Phillips/Overall **Vote: 5-0**
Appeal process not applicable.

ACTION: Required a focused Environmental Impact Report on issues associated with the historic bridge, including an analysis of alternative locations for a new bridge and their impacts on all applicable environmental issue areas.

Cole/Keller

**Vote: 3-2 (Overall and Phillips no)
10 day appeal period; fee required.**

2. **15DVP-00000-00011** **Behrman Development Plan** **843 Park Hill Lane**
Exempt, CEQA Guidelines Sections 15301(e) Anne Almy, Supervising Planner (805) 568-2053
Stephanie Swanson, Planner (805) 568-3319

Hearing on the request of Brian Banks, agent for the owner, Michael Berhman, to consider Case No. 15DVP-00000-00011 [application filed on June 22, 2015] for validation of an as-built single family dwelling (SFD) 4,860 square feet (net) in size, and a guest house 488 square feet (net) in size, permitted under 03LUP-00000-00868 in 2003, and validation of ground-mounted solar panels built per permit 10BDP-00000-01408 and exempted from zoning permits under 10EXE-00000-00351, and approval of the construction of a 600 square foot (net) addition to the existing 4,860 square foot (net) SFD in compliance with Section 35.472.080 of the Montecito Land Use and Development Code, on property zoned RMZ-40; and to determine the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15301(e). The application involves AP No. 007-030-019, located at 843 Park Hill Lane in the Montecito Community Plan Area, First Supervisorial District.

ACTION: Approved the project.

Overall/Phillips

**Vote: 3-0 (Keller and Cole absent)
10 day appeal period; fee required.**

3. **15APL-00000-00007** **Klein Appeal of the
McGaughey Water Tanks Project** **1965 Jelinda Drive**
Exempt, CEQA Guidelines Section 15270 Alex Tuttle, Supervising Planner (805) 884-6844
J. Ritterbeck, Planner (805) 568-3509

Hearing on the request of Theodore Klein, neighboring property owner, to consider Case No. 15APL-00000-00007, [application filed on March 31, 2015] to appeal the Director's approval of Case No. 15CDP-00000-00011, in compliance with Section 35-182 of the Article II Coastal Zoning Ordinance, on property located in the 2-E-1 zone district; and to determine the project is exempt from CEQA pursuant to Section 15270 of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 007-500-017, located at 1965 Jelinda Drive in the Montecito area, First Supervisorial District.

ACTION: Continued the item to the hearing of January 20, 2016, at the request of the applicant.

Phillips/Cole

**Vote: 4-0 (Overall absent)
Appeal process not applicable.**

4. **15ORD-00000-00018** **Medical Marijuana Regulations** **Montecito**
Exempt, CEQA Guidelines Section & 15301(b)(3) Allen Bell, Supervising Planner (805) 568-2056
Oksana Buck, Planner (805) 568-3577

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

1. Adopt a recommendation to the County Planning Commission that the County Planning Commission recommend that the Board of Supervisors adopt an ordinance (Case No. 15ORD-00000-00018) amending Chapter 35, Zoning, of the Santa Barbara County Code to add a new Article X titled "Medical Marijuana Regulations" to implement regulations to prohibit medical marijuana cultivation and delivery with a limited exemption for

cultivation for personal medical use.

ACTION: Did not recommend that the County Planning Commission make the findings for approval, including CEQA findings, of the proposed ordinance, and to not adopt a Resolution recommending that the County Planning Commission recommend that the Board of Supervisors approve Case No. 15ORD-00000-00018, which would add a new Article X, titled “Medical Marijuana Regulations” to Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the cultivation and delivery of medical marijuana.

Phillips/Overall **Vote: 3-0 (Keller and Cole absent)**
Appeal process not applicable.

ACTION: Clarified that the Montecito Planning Commission’s intention in recommending that the County not ban medical marijuana cultivation and delivery is that the County adopt state regulations for medical marijuana cultivation and delivery.

Overall/Phillips **Vote: 3-0 (Keller and Coleabsent)**
Appeal process not applicable.

The Montecito 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 Montecito Planning Commission