

COUNTY OF SANTA BARBARA



PLANNING COMMISSION UNAPPROVED MINUTES

Hearing of October 11, 2017
9:00 a.m.

The regular meeting of the Santa Barbara County Planning Commission was called to order by Chair Michael Cooney, at 9:01 a.m., at the Santa Maria Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, California.

COMMISSIONERS PRESENT

C. MICHAEL COONEY 1ST DISTRICT, CHAIR
CERENE ST. JOHN 3RD DISTRICT
LARRY FERINI 4TH DISTRICT
DANIEL BLOUGH 5TH DISTRICT, VICE-CHAIR

COMMISSIONERS ABSENT: None.

CECILIA BROWN 2ND DISTRICT

STAFF MEMBERS PRESENT:

Glenn Russell, Director, Planning and Development (Via Remote)
Jeff Wilson, Deputy Director, Development Review
David Villalobos, Recording Secretary to the Planning Commission
Danielle Drossel, Deputy County Counsel
Alex Tuttle, Supervising Planner, Development Review South
John Zorovich, Supervising Planner, Development Review North
Joyce Gerber, Planner, Development Review South
Gwen von Klan, Planner, Development Review North
Jon Frye, Flood Control District, Public Works Department
Marty Wilder, Laguna County Sanitation District, Public Works Department

NUMBER OF INTERESTED PERSONS: Approximately 4

ADMINISTRATIVE AGENDA:

- I. **PLEDGE OF ALLEGIANCE**
- II. **TV COVERAGE ANNOUNCEMENT:** by David Villalobos.
- III. **ROLL CALL:** Commissioner Brown was absent.
- IV. **AGENDA STATUS REPORT:** by Jeff Wilson.
- V. **PROJECTION REPORT:** by Jeff Wilson.
- VI. **PUBLIC COMMENT:** None.

VII. **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** None.

VIII. **MINUTES:** The Minutes of September 27, 2017 were considered as follows:

ACTION: Commissioner Blough moved, seconded by Commissioner Ferini and carried by a vote of 4 to 0 (Brown absent) to approve the minutes of September 27, 2017, as revised.

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

X. **STANDARD AGENDA:**

	15TRM-00000-00004		
1.	15RZN-00000-00011	Halsell Tract Map and Rezone	Orcutt
	17NGD-00000-00009	Alex Tuttle, Supervising Planner (805) 884-8068 Joyce Gerber, Planner (805) 568-3518	

Hearing on the request of David Swenk, agent for Joe Halsell, owner, to consider the following:

- a) **15RZN-00000-00011** [application filed on September 30, 2015] proposing to amend the County Zoning Map in compliance with Section 35.104 of the Land Use and Development Code (LUDC) to rezone 5.74 gross acres from 2-E-1 (residential, two-acre minimum parcel size) to 1-E-1 (residential, one-acre minimum parcel size) consistent with the provisions of Orcutt Community Plan Policy KSB-1; and
- b) **15TRM-00000-00004/TM 14,819** [application filed on September 30, 2015] for approval of a Tentative Tract Map in compliance with County Code Chapter 21 to subdivide 5.74 gross acres into 5 lots of 1.41 gross acres (Lot 1), 1.11 gross acres (Lot 2), 1.03 gross acres (Lot 3), 1.10 gross acres (Lot 4), and 1.09 gross acres (Lot 5) on property being rezoned from 2-E-1 to 1-E-1;

and to adopt the Mitigated Negative Declaration (17NGD-00000-00009) 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, Land Use, Noise, Public Facilities, and Water Resources / Flooding. The MND and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu Street, Santa Barbara, and 624 West Foster Road, Suite C, Santa Maria. The ND is also available for review at the Orcutt Branch Library, 175 Broadway St, Orcutt, and online at: <http://sbcountyplanning.org/environmental/active.cfm>. The application involves Assessor Parcel No. 103-200-065, located at the southern terminus of Deer Hollow Lane, in the Orcutt area, Fourth Supervisorial District.

ACTION: Commissioner Ferini moved, seconded by Commissioner Blough and carried by a vote of 4 to 0 (Brown absent) to:

1. Direct staff to confirm recordation of easements for access and utilities prior to review by the Board of Supervisors;
2. Recommend that the Board of Supervisors make the required findings for approval of the project, Case Nos. 15RZN-00000-00011 and 15TRM-00000-00004, as specified in Attachment A of the staff report dated September 21, 2017, including CEQA findings;
3. Recommend that the Board of Supervisors adopt the Negative Declaration, 17NGD-00000-00009 (included as Attachment C of the staff report dated September 21, 2017), and adopt the mitigation monitoring program contained in the conditions of approval for Case No. 15TRM-00000-00004 (Attachment B of the staff report dated September 21, 2017);
4. Adopt the resolution in Attachment D recommending that the Board of Supervisors approve a rezone (15RZN-00000-00011) changing the zone district on APN 103-200-065 from 2-E-1 to 1-E-1 (draft Ordinance included in Attachment D of this staff report dated September 21, 2017); and
5. Recommend that the Board of Supervisors approve Case No. 15TRM-00000-00004, subject to the conditions included as Attachment B of this staff report dated September 21, 2017, and as revised at the hearing of October 11, 2017.

REVISIONS TO CONDITIONS OF APPROVAL

Revisions to the Conditions of Approval (Attachment B) are as shown below in strikethrough and underline.

Condition 1, paragraph 3 is revised as follows:

Grading and Drainage: Grading for the proposed private access driveway and retention basin(s) will be approximately 9,310 cubic yards of cut and 988 cubic yards of fill. Stormwater run-off from the access driveway and ~~turnaround will be collected by a bioretention system and conveyed by a storm drain to a retention basin at the north side of Lots 1 and 2. Stormwater runoff from the five proposed lots will be conveyed overland to the~~accommodated on each proposed parcel or by a centralized retention basin.

Condition 4 is revised as follows:

4. MM 2 Aest-Sp1 Storm Water Retention Basin(s). The use of perimeter fencing on drainage basins shall be avoided to the maximum extent feasible. Where required, perimeter fencing shall be of a decorative nature. Any perimeter landscaping shall consist of low-maintenance trees and shrubs, as well as turf, etc. Maintenance shall be ~~determined~~ required through recordation of CC&Rs or other satisfactory legal instrument signed by all property owners. **PLAN REQUIREMENTS:** The Owner/Applicant shall depict all basin fencing (if any) and landscaping on building plans, including details of plant type, size, and irrigation, if any. **TIMING:** Fencing and landscaping shall be installed in compliance with this measure prior to Final Building Inspection Clearance. **MONITORING:** P&D shall

review project building plans for compliance with this measure prior to approval of a Zoning Clearance for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that fencing, if any, and landscaping have been installed consistent with their depiction on the project plans.

Condition 5 is revised as follows:

5. **MM 3 Map-07 CCR Maintenance.** The Applicant shall record Codes Covenants and Restrictions (CC&Rs) or other satisfactory legal instrument to provide for shared maintenance responsibilities by all owners for the:
 - a. Storm water retention basin(s) and appurtenant landscaping, fencing and access;
 - b. Storm Water Quality Management Plan components; and
 - c. Common parking areas and/or access ways.

PLAN REQUIREMENTS AND TIMING: The CC&R or other legal instrument language is subject to approval of Flood Control, P&D and County Counsel. In addition, prior to map recordation, the Owner/Applicant shall record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: County approval shall be obtained for amendments to any CC&R or other legal agreement provision related to items listed in this Mitigation Measure. All owners shall maintain property in compliance with all conditions of approval for the project." **MONITORING:** Prior to issuance of Zoning Clearance for initial tract improvements, the applicant/owner shall submit approved CC&R or other legal agreement document.

Condition 10 is revised as follows:

10. **MM 8 Bio-Sp3 Oak Tree Protection (OCP EIR Mitigation BIO-26)** Oak trees shall be protected to the maximum extent feasible. All land use development applications shall be processed in such a manner as to avoid damage to oak trees. Measures taken to preserve oak trees should include modification of project design. The area protected from grading, paving and other disturbances should include the area 6 feet outside of the dripline. Where oak trees are killed removed or significantly damaged, they shall be replaced in a manner consistent with County standards. All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all native oak trees.

Condition 19 is revised as follows:

19. **MM 17 WatConv-06 Retention Basin.** The Owner/Applicant shall provide a retention basin or basins designed to retain, infiltrate and/or recharge all runoff water onsite. **PLAN REQUIREMENTS:** The Owner/Applicant shall include the retention basin in the Stormwater Control and Grading Plans. The location and design parameters of the retention basin shall be submitted to P&D and Flood Control for review and approval. Installation and maintenance for five years shall be ensured through a performance security provided by the Owner/Applicant. Long term maintenance requirements shall be specified in HOMEOWNER ASSOCIATION CC&RS, or other legal agreement approved by P&D and County Counsel. **TIMING:** Retention and/or recharge basins shall be installed (landscaped and irrigated subject to P&D and Flood Control

District approval) prior to Final Building Inspection Clearance. **MONITORING:** County Flood Control and grading inspectors shall oversee installation. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all required components of the approved Stormwater Control Plan are in place as required. The installation security shall be released upon satisfactory installation of all items in approved plans.

Condition 27 is revised as follows:

27. **Construction of Retention Basin and Access Road.** The access driveway, and retention basin, if centralized to serve the future lots, shall be constructed in association with the first residential development on the property. **PLAN REQUIREMENTS:** The application for the first residential development on the property shall include construction of the access driveway and retention basin if centralized to serve the future lots. Site and grading plans submitted with the zoning clearance application shall include these features. Grading inspectors and Flood Control personnel shall verify that access and centralized retention basin, if applicable, have been are installed in accordance with approved plans prior to final building inspection signoff for the first dwelling. This condition shall be printed on all building and grading plans. **MONITORING:** P&D permit processing planner shall check plans prior to approval of Zoning Clearance.

Condition 58 is revised as follows:

58. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
- a. Air Pollution Control District dated November 5, 2015;
 - b. County Surveyor dated November 5, 2015;
 - c. Fire Department dated December 2, 2015;
 - d. Flood Control Water Agency dated ~~June 17~~October 11, 2017;
 - e. Laguna County Sanitation District dated September 14, 2017;
 - f. Parks Division dated August 21, 2017; and
 - g. Transportation Division dated September 9, 2017.

Condition 65 is added as follows:

- 65. Site Access.** Upon issuance of the first grading permit for development, all access, including construction traffic, shall be taken through Key Site 7 to the south. This restriction does not apply to access for emergency purposes.

2. 17LLA-00000-00002 Schafer/Muscio Lot Line Adjustment Lompoc
Exempt, CEQA Guidelines Section 15305(a) John Zorovich, Supervising Planner (805) 934-6297
Gwen von Klan, Planner (805) 934-6269

Hearing on the request of Don Poppe, agent for Cynthia Muscio, Joe Muscio, and Owen Schafer, owners, to consider Case No. 17LLA-00000-00002 [application filed on March 16, 2017] for approval of a Lot Line Adjustment in compliance with Section 21-90 of County Code Chapter 21 and Section 35.30.110 of the County Land Use and Development Code to adjust the boundaries between two lots of 177.18 acres (existing

Lot 1) and 98.66 acres (existing Lot 2) into a 147.04 acre lot (proposed Lot 1) and a 128.80 acre lot (proposed Lot 2), on property located in the AG-II-100 Zone; and to determine the project is exempt from environmental review pursuant to CEQA Guideline Section 15305(a). The application involves Assessor Parcel Numbers 099-120-018 and a portion of 099-080-007, located on both sides of Drum Canyon Road in the Lompoc area, Third Supervisorial District.

ACTION: Commissioner St. John moved, seconded by Commissioner Ferini and carried by a vote of 4 to 0 (Brown absent) to:

- 1. Make the required findings for approval of the project specified in Attachment A of the staff report dated September 20, 2017, including CEQA findings;**
- 2. Determine the project is exempt from environmental review pursuant to CEQA Guidelines Section 15305(a), as specified in Attachment C of the staff report dated September 20, 2017; and**
- 3. Approve the project (17LLA-0000-00002) subject to the conditions of approval included as Attachment B of the staff report dated September 20, 2017, and as revised at the hearing of October 11, 2017.**

The following changes were made to the conditions of approval:

Condition No. 8 was modified as follows:

Rules-23 Processing Fees Required. Prior to ~~issuance of filing of a record of survey~~ recording of grant deeds and certificate of conformity, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

There being no further business to come before the Commission, the hearing was adjourned until 9:00 a.m. on October 25, 2017, in the Santa Barbara County Engineering Building, Room 17, 123 East Anapamu Street, Santa Barbara, California 93101.

Meeting adjourned at 11:29 a.m.

Dianne M. Black
Secretary to the Planning Commission